PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 412

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2002–03

COMPRISING PERIOD
27 October—6 November 2003

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27 October 2003

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 412**

NINETEENTH VOLUME OF SESSION 2002–2003

House of Commons

Monday 27 October 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Police Numbers

1. **Andrew Selous** (South-West Bedfordshire): What recent assessment he has made of the balance between the number of police officers and police administrative support staff. [134158]

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): At the end of March 2003 there were 63,105 police staff, which is 32 per cent. of total police service personnel. This is a record number of police staff, working alongside a record number of police officers.

Andrew Selous: Is not the Minister concerned that the 7,700 extra police employed by the Government are so much fewer than the 9,600 extra administrative support staff? Would not it be better severely to reduce the paper filling and audit endured by our police officers so that instead of nearly 10,000 extra administrative staff we had the 40,000 extra police that the Conservatives would provide?

Ms Blears: The hon. Gentleman must learn to get his sums right. There are an extra 9,000 police officers, not the 7,000 to which he referred. The extra police staff are certainly not pushing paper. They are investigating officers, detention officers and escort officers. There is also a record number of nearly 2,000 community support officers, who are helping us to provide high-visibility, front-line policing on our streets, which is what the public want.

Gareth Thomas (Clwyd, West): What effect does the Minister think that the recent revelations of racism in a number of provincial forces will have on recruitment, especially among ethnic minorities?

Ms Blears: My hon. Friend raises an important and extremely difficult issue. We are doubly determined to tackle racism, and I hope that record numbers of people from black and minority ethnic communities will continue to join our police service—I understand that Greater Manchester police force had a record number of new recruits in its most recent intake. That is why it is vital that we root out racism wherever we find it and ensure that people with racist beliefs have no place whatever in our police service.

Mr. Mark Oaten (Winchester): Does the Minister accept that it is a disgrace that 41 per cent. of a policeman's time is tied up on paperwork and that we want much more done to get our police out on the streets? With that in mind, will she support me in calling for all police on the beat to be issued with palmtops and mobile technology so they can be seen doing their work,

rather than being back in the station? Does she also accept that this is the age of techno cop, not paper-clip cop?

Ms Blears: I welcome the hon. Gentleman to his first Question Time as home affairs spokesperson for the Liberal Democrats. I am sorry to have to tell him, however, that we have been there, done that. We are well on the road to introducing technology. I visited Wrexham police a few weeks ago. They have hand-held computers and personal computers in the cab so that they do not have to waste their time going back to the office to fill in forms. Video identification services are being rolled out across forces and we also have NAFIS, the national automated fingerprint identification system. Much more technology is now involved. I am sure that the hon. Gentleman will enjoy visiting forces in which technology is beginning to make a difference.

David Winnick (Walsall, North): Arising from what the Minister said to my hon. Friend the Member for Clwyd, West (Gareth Thomas), is not it a fact that had it not been for the undercover work of Mark Daly, people with outrageous racist views would have been kept in the police force? Should not the BBC and, in particular, the reporter be congratulated on the public and civic duty they undertook? Will the Minister explain why it was felt necessary for very senior Home Office officials to write to the chairman of the BBC before the film—

Mr. Speaker: Order. The hon. Gentleman goes beyond the terms of the question.

Ms Blears: My hon. Friend mentions the television programme, which I watched. I was shocked, sickened and outraged by what I saw. However, the new assessment procedure introduced in May this year tests recruits' attitudes to race and diversity in seven different ways. Since that was introduced, 79 potential recruits have not got a job because they failed the diversity part of the test. We will ensure that that new form of assessment for recruits is rolled out across the country, as fast as possible, to ensure that we weed out people with abhorrent and deep racist views.

Mr. James Paice (South-East Cambridgeshire): We welcome the increased number of police officers, even though the figures show that they are being paid for by council tax increases rather than by the Government. Last week, the Minister said in Westminster Hall that there would be an increase in spending on the police of 4 per cent. next year to include formula spending, the specific grant and Home Office direct expenditure, yet the Association of Police Authorities says that it needs an increase of 6 per cent. just to stand still. Is it right? If so, by how much will council tax go up, or will we see fewer police next year?

Ms Blears: The hon. Gentleman is well aware, from our debates both in this Chamber and in Westminster Hall, that police funding is a top priority for the Government. Over the past three years there has been significant extra investment, amounting to an increase of some 25 per cent. in support for the police. We are delighted that that has led to record numbers of police and community support officers, and more visibility in our policing.

As the hon. Gentleman knows, we are due to make an announcement on the police settlement in mid-November, and we are doing everything that we can to maximise the support that we can give to police authorities. However, I say to police authorities that we expect them to analyse their budgets very carefully to justify any increases to their local communities, and I am absolutely sure that that is what they are determined to do.

Jonathan Shaw (Chatham and Aylesford): Hard-working police officers in the Medway towns met me and my colleagues to express their alarm, and that of their communities, about phone boxes being blown up by fireworks. They welcome the new powers in the Anti-Social Behaviour Bill, but will my hon. Friend look at the fact that the police can search people for drugs, cigarettes and tobacco, but not for fireworks—

Mr. Speaker: Order. That is far too wide of the original question.

Exercise OSIRIS II

2. **Patrick Mercer** (Newark): What progress has been made in promulgating the lessons learned from exercise OSIRIS II to other (a) regions and (b) local authorities. [134159]

The Minister for Citizenship and Immigration (Beverley Hughes): Our early view is that the elements that we planned to test in this exercise worked well, but of course there are lessons to be learned from it for all the people and agencies involved. We aim to make the key findings public before Christmas.

Patrick Mercer: I am grateful for that answer, as far as it went. It took the Government 104 weeks after 11 September to try such an exercise, and clearly it took place only in London. When will similar exercises be planned and implemented in places such as Birmingham, Manchester and Nottingham?

Beverley Hughes: The hon. Gentleman does not seem to be very well informed about what was going on prior to that exercise. There have been five major exercises since 2000—before the events of 11 September—as well as a raft of table-top and middle-level exercises. The exercise programme for both the chemical, biological, radiological and nuclear resilience programme and the counter-terrorist strategy includes a wide range of exercises; there will be another seven over the next six months on the CBRN element alone. I am confident that the agencies, the private sector and other

Departments are being brought together both frequently and effectively to test the various elements of our extensive programmes.

Mr. Robert Key (Salisbury): Do any of those future exercises include a simulated biological threat attack; and if not, why not?

Beverley Hughes: There are certainly exercises designed to test the planning and framework arrangements for biological attacks. One of the seven exercises that I have just referred to tests the plan for a specific biological attack involving smallpox, as well as a range of other chemical agents.

Chris Grayling (Epsom and Ewell): The Minister will be aware that I represent a constituency on the fringes of London. One of my great concerns is that, when I talk to local authority chief executives, they seem to have little real, detailed understanding of how they would have to respond in the event of a major incident. What steps have the Government taken to ensure that those who might be on the fringes of a major incident, and might therefore suffer overspill effects such as the movement of people, are brought into the loop and well versed in what they might have to do in such circumstances?

Beverley Hughes: The hon. Gentleman makes an important point because, as he rightly implies, it is not sufficient simply to have well co-ordinated arrangements at the centre for Departments and major national Government agencies; it is extremely important to make sure that there is linkage and co-ordination at regional and local levels. He is right: on the scene, it will largely be local authorities and their counterparts who will respond first.

There is a detailed structure at regional level to ensure that that co-ordination takes place, and local authorities are engaged with us in a series of exercises. An exercise called "Counterbalance" brings together local authorities and their regional and national counterparts to go through those issues. We have also issued guidance to local authorities, and we are now consulting them on a revision of the existing guidance on the CBRN programme. Finally, we are undertaking a mapping exercise with local authorities, through the regional structures, to assess exactly what progress they have made towards implementing the plans that we are helping them to institute.

Licensed Premises

3. **Mr. John Denham** (Southampton, Itchen): If he will allow police officers to raise money from licensed premises to pay for additional police officers and community support officers. [134160]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): We are concerned about the costs of policing late-night entertainment venues, and we believe that partnership working with the industry is the key to tackling crime and disorder. There are some excellent examples, such as "City Centre Safe" in Manchester. The Home Office is working closely with the Prime Minister's strategy unit to develop an alcohol harm reduction strategy for England. The strategy will tackle a wide range of issues, including managing the costs of crime and disorder.

Mr. Denham: I am grateful for my hon. Friend's reply. The Government have achieved a remarkable increase in the number of police officers, but is not the problem the fact that too much of a police officer's career is likely to be spent policing town and city centres on Friday and Saturday nights, not out in the communities where people also wish to see them? Do we not need a statutory scheme to enable police authorities and local authorities to raise extra money from the licensed premises that make huge profits from binge and heavy drinking to fund extra police officers and community support officers in every community that needs them?

Caroline Flint: My right hon. Friend is right about the cost to local communities of the disorder caused by crime—47 per cent. of violent incidents are committed under the influence of alcohol. As I have said, we are embarking on a strategy with the Prime Minister's strategy unit to tackle the issue among others, and hope to report later this year. Community support officers can be given designated powers to assist in this area. I understand that Hampshire police, who cover my right hon. Friend's constituency, have so far not bid for community support officers, but there will be another opportunity to do so in spring 2004.

Gregory Barker (Bexhill and Battle): If police authorities are allowed to raise additional revenue, can it be used to pay special constables? They perform an invaluable role, yet their numbers have been cut dramatically under this Government.

Caroline Flint: It will be open to the force to determine the use of any funds so raised. However, there are already a number of schemes that local authorities and the police, working with club owners and publicans, can use to try to address those issues. In fact, the Licensing Act 2003 includes new powers to shut down rowdy premises within 24 hours and review licences instead of waiting for the point when they are up for renewal, which will help to tackle some of the issues.

Huw Irranca-Davies (Ogmore): May I welcome on behalf of my constituents the total of nearly 300 additional police for south Wales since 1997 and the community support officers who have recently been added? However, echoing fellow Members' queries, when the strategy review is complete, can it be rolled out as soon as possible, particularly to places such as Ogmore, where police are being pulled out of remote communities for duties in town centres as well as in the fantastic Millennium stadium?

Caroline Flint: I support my hon. Friend's view that this is an important issue that needs to be addressed. It is an issue not only for the police but for local authorities, health services and others. Earlier this year, guidance

was published for crime and disorder reduction partnerships on ways in which they could tackle the issue as part of their remit.

Miss Anne McIntosh (Vale of York): Does the Minister accept that the experiment in New Earswick, where the Joseph Rowntree fund paid for a police officer for a two-year trial period, did not work? The Opposition want to replace two-year time-limited grants for community support and rural support policing with long-term funding for our police.

Caroline Flint: I am afraid that I do not know the details of the experiment that the hon. Lady mentioned, but there are issues relating to an end-to-end attitude to the process that involve all sectors of local authorities. If individuals are pulled out to take part in other assignments, that does not necessarily help the problem that they were urged to tackle from the outset. We want collaboration between the police, local authorities and people in the industry to try to find solutions to this challenging problem.

Illegal Drugs

4. **Paul Flynn** (Newport, West): What new proposals he has to reduce the use of illegal drugs. [134161]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): As my hon. Friend is aware, the Government's updated drug strategy was launched in December 2002. Recent achievements in reducing drug use and supporting communities include the introduction of the young people's substance misuse plan in April 2003. Since then, we have launched the Frank anti-drugs awareness campaign, and have announced funding for a two-year anti-stigma campaign for relatives of drug misusers. On Thursday, the Prime Minister announced a pilot arrest referral scheme for young people in 10 sites across the UK.

In addition, the criminal justice interventions programme is now fully operational in 30 basic command units. The Home Secretary is due to announce further expansion of the programme in early November. We have also achieved a reduction in waiting times and an 8 per cent. increase in numbers accessing treatment.

Paul Flynn: Does my hon. Friend agree that the harshest prohibitionist policies against drugs in Europe for 30 years have, perversely, led to our having the worst drug problems in the entire continent—less than 1,000 drug addicts in the UK in 1970 and more than 250,000 now, and no recreational use of cannabis in this country until after it was prohibited? Is not the Government's stand on the reclassification of cannabis a courageous, practical and intelligent one? Although it is a first baby step, is it not likely to lead to a new direction of policy that will reduce all drug harm?

Caroline Flint: The overall aim of our drug strategy is to reduce the harm caused by drugs and, importantly, to reduce the crime caused by those who have drug problems. We do not believe that legalisation is the right step forward. I reaffirm to the House that the reclassification of cannabis in no way legalises cannabis. We are trying to have a mature debate about a highly complex issue. One of the reasons that drugs strategies have failed in the past is that there have been too many gaps through which the people who suffer from addiction fall. Through the criminal justice system and drug action teams, and by working with schools and others, we are trying to make sure that we get the best output from the money that we put in, and above all that we reduce the harm to individuals, their families and the wider community.

Mr. Patrick McLoughlin (West Derbyshire): If the Government win the vote on Wednesday, will cannabis be an illegal drug?

Caroline Flint: Yes.

John Mann (Bassetlaw): Sweden does it, Australia does it, and now, after years of prevaricating, Bassetlaw is doing it, with GPs taking the lead in treating drug addicts effectively. Would my hon. Friend prefer to wait the two or three years it will take to train more specialist GPs before copying our success, or would she rather give us more money now to evaluate the success and fast-track effective treatment?

Caroline Flint: We are keen to see best practice across the country. As Bassetlaw is a near neighbour of mine, I shall study closely what happens there. One thing is sure: we need to look at a range of people working in the field, from the clinical specialists to others who can make sure that we support people as a way of getting them off drugs and out of drugs. I always have an open ear to the comments of my hon. Friend the Member for Bassetlaw (John Mann).

Mr. Julian Brazier (Canterbury): Does the Minister accept that by reclassifying cannabis on Wednesday, the Government will not be doing what the hon. Member for Newport, West (Paul Flynn) would like—fracturing the relationship between hard and soft drug dealing—nor will they be taking the kind of tough measures against all drugs, which the Opposition argue for? Is this not one more example of the fact that the third way is no way at all? Instead of sending out mixed and confusing messages on Wednesday, why does the hon. Lady not provide more drug rehabilitation places?

Caroline Flint: I do not accept that. We are providing more places for various forms of treatment. It is not just a matter of residential treatment; it is a matter of what happens to people when they come out of that treatment and how we sustain treatment in the community. That includes dealing with issues such as employment, housing and education. We are not seeking to legalise cannabis by reclassifying it; we are trying to have an important debate based on scientific evidence that looks at the relative harm caused by different types of controlled drugs. The hon. Gentleman and others are guilty of sending out mixed messages, which do not help children, young people and others who expect an honest, frank and realistic attitude to such an important issue.

Greater Manchester Police

5. **Tony Lloyd** (Manchester, Central): If he will make a statement on the funding of Greater Manchester police. [134162]

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): The budget for the Greater Manchester police this year is £450 million, an increase of 8.6 per cent. on last year. Government grant for Greater Manchester is £380.8 million this year, an increase of 4.9 per cent. over 2002–03. In addition, specific grants of £28.9 million give an overall increase of 6.7 per cent. The police authority will also receive over £9 million in capital funding. We shall announce details of the provisional funding settlement for 2004–05 in mid-November.

Tony Lloyd: While I recognise the enormous increase in funding, does my hon. Friend accept that it is a colossal waste of resources to pursue the makers of "The Secret Policeman", the documentary about Greater Manchester police and other police forces? Is it not a phenomenal betrayal of the people of this country and of Manchester, and of many in the police service, that they are stigmatised as racist because of the failure of those at the very top to deal with racism among our police? I welcome the Minister's strong words in the House today, but what steps will the Home Office take to make chief constables deal with racism effectively?

Ms Blears: Like me, every Member who saw that programme last week will have been sickened and outraged, but the documentary also revealed that many, many serving officers certainly do not share such racist beliefs. It is crucial that we support the officers in the service who have done a great deal to tackle racism in recent years while redoubling our efforts—at ministerial level, chief constable level and throughout the service—to weed out racist recruits. I am delighted that all the chief constables have written a public letter to that effect and signed up to a seven-point plan. We will ensure that the new police assessment and recruitment process for probationers is rolled out across the country because, wherever we can, we must send out a clear message, both in principle and in practice, that racism has no place in the British police service.

Mr. Oliver Letwin (West Dorset): Did Greater Manchester police ask the permanent secretary at the Home Office to write to the BBC, and, if not, why did he do so?

Ms Blears: The right hon. Gentleman knows that there are questions on that further down the Order Paper. My right hon. Friend the Home Secretary will answer in detail the questions that have been raised in relation to the permanent secretary's letter.

Mr. Letwin: The Minister cannot escape answering the question. If the permanent secretary was not seeking to stop the film, what was he doing writing to the BBC a month before it was shown?

Ms Blears: Mr. Speaker—

Mr. Speaker: Order. *[Interruption.]* Order. The question is about funding. The Minister will answer.

Ms Blears: It is my understanding that the permanent secretary was not requested to write, but chose to do so because of the difficulties that he had experienced in obtaining access to the material involved. That was the basis on which he wrote the letter.

Football Matches (Policing)

6. **Bob Russell** (Colchester): What guidance he gives to chief constables on policing professional football matches. [134163]

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): Policing football matches is an operational matter for chief officers. The Home Office works closely with the police, football authorities and other agencies to help minimise the safety and security risks associated with football matches.

Bob Russell: Can the Minister confirm that there are no no-go areas and that the laws of the land that apply to the people who watch football also apply to participants on the pitch, on the touchline and in the players' tunnel? What advice has been given to chief constables to ensure that the law of the land is upheld on the pitch by professional footballers?

Fiona Mactaggart: The hon. Gentleman is right: players and others are subject to exactly the same laws and police powers as any other citizen. The police can intervene if the situation makes it necessary. We have worked with local police officers to ensure that they use their powers appropriately. Obviously, during a match, the conduct of the match is the responsibility of the referee and match officials, so we also work with the Department for Culture, Media and Sport to offer support in respect of that aspect of policing. The Minister for Sport and Tourism wrote to the chairmen of 92 league clubs before the start of the season to remind them of their responsibility for ensuring that their players' behaviour is of an acceptable standard. Since then, he has discussed player misbehaviour and the response of the football authorities on several occasions with the management teams of the premier league and Football League. We in the Home Office expect every police officer to maintain the same standards of conduct among players as they would among the general public.

Keith Vaz (Leicester, East): Does the Minister appreciate that the cost of policing football matches is a

huge burden on clubs, especially a club such as Leicester, which is going through a temporary blip at the bottom of the premiership? Does she appreciate that in some cases the cost is an arbitrary figure that is placed on specific clubs and games? Will she convene a meeting with the Minister for Sport and Tourism to discuss the matter seriously with the relevant clubs? *[Interruption.]*

Fiona Mactaggart: It is true that Leicester unfortunately did not do as well as Colchester United at the weekend.

I acknowledge that there are issues about the cost of policing, especially for the smaller league clubs. Section 25 of the Police Act 1996 currently enables police authorities to charge football clubs for deploying officers in stadiums. There have been discussions about whether a further extension of charging is possible. It is a complex issue and there are arguments on both sides.

The previous Minister with responsibility for policing and the Minister for Sport and Tourism set up a working group that involved police, police authorities, football authorities and others to examine all the issues. The group has not yet concluded its deliberations and it would be premature to speculate on the outcome, but I shall ensure that my hon. Friend's comments are fed into the conclusions.

Sir Sydney Chapman (Chipping Barnet): Further to the comments of the hon. Member for Leicester, East (Keith Vaz), will the Minister confirm that policing football matches last season cost approximately £50 million, of which only a fifth was recouped from the football clubs? In contradistinction to the hon. Gentleman's remarks and given vast transfer fees and specific clubs' huge amount of wealth, is not there a case for the Football Association, for example, entering into negotiations with the police to ensure that a much greater proportion of the cost is paid back to the police?

Fiona Mactaggart: The hon. Gentleman implies that all football clubs have the same resources as those in the premier league. Some clubs have substantial resources, but the costs can be a burden for a smaller club that finds it more difficult to pay for such matters. The working group to which I referred in answer to the question of my hon. Friend the Member for Leicester, East (Keith Vaz) is discussing such issues. It will consider ways of sharing the costs and the burden. Although the additional policing that accompanies a football match benefits the local community, there are also disbenefits. That is precisely why we have set up the working group. It will consider in its report the clubs that can best bear the costs.

Crime (Bridgend)

7. **Mr. Win Griffiths** (Bridgend): What plans he has to visit Bridgend in 2003 to discuss with relevant parties his agenda for tackling crime in Bridgend. [134164]

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): My right hon. Friend the Home Secretary visited Bridgend in January last year, when he had an extremely helpful meeting with the borough commander. The Government are committed to reducing crime throughout England and Wales, and are working with local and national partners to do that.

Mr. Griffiths: I thank the Home Secretary for his visit on that occasion, because it was followed by a resounding by-election victory in my neighbouring constituency. Will he and the Home Office team consider the excellent work of the youth offending team in Bridgend and re-examine its funding? The local authority appears to have to accept a disproportionately high amount of the costs, and other partners should make a greater contribution. In that respect, the Home Office could play its part by ensuring that South Wales police are adequately funded in the coming year.

Ms Blears: My hon. Friend is absolutely right that there is some excellent work going on in Bridgend and right across south Wales in tackling drugs problems and antisocial behaviour, and working with schools and young people. I am delighted that South Wales police has 40 community support officers and a further 23 due to start very soon. I am also delighted to give him my reassurance that I will discuss the issue that he has raised about the youth offending team with the Under-Secretary of State for the Home Department, my hon. Friend the Member for Wythenshawe and Sale, East (Paul Goggins), to see whether there are any steps that can be taken.

Criminal Trials (Admissible Evidence)

8. **Vera Baird** (Redcar): What plans he has to make the products of telephone taps admissible evidence in criminal trials. [134165]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): There are no plans to do so at present, although the House will be aware from previous debates that my right hon. Friend the Home Secretary has this matter under review.

Vera Baird: I am grateful for that answer. It is usually said that phone tap material cannot be admitted in court because of operational secrecy, but it is admitted in almost every other jurisdiction without apparent damage being done. Indeed, some British-based international criminals have been convicted here because the foreign end of their operation was tapped and the foreign taps were put into evidence here. In a recent case in Cleveland—my own police authority—there simply was no other evidence. Although the phone taps were somewhere between strong and conclusive, the case collapsed. We are trying to bear down on crime, so should not proper use be made of this valuable material?

Paul Goggins: My hon. and learned Friend, as ever, makes an interesting point, and it is one of those that the review to which my right hon. Friend the Home Secretary has referred will be taking into account. As she mentioned, the United States and most European Union countries already admit such evidence in the way that she suggests, but the balanced judgment that the review must make is whether telephone taps, if we allowed them to be used as evidence, would produce a

better outcome than the current system. Of course, the current system uncovers essential evidence that leads to prosecutions and, even more importantly, the prevention of serious crime. All those issues will be weighed in the balance in the review, which will report in due course.

Mr. Crispin Blunt (Reigate): While I welcome the balance that the Minister is bringing to the issue, will he weigh in that balance the case of Major Milos Stankovic, whose career in the British armed services was seriously harmed by, I understand, American intelligence intercepts that were wilfully misunderstood? That led to his career being ruined when all he was doing was carrying out his proper duties as directed by the general for whom he was working for the United Nations in Serbia. That is a good example of the dangers of relying on such intercepts. Will the Minister bear that in mind during the review?

Paul Goggins: It is kind of the hon. Gentleman to show concern for somebody whose career allegedly was seriously damaged. The experience that he outlines to the House is of course the kind that will be taken into account by the review.

Mr. Chris Bryant (Rhondda): The Minister seems to have already answered his own question about whether the review will provide a change. In the light of the publication of Rio Ferdinand's telephone bills on the front page of many newspapers last weekend, may I urge my hon. Friend to ensure that there is strong security around the process of phone tapping? Will he also consider the issue of how text messages as well as telephone conversations are made admissible in court?

Paul Goggins: Again, all this will be taken into account by the review. It is important that we consider the role of text messages, which are a form of telephone communication. They will also be taken into account by the review, although bringing Rio Ferdinand into these considerations is probably slightly wide of the mark. However, you have not ruled so, Mr. Speaker, and I shall conclude there.

Police Authority Funding

10. **Mr. David Heath** (Somerton and Frome): What his policy is on limiting police authority council tax increases. [134167]

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): The use of reserve capping powers in England is a matter for the Deputy Prime Minister. We are clear about the fact that the trend in council tax rises is not sustainable, which is why the Government have announced that, if necessary, we may use our capping powers in 2004–05.

We hope that capping will not be necessary for any police authority. The public rightly expect continued improvement in policing services. I expect police authorities to set budgets next year that ensure further improvements without placing excessive burdens on the local taxpayer.

Mr. Heath: That was an exercise in wishful thinking if I ever heard one. The police authorities themselves estimate that next year the average council tax increase will be 15 per cent. just so that they can stand still—and that comes on top of the 24.5 per cent. actual average increase last year.

The Minister cannot have it both ways. Is it her policy that there should be unacceptable increases in council tax, or is it her policy that there should be unacceptable reductions in police numbers?

Fiona Mactaggart: I wonder whether the hon. Gentleman wants the rates to be capped.

Central Government have substantially increased the resources available for policing. There has been a 30 per cent. increase since 1999–2000—an 18 per cent. increase in real terms. There has also been a substantial increase in the local contribution, partly because local communities have expected and demanded more policing. Moreover, the Government have delivered more police officers on our streets: there have been 155 extra officers in Avon and Somerset in the last few months alone.

Mr. Peter Pike (Burnley): Along with other Lancashire Members, I met representatives of Lancashire police force on Friday. While welcoming all that the Government have done in so many respects over the past few years, they gave us a blueprint of what they believe Lancashire policing needs in the years ahead. It would mean a massive increase in the police budget.

Does my hon. Friend agree that the problem with financing the police by means of council tax is that people tend to look at the total tax demand and the overall increase? In my area there are three tiers: the police authority, Lancashire county council and Burnley district council. The gearing of the tax was worked out following the Ribble Valley by-election—which Labour lost many years ago—to replace the poll tax, and has resulted in an unfair system of taxation.

Fiona Mactaggart: My hon. Friend is right. As he will recall from his experience as a local authority leader, it behoves an administration to put the best possible case for extra resources, and I am sure that that is what his local police force has done. He is also right to point to the consequences of gearing, whereby an extra 1 per cent. on the council precept for police spending requires a 4 per cent. increase in the amount charged to the local citizen. That system was introduced by the Conservative party, and the citizens of my hon. Friend's constituency are still suffering as a result.

Mr. David Cameron (Witney): Is not one of the factors pushing up the police element of the council tax, especially in the south of England, the difficulty of recruiting and retaining officers? Is that not made even more difficult when officers are poached by forces in lower-cost areas or by the Met? I know that the Minister took an interest in this matter in her former incarnation.

What thought has she given to a system of transfer fee payments, whereby the Thames Valley force and others in the south of England could at least recoup some of the cost of training those officers?

Fiona Mactaggart: The hon. Gentleman will know that, as a constituency Member, I am concerned about that. As a result of my concern, and concern expressed by chief constables in the south-east, additional allowances of £2,000 were introduced for Essex, Hertfordshire, Kent, Surrey and Thames Valley for officers recruited after the 1994 change in the payment system, and allowances of £1,000 for those in Bedfordshire, Hampshire and Sussex. That is one way of helping authorities to recruit and retain officers. We have also established the 30-plus scheme to encourage officers to stay on so that forces can retain experienced members.

We do not intend to pursue the hon. Gentleman's proposal on transfer fees, but we will work with police forces to help them deal with recruitment and retention issues. That has already proved successful, which is why we now have record numbers of police officers in forces throughout the country.

Prison Education

11. **Lawrie Quinn** (Scarborough and Whitby): What steps he is taking to increase the opportunities for prisoners to find employment after release. [134168]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): The Prison Service is investing £14.5 million a year in its custody to work initiative. A growing partnership with Jobcentre Plus has led to a number of initiatives, including the extension of employment and benefits surgeries across the prison estate.

Lawrie Quinn: I thank my hon. Friend for that answer. Does he agree that often it is the probation service that is at the front end in terms of rehabilitating former offenders and getting them back into proper employment, and that the problem that they often face is that the key skills, the literacy and numeracy skills, that they need to undertake a profitable existence in society are lacking? Has the Home Office any plans to talk to learning and skills councils to try to generate local partnerships with organisations such as the probation service in Scarborough and Whitby, which is doing very well and could do even better with a stronger partnership in that respect?

Paul Goggins: I can confirm that the probation service is seeking to develop partnerships of that kind, as is the Prison Service. Last year, 40,000 literacy and numeracy qualifications were gained in prison. Indeed, last year, one in 10 of every basic skills qualification gained anywhere in the country was gained in a prison. Better qualified people coming out of prison stand a better chance of getting a job and staying out of trouble.

Mr. George Osborne (Tatton): As the Minister well knows, I have the second largest female prison in my constituency and, despite the best efforts of local people, too little is done to help those female prisoners on their release into the community, often in the Manchester area. Does he agree that we need to do much more to help female prisoners, whose lives are often a complete mess before they go to prison? What initiatives has he considered undertaking as the new Prisons Minister?

Paul Goggins: Women leaving Styal prison and indeed prisoners leaving any prison need a great deal of support, sometimes appropriate drug treatment or mentoring support, for example, but in particular they need help with education and training in order to get their lives back in order and to enhance their opportunities for gaining employment and a wage that will take them increasingly away from crime.

Rob Marris (Wolverhampton, South-West): Education is key to rehabilitating prisoners on their release. The last annual report of Her Majesty's chief inspector of prisons stated that the amount spent per capita on young people in the secure estate was £1,800. That compares with an equivalent figure for secondary schools of £3,200. Even allowing for a different way of calculating those figures, the discrepancy is immense: per capita, only about 60 per cent. of what is spent in secondary schools is spent in the secure estate. Will my hon. Friend look into that discrepancy and address the problem?

Paul Goggins: It is unfair to make that direct comparison. I think that my hon. Friend admitted as much, but it is important that we continue to increase the amount of education and training that is available for juveniles in custody, and we continue to do that.

Mr. Dominic Grieve (Beaconsfield): The Minister said that good education and training programmes could be delivered in prison. Does he agree that it becomes impossible to deliver such programmes in an overcrowded environment? As the prison population at 74,000 is 8,000 over the certified normal accommodation, and as the Government's own projections are that, by 2006, on a conservative estimate, it will rise to 88,000, with only 1,720 places currently projected in the pipeline, how on earth are we going to prevent a serious crisis that will make training and education impossible?

Mr. Julian Brazier (Canterbury): Answer.

Paul Goggins: I will answer the question, which is that at the moment we are expanding the prison estate by adding 2,800 places in existing prisons, building two new prisons and making use of home detention curfew. About 3,600 people are currently on home detention curfew who otherwise would be in prison, so we are constantly looking at the size of the prison population and we are taking all the necessary measures to deal with those pressures.

James Purnell (Stalybridge and Hyde): Does my hon. Friend agree that community sentencing can play a key role in helping to rehabilitate people because they can develop new skills while helping their community, and that it is a win-win situation for the community both

because it gets something back from prisoners and because it can see those people putting something back into the community to make up for their original crime?

Paul Goggins: I agree absolutely. I have made it clear on many occasions that one of the tasks that we face is rebalancing correctional services, so that we make much greater use of community penalties. They can, with the right people, have a great impact. We should be using tagging as much as possible, for example, in association with other forms of intervention such as drug treatment, better education and so forth, to deal with all the people who have gone to prison for very short periods far more effectively in the community.

Identity Cards

12. **Mr. Simon Thomas** (Ceredigion): What estimate he has made of (a) the costs of introducing identity cards and (b) the annual revenue and capital costs of such a scheme for each of the next five years. [134169]

The Secretary of State for the Home Department (Mr. David Blunkett): The hon. Gentleman will be aware that it is precisely the analysis and verification of the matters that he asks about that I have been working on for the past 18 months. Indeed, I referred to that work in July of last year, when I made a statement to the House and launched a consultation. I know that he will forgive me if I avoid infringing the right of Cabinet colleagues to make final decisions by not giving him the details this afternoon.

Mr. Thomas: Unfortunately, I cannot forgive him for that omission, because I really want to know how much this system will cost the taxpayer. We now know that identity fraud accounts for only 5 per cent. of the problems that have arisen in respect of benefits, yet the costs being talked about in the press are huge, for a system that will be neither effective nor efficient. Will the Home Secretary please drop this back-door tax on our identities, and if he is determined to press ahead with it, will he at least do what other European countries with such systems have done and ally it to a written constitution, so that the right balance of freedoms and responsibilities is struck for our citizens?

Mr. Blunkett: I congratulate the hon. Gentleman on his ingenuity—I would never have imagined that getting the European constitution or individual constitutions into this question was manageable, so well done. The truth is that whether or not we go ahead with an identification scheme, there will be substantial costs—similar to costs for ID cards—for biometrics, for proper verification of passports, and, through the Driver and Vehicle Licensing Agency, for proper verification of driving licences. When we have discussed the matter in Cabinet, I shall be very happy to present the detail and to explain where we go from here, because one way or the other we shall be going forward.

Mr. Neil Gerrard (Walthamstow): In looking at—

Kevin Brennan (Cardiff, West): My hon. Friend needs an identity card.

Mr. Gerrard: I still have an identity card, which I was issued with in 1942. In looking at the costs of developing an ID card system, is my right hon. Friend examining developing a new database from scratch? Does he accept that if we try to build on existing databases, such as the DVLA's, which were not designed for the purpose of proving identity and are known to be insecure, we will be spending a great deal of money on a system that will be flawed from day one?

Mr. Blunkett: My hon. Friend is right to draw this matter to the House's attention. There are two separate issues: the process by which people would obtain cards and the mechanisms in place to deal with it; and the database itself, which will be crucial if biometrics and cards with chips—including future passport cards and driving licence cards—are to work effectively. In such a scheme, dovetailing the citizens' information project, which the Treasury has been working on, with the revision and refinement of the national insurance system will also be crucial. I look forward to being able to return to the House in the weeks ahead with an answer as to which of the routes we will take.

Miss Julie Kirkbride (Bromsgrove): Does the Home Secretary agree that although citizens rightly expect a great deal from the state and from taxpayers, taxpayers have an equal right to be able to ascertain the identities of those citizens who wish to claim benefits? I wish him well in his battle with the Treasury over this argument, and will he impart to the House his chances of actually winning it?

Mr. Blunkett: I am all in favour of ensuring that people who are entitled to benefits and services get them, and that those who are not do not. However, for the avoidance of doubt I should like to make it clear that I am not in a battle with the Treasury. We have sometimes had rigorous discussions in the past six and a half years; in this instance, we are having very amicable and helpful discussions.

Police Racism

13. **Mr. Jim Cunningham** (Coventry, South): What steps are being taken to tackle racism in the police. [134170]

15. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): If he will make a statement on the potential role of whistleblowing in tackling alleged racism in police forces. [134172]

The Secretary of State for the Home Department (Mr. David Blunkett): My hon. Friend the Minister for Crime Reduction, Policing, and Community Safety has already made it clear that we believe unequivocally that

racism is unacceptable wherever it occurs, but particularly in the police service. That is why we introduced the new recruitment and assessment procedure, which took effect in 13 forces last May and is being rapidly extended across the country. That is why we are working with chief constables to ensure that failure on only one of the seven competences in respect of race and diversity, to which my hon. Friend the Minister for Crime Reduction, Policing and Community Safety referred earlier, will mean that someone cannot have a job. Above all, we must use the new assessment centre to ensure that those doing the assessment are properly trained.

On Question 15, section 37 of last year's Police Reform Act 2002 gives the necessary protection to police officers and those working in the service to be able to use adequately the right of whistleblowers to tell the truth about what is going on in the service.

Mr. Cunningham: I thank my right hon. Friend for that answer and I appreciate the fact that the police are introducing a new system, based on the seven criteria, for entering the police force. However, since the incidents of the behaviour of police recruits—albeit a minority—have been revealed, what reaction has he had from the ethnic minorities throughout the country?

Mr. Blunkett: Quite understandably, one of sheer horror. I have been working with the National Black Police Association since before the film was shown, having attended its annual conference. First, I want to ensure that attitudes within the service are changed and that the diversity of our communities is respected. Secondly, when evidence is brought forward, I hope that through identification from within the force itself, rather than simply through the media, people will have the wherewithal and the confidence to bring that forward and senior officers will be prepared to take decisive action.

Mr. Llwyd: I am sure that the Home Secretary and every hon. Member will agree that the police do a difficult and dangerous job and need all the support that they can get, and I am sure that we all agree also that racism is a minority interest within police forces. Having said that, I am grateful to the right hon. Gentleman for drawing my attention to the statutory provision for whistleblowing, but is there not now a case for changing the culture? One of the ingredients of a successful force is the camaraderie, and one ingredient of that is individuals often keeping quiet when they should not when something wrong is picked up. In those circumstances, would it be possible to encourage police authorities and police forces to ensure that any whistleblowing incident can go ahead without any adverse come-back on the individual concerned? We really need to change the culture.

Mr. Blunkett: I would agree that the culture is critically important not simply in terms of people's behaviour towards each other, but in changing hearts and minds. People should not only refrain from using abhorrent language, but actually change their real attitude and actions. That applies to gender as much as to race. We all, to make the hon. Gentleman's point, have an obligation to do so, not just in terms of public services, but in respect of attitudes within political parties and within communities.

Mr. Parmjit Dhanda (Gloucester): Is my right hon. Friend aware of allegations in *The Sunday Telegraph* yesterday about a detective who is responsible for investigating racially motivated crimes? According to the newspaper, she is married to an active member of the British National party and they have a bust of Adolf Hitler in their living room. Her husband has also made claims about the holocaust being exaggerated. Will my right hon. Friend take any measures that he can to ensure that that person is regarded as an inappropriate officer for doing that job in the police force?

Mr. Blunkett: That description should lead to immediate investigation of the facts and action being taken, which also applies to the eight officers—in the forces to which they have moved as well as the Greater Manchester force—after last Tuesday's broadcast. However, I do not want to rely on revelations by the media, but on proper investigation, proper analysis and action taken by senior managers within the police service to ensure that we do not have such incidents in the future.

Angela Watkinson (Upminster): Did the permanent secretary write to the BBC before the showing of the television programme that showed racism in the police force, and was that letter an attempt at censorship?

Mr. Blunkett: The permanent secretary wrote on 12 September to raise a number of issues, not having seen the film footage or the other material, which was not disclosed to the Home Office or Greater Manchester police, despite the fact that Greater Manchester police—on behalf of the chief constable and the Home Office—had requested it three times. He wrote to the director-general of the BBC to make a number of salient points, which in no way undermined the absolutely critical nature of the final broadcast, the material revealed, and the central issue of rooting out racism. One of the points that he raised was that it is critically important that members of the public dealing with the police service should know that the people they are dealing with are bona fide police officers and not members of the BBC staff.

IRA Decommissioning

3.30 pm

Mr. Quentin Davies (Grantham and Stamford) (*Urgent Question*): I beg leave to ask an urgent question about the information given to the two Governments by General de Chastelain in the context of the Northern Ireland peace process and the decommissioning last week.

The Minister of State, Northern Ireland Office (Jane Kennedy): As both have made clear, the Prime Minister and the Taoiseach have been able to learn more about the decommissioning event than was set out either in the brief statement issued last Tuesday by the two members of the Decommissioning Commission, General de Chastelain and Mr. Andrew Sens, or in the press conference given by them at Hillsborough that day. The Prime Minister and the Taoiseach had a long meeting with General de Chastelain and Mr. Sens at Hillsborough. It was much longer than the press conference. The Prime Minister and the Taoiseach were, in consequence, left with a greater sense of the nature of the decommissioning event than would be apparent from the statement and the press conference alone. However, as the Prime Minister emphasised in this place last Wednesday, the commissioners did not provide him with all the information in their possession, and given to them in confidence, about the decommissioning event. As General de Chastelain has made clear, the confidentiality constraints imposed on him precluded further disclosure.

Mr. Davies: The whole House knows that none of this is remotely the fault or responsibility of the right hon. Lady, and we all have the greatest sympathy with the invidious position in which she now finds herself.

Let me quote the words that the Prime Minister used about General de Chastelain at the Dispatch Box last Wednesday:

> "He gives certain information—not the full information, but certain information—to us, as the two Governments. Although we are not at liberty to disclose that information without his permission, we are working hard to try to find a way in which we can do so, because I believe, on the basis of what we know, that people would be satisfied if they knew the full details."

The purport of the Prime Minister's remarks was perfectly clear. First, he said that General de Chastelain had given him and the Irish Government information about the decommissioning that went beyond what General de Chastelain had made public at his press conference on Tuesday afternoon. Secondly, the Prime Minister made it clear that that incremental information was so significant that, if known, it would alter the public's perception of the event, in that

> "people would be satisfied if they knew the full details."—[*Official Report*, 22 October 2003; Vol. 411, c. 634.]

I was surprised when I heard the Prime Minister's words. I know that General de Chastelain has always interpreted very strictly his obligation of confidentiality on these occasions, and he has always said—to me and to others who have asked him about this over the past two years—that that obligation is absolute and applies to the two Governments as much as to anyone else. Nevertheless, it was the Prime Minister of my country who was speaking, and he was speaking not casually but categorically at the Dispatch Box. So I believed immediately what he said, and supposed that, contrary to my own previous understanding and expectations, the rules had somehow been changed, or that General de Chastelain had somehow made an exception to them.

Unfortunately—very unfortunately—and very regrettably for the people of Northern Ireland, for the peace process, for the credibility of the Prime Minister and, most of all, for the pride that we all like to take in the honesty of our political process and the way in which our democracy works, General de Chastelain has now made it quite clear that he never gave any additional information to the Prime Minister—or to the two Governments by any other means—let alone incremental information that could have had the significance that the Prime Minister claimed for it. General de Chastelain does not, I believe, give press interviews, but over the past two days he has said that to several people in Northern Ireland, including Bob McCartney QC, a former Member of the House, who at my request sent me an affidavit to that effect over the weekend. I have also seen the transcript of General de Chastelain's meeting on Thursday with several hon. Members from the Democratic Unionist party. Moreover, General de Chastelain said exactly the same thing to me on the telephone this morning.

General de Chastelain has had a most distinguished career as a Canadian and NATO officer, as Chief of the Canadian Defence Staff and as Canadian ambassador to the USA. He was chosen for his present role for his judgment, his integrity and his political objectivity. It is inconceivable—and would be entirely without motive—that General de Chastelain would choose to impugn that reputation by telling and sustaining a momentous and blatant lie at this stage of his career.

There is no question of misunderstanding, unfortunately, and no question of memory being eroded by time; the Prime Minister's conversation with General de Chastelain and the general's press conference were held only 24 hours before the Prime Minister's words in the House, which I have quoted. There is no chance that some non-substantive remark made to the Prime Minister during the conversation to which the Minister of State has just referred, and not repeated exactly at the press conference, constituted the additional information to which the Prime Minister referred. The Prime Minister himself said that that additional information was such that it had the power to alter the public's judgment of the whole episode. That makes the point absolutely clear.

Nor is it possible, as a No. 10 press spokesman has apparently offered, that

> "we found ourselves in an absurd position whereby we were unable to explain in lay terms just how significant that event was. The usage of expressions such as 'heavy, medium and light ordnance' obviously meant something to military people but we would acknowledge that it did not carry the same conviction for ordinary members of the public. It was precisely that circle which we recognised"—

Mr. Speaker: Order. This is an urgent question. The hon. Gentleman should be asking questions, not making a speech to bolster a case.

Mr. Davies: I understand that, Mr. Speaker.

General de Chastelain defined the terms precisely at his press conference, so there was nothing new at all. Is it good enough to say as, apparently, Government officials did to the *Belfast Telegraph* that "Mr. Blair was" not "misleading anyone" because

"when he said he 'knew', this was in the nature of an 'educated guess' or an 'informed judgment'"?

How can the Prime Minister have been making a guess? Anybody may make a guess, but the Prime Minister said that he was making a judgment on the basis of inside information that—he said—he believed that others would share if they had that information.

I leave the House to decide whether the Prime Minister can hide by saying, as his press spokesman apparently suggested this morning, that he is

"not going to breach the confidentiality"

of the conversation that he held with General de Chastelain. General de Chastelain has been perfectly happy to confirm to anyone who asks him that he gave no additional information to the Prime Minister.

Is not it clear that we have an all too simple choice? Either we can believe General de Chastelain or we can believe the Prime Minister—

Mr. Speaker: Order. The hon. Gentleman must finish.

Jane Kennedy: We are aware that the hon. Gentleman has spoken to General de Chastelain, who has also spoken to my right hon. Friend the Secretary of State for Northern Ireland. The position, however, remains as set out in the answer that I have just given. It is entirely unsurprising that the Prime Minister was left with a greater sense of the nature of the event as a result of his lengthy discussions with the commissioners.

My right hon. Friend the Secretary of State is at this moment working in Northern Ireland to take forward the process and to continue the progress that has been made, notwithstanding the current setbacks. Indeed, I joined him in doing so this morning. I was called back to answer this question, and I have been faced with nothing more than a party political point-scoring exercise, while the Conservative party is imploding around the hon. Gentleman.

David Winnick (Walsall, North): Does my right hon. Friend recall how, time and again, when we were in opposition, we gave sustained support to the Conservative Government when they attempted to start a peace process? Would it not be helpful if the shadow Secretary of State for Northern Ireland gave such support to the present peace process, instead of trying to undermine it at every possible opportunity?

Jane Kennedy: My hon. Friend is right, and I am grateful to him for making that point. This is a matter of confidence between the parties, not a process orchestrated by the Government. We have done all that we can to facilitate engagement between the parties, and we came close on Tuesday to a point of great advance. We will continue to do all that we can to facilitate engagement.

Simon Hughes (Southwark, North and Bermondsey): Does the Minister agree that, at this moment, as so often in Northern Ireland, the important thing is that we try to find a constructive way forward? Does she accept that there was a very good statement last week—the statement of General de Chastelain—but that, thereafter, things sadly fell apart because of the nature of what was clearly a bilateral agreement? Do the Government now propose to include the other parties to the Good Friday agreement—including parties such as the Alliance party, which assisted greatly at an earlier stage in very difficult times—so that there can be an open and transparent agreement, engaging all the political parties, that can deliver a result in the days ahead? Does she agree with what Mr. Gerry Adams said last week, when he said that the statement made by General de Chastelain indicated that paragraph 13 of the joint declaration about permanent cessation of activity has now been delivered and is available in Northern Ireland? Can she give us a date by which she hopes that the second half—the agreement between all the parties—will be delivered? Will she and her colleagues do everything they can to ensure that it will be delivered before the end of this year?

Jane Kennedy: Devolved government was suspended last year because of a catastrophic breakdown of trust and confidence between two of the parties. Restoring the confidence between them is the key requirement for moving forward and the Government have been facilitating that process, but we would not have made the great advances that we have made in recent times without the collective efforts of all the pro-agreement parties. I pay tribute to all of them for their courage and commitment. Without, for example, the SDLP's commitment to the policing process several years ago, we would be much less far forward now.

On the hon. Gentleman's last point about paragraph 13, we need to move forward to a point where we can develop that confidence between the parties. If we need to achieve disclosure to do that, we need to do so in a way that does not undermine the position of the Independent International Commission on Decommissioning and that promotes the confidence necessary for future acts of decommissioning to proceed, and the hon. Gentleman is right: that involves doing so by agreement.

Kate Hoey (Vauxhall): Does the Minister agree that, no matter what the Prime Minister intended to say, what he actually said caused problems in Northern Ireland for some of the parties and a general feeling that people were being misled? Is it not really important when anything is said in Northern Ireland that, if the Prime Minister knows something, people in Northern Ireland should know it too?

Jane Kennedy: I do not agree with the thrust of the point that my hon. Friend makes. It would be much

better to go forward into elections in a positive atmosphere. We have done all that we can to help the parties. *[Interruption.]*

Mr. Speaker: Order. I hope that the hon. Gentleman is not suggesting that any hon. Member is misleading the House. He will withdraw the remark that I heard him make.

Mr. Quentin Davies: I was simply picking up on the word that hon. Lady used in asking her question. *[Interruption.]*

Mr. Speaker: Order. So long as the hon. Gentleman assures me that he was not referring to any hon. Member.

Mr. Davies: Of course, Mr. Speaker, I have not used that word in connection with any hon. Member.

Jane Kennedy: The lengthy discussion that the Prime Minister and the Taoiseach had with the decommissioning commissioners last week left them with a far greater sense of the scale and nature of the act of decommissioning than it was possible to disclose in the statement or in the press conference. We should not forget the significance of that event last week, which was described as a substantial act that put beyond use weapons that, in the words of Mr. Sens, would have caused death and destruction on a massive scale. The House should note that and welcome such a step.

Rev. Martin Smyth (Belfast, South): The House will be aware that a degree of uncertainty about the use of English language has existed for some time. While one would not necessarily accuse people of telling lies, one might think that they would be fit company for Ananias and Sapphira. The Minister referred to agreement between the parties. Is that not an agreement between the then interlocutor for Sinn Fein-IRA and General de Chastelain, which has put a block on this matter, and which we have been led to believe is written in law? Furthermore, does part of the trouble arise from further revelations in Northern Ireland that the general may have been kept incommunicado, to put it mildly, for many hours before he was able to return to Belfast?

Jane Kennedy: It is disappointing for all sides that the Provisional IRA chose to impose the confidentiality on the general that led him to be unable to disclose the scale and the detail of the event. That lack of transparency has caused the speculation about which my hon. Friend the Member for Vauxhall (Kate Hoey) spoke earlier. I do not propose to add to that speculation this afternoon. We are bending all our efforts, however, to continue to make progress in what I recognise is a difficult time.

Kevin Brennan (Cardiff, West): Does my right hon. Friend agree that what we need, as well as building confidence between the parties in Northern Ireland, is a restoration of confidence between the parties in this House? Does she also agree that that would be best served by the kind of patient, calm approach that she and my right hon. Friend the Secretary of State have taken in these matters, rather than the hot-headed emotional spasms of the Conservative party?

Jane Kennedy: I am grateful to my hon. Friend for making that point. It is for those who portray themselves as opponents of the agreement to explain to the House and to the country how they would advance our current position. They do not tell us what they would do, and the attitudes that we hear from them would have meant no advance at all in Northern Ireland.

Sir Brian Mawhinney (North-West Cambridgeshire): As a supporter of the agreement, is the right hon. Lady aware that I was in the House and heard the Prime Minister convey to all of us clearly that he and the Taoiseach had factual information that the rest of us did not have? I have noted that three times today she has used the phrase that the Prime Minister had a sense of what was happening. May I therefore ask her a straight, simple question? Did General de Chastelain give the Prime Minister and the Taoiseach factual information that he did not put in his statement?

Jane Kennedy: The general put into his statement and into the public domain in his press conference what he was able to put under the confidentiality agreement that he had made with the Provisional IRA. In the lengthy discussion that he had with the Prime Minister and the Taoiseach, however, the two commissioners were able to convey and build confidence in both the Prime Minister and the Taoiseach that the event that they had seen was substantial and significantly more than had happened in the past.

Rev. Ian Paisley (North Antrim): As you know, Mr. Speaker, I gave notice that I wanted to raise this issue on a point of order, but that has been superseded by this short statement.

Will the Minister tell me when General de Chastelain made any arrangements whatsoever about secrecy or confidentiality? This House made those arrangements when it set up the commission. I opposed them, but the people who are shouting so loudly today did not oppose them—they voted for them. The first point that should be made clear is that the House is responsible for the secrecy and confidentiality and only the IRA can raze that. The IRA could have done that and said, "Yes, go ahead", but it said, "We're not going to do that; we're keeping to our confidentiality."

Will the Minister tell the House about the two officers—one from the American army and one from the Canadian army—whom her Government wanted to accompany the two commissioners but who the IRA turned down as well? From the very beginning, the IRA was not going to give the opportunity for any real declaration of what took place.

When the Prime Minister made his statement at Hillsborough, I met General de Chastelain with my MPs and asked him whether I knew anything less than what he had told the two Prime Ministers. He said, "No, you know nothing less. They only know what they were told by me, and you heard my statement. I couldn't give them any more information." I said, "Suppose that you are pressed by the Governments to give more information", and he said, "If I am pushed by the Government, I will resign because I am bound under the commission that set me up and confidentiality."

[Rev. Ian Paisley]

The Minister said that we should all be happy—

Mr. Speaker: Order.

Rev. Ian Paisley: One final question.

Mr. Speaker: Order. Not one more—the Minister must have a chance to reply.

Jane Kennedy: The hon. Gentleman is quite right that the opportunity to impose confidentiality on the decommissioning commissioners was allowed by the law underpinning the work of the Independent International Commission on Decommissioning. If he has had the opportunity to talk to the general, he will have had the same opportunity that the Prime Minister and Taoiseach had. Members of his party have acknowledged the scale of the event that was witnessed last Tuesday. Members of his party who will be fighting the election have acknowledged that an event of significance happened. I think that Members on both sides of the House should note that.

Rev. Ian Paisley *rose—*

Mr. Speaker: Order.

Mr. Andrew Mackay (Bracknell): As the Minister will be aware, I am a strong supporter of the Belfast agreement. Will she accept from me that trust is a commodity in very short supply in the Province, especially in the Unionist community, and particularly as the four hand-written pledges that the Prime Minister gave on the eve of the agreement referendum were subsequently not met? Will she assure us that after the mistake that I think that the Prime Minister made when he spoke from the Dispatch Box during Prime Minister's Question Time last Wednesday, everyone will be far more cautious? If the trust gets any worse, we will not make any progress at a vital time for the Province.

Jane Kennedy: I acknowledge the right hon. Gentleman's position and the support that he has given to the agreement, and I hear what he says. It is true that we should all bend all our efforts to grow and develop confidence and trust among parties if progress is to continue to be made.

Mr. David Wilshire (Spelthorne): During the lengthy discussions between the general and the two Prime Ministers to which the right hon. Lady referred, did the general pass on any additional facts to the Prime Ministers?

Jane Kennedy: The general did not break the rules of confidentiality or the promise of confidentiality imposed on him by the Provisional IRA. Although those rules might be seen as a stumbling block at this moment, they have allowed a series of acts of decommissioning that, in my estimate, would not have taken place without them.

Mr. Andrew Robathan (Blaby): The Minister speaks of trust and confidence. Do not two things arise out of this sorry business? The first is that it is difficult to have any confidence in a decommissioning process that takes place in secret. Is it not up to the Government to ensure that that is done in public, with transparency? The second issue is why, in the light of all the evidence and experience to the contrary, the Government persist in trusting the IRA and Sinn Fein, which are inextricably linked?

Jane Kennedy: I have said a couple of times that last Wednesday's event has been acknowledged as significant. The general explained a range of the detail when he shared with us what he could. We know that the amount of weapons was substantial and that what was put permanently out of use was sufficient to take out of circulation things that would have caused death and destruction on a massive scale. That process and event last week was significant. It should not be forgotten or lost among all the noise, sound and fury that has been created as a result of the speculation that arose because the general was unable to be clearer and to give more detail. We are seeking to make progress on that. Had he been able to be clearer about the detail, that event and the statements might have been sufficient to allow confidence to grow among the parties.

Mr. Dominic Grieve (Beaconsfield): The Minister knows that I, too, am a supporter of the Good Friday agreement. Does she not agree, however, that trust has again been damaged by the loose use of terminology and words by the Prime Minister? In those circumstances, the one thing I have not heard from the Minister, which would go some way to restoring the situation, is an apology on behalf of the Government? Would it not be a sign of a mature Government for them to apologise now to the House and to those people who consider themselves seriously misled by what the Prime Minister said?

Jane Kennedy: I think that Opposition Members are choosing to pretend that they were seriously misled. Quite honestly, I have answered the question many times. The Prime Minister did not mislead the House. As I said, the position remains as I set out in the answer I gave at the outset. It is unsurprising that following that discussion, the Prime Minister and the Taoiseach had a clear sense of the scale and nature of the act of decommissioning. Hon. Members will want them to take the process forward and to wish them well as they do so.

Points of Order

3.58 pm

Mr. Chris Bryant (Rhondda): On a point of order, Mr. Speaker. You made it clear in the urgent question that it would be wrong for any hon. Member to impute dishonour to another Member of the House, yet on two occasions Conservative Members, the shadow Northern Ireland Secretary and the Parliamentary Private Secretary to the Leader of the Opposition, shouted from a sedentary position that the Minister was speaking lies. I presume that you were not able to hear that. On such an issue, is it not all the more important that we return to the old traditions of the House?

Mr. Speaker: The hon. Gentleman should leave those matters to me.

Rev. Ian Paisley (North Antrim) *rose—*

Mr. Speaker: Order. I hope that the hon. Gentleman is going to behave himself. He should not shout across the Floor of the House when the Speaker rises.

Rev. Ian Paisley: On a point of order, Mr. Speaker. Sir, as leader of the Ulster Democratic Unionist party, I want to make it perfectly clear that no member of my party said what the Minister reported us as saying. She mixed us up with the member of another party who said something like that. He is not a member of my party. I find it ill for the Minister to malign our people when she should be answering the question on everyone's mind in Northern Ireland. We are going back to killings in Northern Ireland and all we are given is a guess. We are being asked to rely on an educated guess for our future security.

Mr. Speaker: The Minister will have heard what the leader of the Democratic Unionist party has had to say.

Mrs. Iris Robinson (Strangford): On a point of order, Mr. Speaker, of which I gave you notice. I have been informed that other Members and I have had appointments with Departments cancelled because of the election to another institution in Northern Ireland. Can you help us to ensure that our constituents are not disadvantaged by the election campaign, because it has no bearing on how we currently perform our roles in this House?

Mr. Speaker: That is not a matter for the Chair, but Ministers will have heard what the hon. Lady had to say.

Opposition Day

[20TH ALLOTTED DAY]

Defence Policy

Mr. Speaker: I inform the House that I have selected the amendment in the name of the Prime Minister.

4 pm

Mr. Bernard Jenkin (North Essex): I beg to move,

That this House believes in the importance of European nations' building up their military capabilities to contribute more to European and global defence and security through NATO; notes that the 'Berlin Plus' agreement provides the EU with assured access to NATO assets to plan and conduct military operations under NATO's Deputy Supreme Allied Commander Europe, who is always a European military officer; condemns proposals for the European Union to conduct the planning and leadership of operations independent of NATO means and capabilities; further notes that this represents a threat to NATO, which was developed in the 1998 St. Malo Declaration and would be given superiority under the draft EU constitution, and further believes that such proposals discriminate against non-EU members of NATO, decouple EU security policies from NATO and duplicate existing NATO structures and assets without increasing real military capability in any way whatsoever.

The security of our citizens, of our country and of the world is the first and most important duty of Government. The security challenges that we face today are very different from the days of the cold war, and they will continue to change. The end of the cold war was greeted with relief, but that relief has proved misplaced. Many expected the end of the superpower stand-off to herald a new international order; instead we have a new international disorder, where the proliferation of weapons of mass destruction and international terrorism are the main threats, and they arise from the new instability of whole regions, civil strife and the rise of rogue states.

No single country can achieve security in isolation. Security can be delivered only through an alliance. So if security is the Government's first and most important duty, the first and most important question that we must answer is this: in the new post-cold war security environment, what kind of alliance offers the best and safest prospect for our security? That leads us to the crux of the debate: is European and American security divisible? The answer, of course, is no.

The security, freedom and prosperity of Europe and north America are as inextricably linked as ever. The US and Canadian commitment to the preservation of peace and security in Europe is in their national interests as well as ours, so the north American military commitment in Europe must be maintained. Therefore, the only alliance that can best guarantee security is a transatlantic alliance and, moreover, a proven alliance. That alliance is NATO. Maybe the Secretary of State is with me up to this point in my remarks. *[Interruption.]* It might help if he had been listening instead of treating this subject lightly.

NATO is founded on the principle that European and north American security is indivisible, and it works. NATO not only won the cold war but has adapted to the post-cold war world. NATO enabled Europe to pacify the Balkans. But NATO must continue to transform,

[Mr. Bernard Jenkin]

and it is doing so. The NATO summit in Prague last November implemented a leaner, more efficient, effective and deployable command structure. Furthermore, a 20,000-strong NATO response force was established. Made up mainly of European forces, it provides NATO with a credible, high-readiness, fully trained and equipped combined arms multinational expeditionary force, able to deploy quickly and undertake the full spectrum of NATO tasks wherever required.

The Secretary of State for Defence (Mr. Geoffrey Hoon) *indicated assent.*

Mr. Jenkin: The Secretary of State is nodding. He is now listening, which is an encouraging sign.

The Minister for Europe (Mr. Denis MacShane): The response force was part of our policy.

Mr. Jenkin: The Government do not like it when we agree with what they say, but let us see whether they are delivering what they say they agree with. There is much more to do. We need more European capability in NATO to match the threats that we face, but we must resist anything that undermines its cohesion. The Government say that they understand these things, and the Prime Minister said on Thursday:

"We don't want duplication and we certainly don't want competition with NATO."

The test that the House must apply to the Government's policy is simple—does it bear out those wishes?

Mr. Michael Clapham (Barnsley, West and Penistone): The hon. Gentleman says that NATO needs a European capability, so does he agree that NATO is a basket of resources, including a European resource, and that that flexibility is bound to strengthen rather than weaken it?

Mr. Jenkin: It depends how that basket is constructed and whether that involves duplication and competition with NATO. I hope that the hon. Gentleman agrees with the Prime Minister, who said on Thursday:

"We don't want duplication and we certainly don't want competition with NATO."

I hope that the hon. Gentleman endorses that—*[Interruption.]* Well, that does not concur with what the Prime Minister said.

The test that the House must apply to the Government's policy is simple: does it duplicate, and does it create competition with, NATO? Let us look first at the Franco-British declaration at St. Malo in 1998, which launched the concept of an autonomous EU defence, and resulted from a personal initiative by the Prime Minister to soothe EU leaders who were annoyed that Britain would not join the euro. It was, however, immediately obvious that that created a second rival security alliance in Europe—the very competition that the Prime Minister says he is against. The Clinton Administration reacted with fury, and the then Secretary of State, Madeleine Albright, railed against what she called the three Ds—duplication of NATO assets, discrimination against non-EU members of NATO and decoupling of European and north American security.

In November 2001, the Prime Minister saw President Bush and assured him, in the President's own words,

"that European defense would no way undermine NATO . . . that there would be joint command, and that planning would take place within NATO".

Has the Prime Minister kept his word? Did he understand what he started at St. Malo? Even if he meant what he said, can he deliver those assurances without changing his policy? The answers to those three questions are categorically no, no and no. The matter should have been resolved in the EU-NATO agreement known as Berlin-plus, which was signed earlier this year. As our motion makes clear, it provides the EU with assured access to NATO assets to plan and conduct military operations under NATO's Deputy Supreme Allied Commander Europe, who is always a European military officer. If the Prime Minister believes that European and north American security is indivisible, what more could he ask for? If the EU wants to act militarily, it has all the necessary planning and command structures at its disposal as of right. There is no need for wasteful duplication or dangerous decoupling of security policy. Moreover, it took four long years to agree the settlement between NATO and the EU. The ink was hardly dry on the paper, however, when the Prime Minister met President Chirac and Chancellor Schröder in Berlin last month and agreed to the very competition that he says he is against. A published communiqué has not been released from that meeting, but there was a leak to a German newspaper—*[Interruption.]* Would the Secretary of State like to publish that communiqué? He shakes his head, so we are to believe that the three Heads of State met in Berlin and that no notes were taken, and that no statement or position was agreed. Of course we know that is not the case. The right hon. Gentleman did not deny it previously, so it is no good denying it now. He is changing his evidence again.

The three Heads of State agreed that

"the EU should have a common capability for the planning and leadership of operations independent of NATO means and capabilities."

If that is not duplication, decoupling and competition with NATO, what is? It does not strengthen NATO; it undercuts it.

Why is duplication of military planning so damaging? The job of a military planning HQ is not to run operations. That is done through the command chain. Military planners work up options, permutations and combinations and run different scenarios so that they can present a range of choices to the military commanders and politicians. NATO, at supreme headquarters allied powers Europe, or SHAPE, as it is known, provides the best multinational military planning capability in the world. Why would anyone in the EU wish to duplicate that? Can the Secretary of State answer that question?

The only answer is that the Government really want to decouple NATO from the EU. Despite what they say, they want competition between the EU and NATO. There could be no clearer evidence of that ambition. [HON. MEMBERS: "What evidence?"] I shall come to the

evidence. The very principle of what the Prime Minister agreed with our EU partners does not contribute to our security, but undermines it. The Prime Minister, having started the process in St. Malo in 1998, is now incapable of stopping it, or is unwilling to do so.

Which of the two faces of our Prime Minister should we believe? Can we believe the Prime Minister who makes promises to President Bush? Can we believe him when he says that he

"will never put at risk NATO"?

Is he sincere when he says:

"No one wants to see European defence develop inconsistently with NATO"?

That sounds like the promise of the two-timer in the morning, who says, "Of course I love you, darling." It is surely more reliable to study what the Prime Minister actually agrees on paper with his EU counterparts than to trust what he says.

The joint declaration at St. Malo makes only cursory reference to NATO, but it launched

"the capacity for autonomous action, backed by credible military forces"

and

"the means to decide to use them."

The Nice summit conclusions of December 2000 reaffirmed the need for

"operational planning for autonomous EU operations".

The Franco-British summit conclusions from Le Touquet in February this year claimed:

"The European Union now has the capacity to . . . conduct operations with or without recourse to NATO assets."

The Secretary of State will tell us today, no doubt, that all this is in the process of being resolved. He will try to convince the House that those words on paper are not what they seem, and that whatever demands the Prime Minister faces, his pro-NATO statements will remain operational. True, the proposal for the construction of a EU military planning HQ at Tervuren in Belgium has been dropped, and the idea of an floating EU military headquarters has disappeared. However, Peter Struck, the German Defence Minister, conceded that no separate EU HQ is necessary, but read carefully all of what he said last week. He added:

"For the time being, I'm in favour of putting it in SHAPE",

so it is just a matter of time.

Listen to what President Chirac is reported as saying in the *International Herald Tribune* on 22 October when he noted that

"our British friends have reservations about the creation of a planning and operational headquarters . . . But we have decided to pursue this project because we think that there will not be a Europe without a defence capacity."

It is as plain as day that the EU's defence ambitions will not stop at SHAPE. *[Interruption.]* I hear the Minister for Europe saying from a sedentary position, "It's all been shelved." May I read to him again what Peter Struck said? He said:

"For the time being, I'm in favour of putting it in SHAPE".

If the proposal is put on the shelf, it can be taken off the shelf again. What is written down anywhere to prevent the French and the Germans taking it off the shelf again? It is as plain as day that the EU's defence ambitions will not stop at SHAPE, and the hon. Gentleman knows that.

Mr. John Smith (Vale of Glamorgan): Can the hon. Gentleman explain why every single NATO member, including our two north American allies, supports a European security and defence policy?

Mr. Jenkin: But they do not support—neither does the Prime Minister—the duplication and competition with NATO to which this policy is leading.

Mr. David Heathcoat-Amory (Wells): When I was in Washington last week, I had the chance to talk to members of the Administration about the subject. My hon. Friend is absolutely right—they are seriously alarmed by the text of the draft European constitution, which would allow Europe to go ahead with a European defence, including operational undertakings, without the permission or agreement of our north American allies. They are particularly alarmed that the White Paper issued by the Government does not promise to reverse those parts of the treaty text. My hon. Friend is right that the Government's assurances are completely hollow unless they make it a red line veto issue decisively to change the draft constitution from its present form.

Mr. Jenkin: I am grateful for my right hon. Friend's intervention. He will agree that it is an extraordinary turn of events that members of this American Administration, who are so personally grateful to the Prime Minister for his support during the Iraq war, should speak out in public to criticise the policy that he has been pursuing in Europe. Almost every member of the Administration to whom I have spoken has said, "We are extremely worried, but there is no way we are going to criticise Mr. Blair after he has been so helpful to us in Iraq." Despite that, they eventually blew a gasket when the Secretary of State attended the NATO ministerial meeting in Colorado Springs earlier this month: I understand that he was taken to task by Mr. Donald Rumsfeld. They are seriously concerned about the destabilising of NATO that is so against their and our European security interests.

Last week, we obtained and released a remarkable document drafted in the German military high command, entitled, "From ESDP to a European Army".

Mr. Paul Keetch (Hereford): It was in *The Sun*.

Mr. Jenkin: I thank the hon. Gentleman—yes, we gave it to *The Sun*. I can assure him that we did not get it from *The Sun*. It was also in *The Daily Telegraph*.

The document was drafted in July 2002 and released secretly among the German Government during spring 2003. The Minister for Europe, in a hastily dispatched letter to *The Daily Telegraph*, rather lamely protests that this is just another

"round of anti-EU propaganda".

That underlines the Government's determination to avoid a proper public debate on these issues. The document drafted in the German military high command is clearly reflected in the joint declaration on

[Mr. Jenkin]

EU defence that was issued by the Heads of State of Germany, France, Luxembourg and Belgium in April. The Minister for Europe will recall that that was dubbed the "chocolate summit"; I seem to remember that the Secretary of State was highly critical of it at the time. As it was explicitly the policy of those four Governments, the Minister's denials are somewhat unconvincing. The Government's pathetic attempt to trash the document was not helped by the German Defence Minister, who said over the weekend:

"There is no issue, no step, along the path of EU military integration that would be unthinkable for Germany to take . . . There is no topic that is taboo or beyond consideration, not now nor in the future."

He goes on:

"We are good Europeans and have nothing to fear over the issue of national sovereignty within integrated European military structures."

He talked about "working around" British "taboos over these issues". There is evidence that he is working around them very successfully. The German paper, when describing its central premise, states:

"A European Army legitimised and financed by the European Parliament is the visionary goal of German policy in the ESDP."

The German Government have not denied that.

Mr. John Bercow (Buckingham): My hon. Friend is guiding the House with admirable clarity through the thickets of public policy and he is rightly disdainful of the sedentary protestations of the Minister for Europe. Does he agree that a common defence policy, independent of NATO and in the European Union, requires the existence of a common identity, purpose and willingness to make equal sacrifices to achieve that purpose? Given that none of those conditions is currently satisfied, does he agree that such a policy is, at best, a dangerous illusion and at worst, a potential disaster?

Mr. Jenkin: I agree with my hon. Friend, but I believe that the European Union has tended to operate in that way. It has tended to try to create the framework for policy on which there is no agreement in the hope of creating agreement. It is an unwise policy, not least because it creates the expectation of an agreement when there is bound to be disagreement; otherwise, we would all have agreed on what to do about Iraq.

Mr. David Marshall (Glasgow, Shettleston): The hon. Gentleman talks about agreement, but I am puzzled by some of his comments. Has he read the Prime Minister's amendment? If so, with what parts does he disagree and why?

Mr. Jenkin: I shall explain why I disagree with the Government amendment later.

Today, I shall place a copy of the document—in the original German for the benefit of the Minister for Europe and in translation so that he can check that we have had it accurately translated—in the Library for all to see. The most germane parts to the debate are comments on "an equal partnership" with the United States of America.

It states that if NATO and the EU cannot agree on decisions,

"then they would have to act independently from each other."

Does the Secretary of State for Defence disagree with that statement? I believe that he agrees that that is his policy.

The objective of German policy and that of the Secretary of State is duplication and competition between NATO and the European Union.

Mr. Hoon: The hon. Gentleman is making a commendable speech that could have been delivered to the Bundestag, but I am struggling to find its relevance to British Government policy or, perhaps more significantly, to that of the European Union. To correct his historical record, he will find that the German military high command was abolished in 1945.

Mr. Jenkin: That may be a matter of translation. Unlike the Minister for Europe, I do not speak fluent German and I am therefore happy to be corrected. However, that does not get the right hon. Gentleman off the hook of the substance of the policy.

The British Government accepted the principle of EU military autonomy at St. Malo and afterwards. The key elements of the German paper are reflected in the draft EU constitution: a new European defence order, including a new European defence agency, defined by a framework of laws, ultimately justiciable by the European Court of Justice.

The House can set no store by the Government's so-called red lines. The White Paper on the European constitution, which was published in September, shows the weakness and ambiguity of the Government's policy. The security of our nation will hang on the crucial phrases that

"effective links to NATO are essential to the success of ESDP. We will not agree to anything that is contradictory to, or would replace, the security guarantee established through NATO."

The only real red line here is the narrow security guarantee established through NATO's article 5. The Foreign Secretary narrowed that even further when he told the House that

"it is unacceptable for us, for the EU . . . to aspire to provide a territorial defence commitment for Europe."—[*Official Report*, 20 October 2003; Vol. 411, c. 375.]

Territorial defence is hardly NATO's main task in the modern security environment. There is no red line about NATO remaining the cornerstone of our security in its wider sense, as was expressed in the Queen's Speech, for example. There is no red line to guarantee the independence of national defence policy, let alone to prohibit the creation of a European army.

NATO today is Europe's defence and security alliance, but it is clearly the intention that the EU should compete with, duplicate and take over from NATO all its tasks and functions except the most residual. The Prime Minister protests that

"there are people who want to pull me away from Europe, and people who want to pull me away from America."

If he is feeling pulled hither and thither, he has nobody to blame but himself. In reality, neither America nor NATO can pull Britain away from Europe. However, the EU constitution, which

"shall have primacy over the law of the Member States",

would pull Britain away from our north American allies and from NATO if it were ever to come into effect.

Mr. MacShane: This is perhaps a conversation rather than a heated debate, so it is kind of the hon. Gentleman to give way. Can he say how his arguments conform to the second paragraph of article 42 of the proposed constitutional treaty, which of course is not yet negotiated? It states:

"The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States, which see their common defence realised in the North Atlantic Treaty Organisation, under the North Atlantic Treaty, and be compatible with the common security and defence policy established within that framework."

Assuming that that article remains in the final constitutional treaty, it exactly guarantees the authority and centrality of NATO.

Mr. Jenkin: The key word is "obligations". If the Minister would like to come back to the Dispatch Box to describe the United Kingdom's obligations to NATO that the treaty respects, I shall listen to him. There are very few obligations under the NATO treaty—it is a commitment, but there is not much of an obligation. Even when article 5 is invoked, it remains essentially voluntary on the member states, not obligatory. *[Interruption.]* I am sorry, but it is absolutely true.

The fundamental difference between the draft constitution and the NATO treaty is that the constitution will have the force of statute in our law whereas the NATO treaty does not. The obligations in that document will clearly become superior to those under the NATO treaty. Does the Minister for Europe want me to give way? That is game, set and match on that point, thank you very much.

The European constitution declares that it will have supremacy over the law of the member states, so it will clearly have superiority in terms of its parity with the Atlantic alliance. The Prime Minister has either unwittingly walked into a trap of his own making or he is deliberately deceiving the British people about his real intention to divide the EU from NATO.

The only way to protect NATO is to veto any such constitution and to insist that foreign, security and defence policy remain a matter for intergovernmental co-operation—not central co-ordination—completely separate from any institutions for making or interpreting laws. That is the fundamental problem with this constitution. It dissolves the three-pillar structure and folds the defence and security policy into the central pillar of the EU, which is ultimately under the jurisdiction of the European Court of Justice. The Minister for Europe is still shaking his head, so I will divert from my text to make a particular point. Article I 15, entitled "The Common Foreign and Security Policy", in part 1 of the draft constitution, states

"1. The Union's competence in matters of common foreign and security policy shall cover all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common defence policy, which might lead to a common defence.

2. Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity and shall comply with the acts adopted by the Union in this area. They shall refrain from action contrary to the Union's interests or likely to impair its effectiveness."

Does the Minister wish to dispute the fact that that article is justiciable by the European Court of Justice?

Mr. MacShane: The language is taken directly from the Maastricht treaty. Members sitting on the Opposition Front Bench with the hon. Gentleman voted for that, although he did not. *[Interruption.]* Oh, he did. I am sorry.

I think that my right hon. Friend the Secretary of State will deal with the second point. The constitutional treaty—whose final text we do not yet have; we are referring here to a draft—will be justiciable to the extent that it refers to what the European Union does, but I think the hon. Gentleman is making a lot of fuss about nothing when it comes to a solid commitment to NATO in this text, repeating Maastricht language that the House has endorsed.

Mr. Jenkin: I am afraid that the Minister has not answered my question. The fact is that in the Maastricht treaty none of the defence and foreign and security provisions is justiciable by the European Court, whereas this article is. That creates a gaping hole in all the assurances that the Government have given us over a long period, and in all the red lines that they have drawn.

Mr. Keetch: The hon. Gentleman has yet to explain the Prime Minister's motive for embarking on this clandestine attempt to take us away from NATO. May I, however, make a specific point about the draft constitutional treaty? Article III-214, paragraph 4, in section 1, "The Common Security and Defence Policy", states

"This Article shall not affect the rights and obligations resulting, for the Member States concerned, from the North Atlantic Treaty."

It is stated clearly, in black and white, that the North Atlantic treaty remains paramount as part of the constitution.

Mr. Jenkin: Interestingly, the hon. Gentleman added his own interpretation at the end of his intervention. The article does not say "NATO remains paramount". It says that we shall respect the obligations of member states under NATO. First, the obligations under NATO are extremely limited compared with the obligations of membership of the European Union. Secondly, the obligations under NATO are only treaty obligations, while the obligations under the European Union have the force of statute. They will therefore tend to override our obligations under NATO, however limited they are.

Mr. Heathcoat-Amory: My hon. Friend is absolutely right. He may not have had time to look up the reference. The hon. Member for Hereford (Mr. Keetch) is wrong. What he quoted relates only to article III-214, which concerns closer co-operation on mutual defence. It does not apply to the—in my view—more dangerous article on structure co-operation, which is about planning cells and separate headquarters in Europe that will be set up under the provisions of the constitution.

[Mr. Heathcoat-Amory]

References to the primacy of NATO do not apply to the structure co-operation article to which my hon. Friend referred earlier. I hope he appreciates this support from the Back Benches.

Mr. Jenkin: I am grateful to my right hon. Friend. In fact, I am very pleased with the interventions that I have taken, because I was encouraged to leave out large parts of my speech that referred in detail to the European constitution.

Mr. Hoon: Will the hon. Gentleman give way?

Mr. Jenkin: I should be delighted.

Mr. Hoon: May I refer the hon. Gentleman to page 128 of the document that he is examining? Article II-282 states

"The Court of Justice shall not have jurisdiction with respect to Articles . . . concerning the common foreign and security policy."

Mr. Jenkin: I am delighted that the right hon. Gentleman intervened on that point, because article III-282 says:

"The Court of Justice shall not have jurisdiction with respect to Articles I-39 and I-40 and the provisions of Chapter II of Title V of Part III".

It does not refer to or exclude article I-15, which I read out verbatim earlier. Therefore, there is a loophole in the drafting—*[Interruption.]* If the right hon. Gentleman checks the record, he will see that I read out article I-15 and asked the Minister for Europe whether it was justiciable under the European Court of Justice. He declined to answer. Article I-15 is justiciable. I hear what the right hon. Gentleman is saying. Everything is justiciable unless it is specifically excluded.

This debate underlines one thing—why the Government have an obligation to provide a proper legal analysis of the draft constitution, so that we can have a proper debate about what the import of the draft constitution is. It is not satisfactory that we should finish up just bandying these points across the Dispatch Box, interesting and amusing though it is. The Government should publish a proper White Paper with a detailed legal analysis, using some of the top legal brains in the country, to explain to the British people why the European constitution is absolutely fundamental to the liberties of the British citizen.

Mr. Heathcoat-Amory: I thought that my hon. Friend would like to know that, in the Convention on the Future of Europe, that precise point was brought up. It was pointed out that the European Court of Justice will have authority over the earlier articles, including the obligation to

"actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity".

That will be fully judiciable.

When that was pointed out, I and a number of other Members in the Convention tabled an amendment to reverse that. We were not supported by the British Government representative. The Government know full well that they are walking into a trap and that British freedom of action and powers of self-government will be undermined. We will all be under the authority of the European Court of Justice, which will interpret these overriding articles in part 1 of the constitution.

Mr. Jenkin: I am grateful to my right hon. Friend for telling us what went on in the Convention but, even so, I say to him and to the Secretary of State that in the end it does not matter what either of them thinks. The only institution that will in the end decide who is right is the European Court of Justice, and unless we get the best legal opinion to apply their minds to these questions, we cannot have a full and proper debate on how fundamental the terms of the constitution are. For the Government to protest that it is just a bit of tidying-up is a very unsatisfactory way of proceeding.

I return to the hon. Member for Hereford (Mr. Keetch), who speaks for the Liberal Democrats, who agrees with the European constitution and does not mind what it means. He asked about the Prime Minister's motivation. I would love to know what it is. There is one thing that we can deduce from his statements. From St. Malo onwards, we have seen the growing tendency of the European Union to duplicate and to compete with NATO. That is being reinforced in the European constitution.

The inclusion of common foreign and security defence policy in the draft constitution does not make the world a safer place, because it undermines NATO, on which our security depends. The Euro army is a policy in search of a mission, as my hon. Friend the Member for Buckingham (Mr. Bercow) said. Its development has no positive influence on the United States; in fact, it sends an adverse signal to the United States, which is why it was so bitterly criticised by the American NATO ambassador recently. Of course, we cannot influence US policy by separating ourselves from it. It is about the political ambition of those who would use defence as an instrument of European integration for its own sake, whether it is good for our security or not.

Of course, European nations want a stronger voice in world affairs. Of course, European nations should increase their military capabilities and be able to operate more effectively in Europe and around the world. Of course, European nations must take more responsibility for European and global security. But the Government's policy is clearly not about those great tasks. European security and defence policy and the EU constitution will not add a single bullet to Europe's military capability.

So what is the Government's policy about? Is it about the "little Europe" that believes that it can shut the door on our north American allies and the wider world? It is about a Prime Minister who says one thing to the President and another to his colleagues in Europe. It is about a Prime Minister who has lost control of the agenda and is now just playing for time; a Prime Minister who does not lead in Europe but follows; a Prime Minister who is failing in his most important task; a Prime Minister who is undermining the security of the British people.

4.40 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): I beg to move, To leave out from "House" to the end of the Question and to add instead thereof:

'believes that NATO is, and should remain, the cornerstone of Europe's collective defence; believes in the importance of European nations building up their military capabilities to contribute more to their defence and security through NATO and the EU; welcomes the development of the European Security and Defence Policy as a part of the Common Foreign and Security Policy, including its role in undertaking operations where NATO as a whole is not engaged; welcomes the "Berlin Plus" agreement which provides the EU with assured access to NATO planning and presumed access to NATO assets and capabilities for military operations; and welcomes the success of the ESDP operation undertaken in the Democratic Republic of Congo and the continuing military operation in Macedonia and police operation in Bosnia.'.

Before responding to the speech of the hon. Member for North Essex (Mr. Jenkin), I should like to say a few words about this weekend's events in Iraq. I know that the House will join me in condemning the recent attacks in Baghdad, not least that on the International Committee of the Red Cross. Terrorists have targeted an organisation that is recognised the world over as utterly impartial and driven solely by its concern for the alleviation of human suffering. They have demonstrated, in doing so, that they have absolutely no concern for the welfare of the Iraqi people. We will not be deterred by these attacks. I should like to express my sympathy to the families of all those who were killed in recent attacks, and to send my best wishes for a speedy recovery to those who were injured, particularly Jacob Nell, who was working in Baghdad on secondment from the Treasury.

I return to the theme of today's debate. During a debate that took place a week or so ago, I observed that the hon. Member for North Essex became interested in it only when I used the phrase "European Union". He has now transformed such interventions into an entire debate, and anyone listening to his speech could reasonably conclude that his interest in defence is outweighed by his obsession with the European Union and its prospective constitution.

Mr. Jenkin: I should be delighted to have another debate on the Government's forthcoming defence cuts, if the right hon. Gentleman will provide time.

Mr. Hoon: To the best of my recollection, we have just had two defence debates and this is a further opportunity for us to debate that subject. Reasonable people would conclude, having listened to the balance of the hon. Gentleman's speech, that he is perhaps much more interested in the minutiae of the European Union than in the debate's wider perspective.

It has been made clear to the House on several occasions that this Government will not agree to anything that is contradictory to, or would replace, the security guarantee established through the North Atlantic Treaty Organisation. NATO is, and should remain, the cornerstone of transatlantic and European collective defence. Challenges to global security continue to evolve and change, but it seems, unfortunately, to have escaped the notice of current Conservative Front Benchers that the cold war is over, and that the world has moved on to a security environment that provides new challenges and new threats, played out on a global stage. We recognise that to meet those challenges we need both to transform NATO and to change the way in which European nations participate. It is no longer sufficient to rely on a few nations to provide deterrence to security threats.

I assume that the Conservatives agree with the following statement:

"Our objective must be to strengthen the European pillar of the Alliance and improve European defence co-operation . . . the US strategic commitment to Europe will remain an irreplaceable guarantee of Western security. If we wish to preserve it and ensure that our views continue to be given due weight by future US Administrations, the European Allies must find answers to some difficult questions: Are we able to take on a larger share of the responsibility for our defence? How should we respond to renewed public questioning of defence policy? Or the need to develop new technologies at a time of rising costs and resource constraints? The answers make it evident that such problems have to be tackled jointly."

Mr. Jenkin: How does setting up additional headquarters and duplicating NATO assets and capabilities add to capability? It does not.

Mr. Hoon: As I observed in interrupting the hon. Gentleman's admirable contribution to the debates of the Bundestag—criticising, I assume, the policy of the German Federal Chancellor—his criticism was not in fact of this Government's policy, nor, indeed, of anything agreed by the European Union. If he wants to stand for election to the Bundestag and to criticise the German Chancellor's policies he is, I assume, free to do so. He can exercise the free rights under the EU treaty that he so confidently criticises, go there and make his criticisms of German Government policy, not of British Government policy. That is the difficulty that he faces in the light of his remarks today.

I was inviting the hon. Gentleman to comment on the particular contribution to the debate on the subject of European allies made by Baroness Thatcher as long ago as 1984. Baroness Thatcher is not noted for her support for things European, but as long ago as 1984 she correctly recognised that the solution to the problem of improving European military capabilities lay in European hands. That is precisely the policy that successive Governments have followed ever since.

The hon. Gentleman seems to suggest that the European security and defence policy is somehow the creation of a Labour Government and that, if the Prime Minister and President Chirac had not signed the St. Malo agreement, the ESDP would somehow not have existed. Perhaps I can remind him of the words of Lord Hurd, as Foreign Secretary on 21 May 1992 when introducing Second Reading of the European Communities (Amendment) Bill, which was designed to implement the Maastricht treaty. Lord Hurd used many phrases that will be familiar to hon. Members who follow debates on European defence. He said:

"At Maastricht, we reaffirmed the principle that European activity in defence should complement the common defence that we have through NATO. NATO is, and will remain . . . the anchor of European security. At the same time . . . the Europeans need to shoulder a greater share of the burden of providing their own security, while keeping the critical link between the transatlantic and European dimensions of our defence. That is why we agreed at Maastricht"—

[Mr. Hoon]

we being a Conservative Government—

"the vehicle for developing a genuine European military capability to act in areas where NATO is not engaged or chooses not to be."—[*Official Report*, 21 May 1992; Vol. 208, c. 517.]

Those are familiar words and I am sure that the hon. Member for North Essex will agree.

Mr. Jenkin: On this occasion I agree with what the right hon. Gentleman is saying. I have to say, however, that when the Prime Minister was asked about the issue at his press conference on Thursday, he said something different. He did not say that it all started under Maastricht. Rather, he said:

"This is a debate that has been carrying on ever since St. Malo."

The right hon. Gentleman should take responsibility for the debate in Europe, instead of trying to shirk his responsibilities, which is typical of him.

Mr. Hoon: If the hon. Gentleman listened to the debate, instead of making such poor points, he would realise that the question of how European nations improve their military capabilities is a serious matter for those nations. *[Interruption.]* He voted in favour of Second Reading of the Bill that introduced the Maastricht provisions—*[Interruption.]* He voted in favour of provisions that included the framing of a common defence policy, which might, in time, lead—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the Secretary of State, but I must appeal to Conservative Front Benchers not to interrupt from a sedentary position. That also applies to one or two other hon. Members.

Mr. Hoon: I am grateful, Mr. Deputy Speaker.

I was quoting words in favour of the

"framing of a common defence policy, which might in time lead to a common defence".

The hon. Member for North Essex voted for that. He supported it on Second Reading and, as I understand it, he has said nothing today to detract from it. If he supported that provision in 1992, does he still support it now?

Mr. Jenkin: I hope that the right hon. Gentleman is better at law than at history. In fact, I voted against Third Reading of the Maastricht provisions—*[Interruption.]* The right hon. Gentleman asks if I support it, but that is irrelevant—*[Interruption.]* Maths may not be the Secretary of State's strong point either. The Prime Minister said clearly that the debate has been carrying on ever since St. Malo, which started in 1998, not 1992.

Mr. Hoon: We could debate at length the hon. Gentleman's difficulties with the Maastricht treaty, because he appears to have voted for the provisions on Second Reading, but then voted against, following their amendment in the Bill's passage through Parliament. As I recall, I would not normally have expected him to support those amendments.

Mr. Keetch: The right hon. Gentleman is right to bring up this issue. Could he conclude his history of the Maastricht treaty by reminding the House not only that the hon. Member for North Essex (Mr. Jenkin) supported this element of the treaty, but that he and his Government denied the British people a referendum on the subject?

Mr. Hoon: The hon. Gentleman is right. History is not one of the present Conservative Front Benchers' strong points, as they are establishing rather well at the moment.

We are seeking to put the provision from the Maastricht treaty into the context of the 21st-century security environment—one which recognises the value of the transatlantic relationship while strengthening European capabilities and commitment to defence. As a global economic power, the European Union has clear responsibilities in the world. The European Union and its member states provide more than 50 per cent. of overseas development aid. The Government White Paper on the draft constitutional treaty for the European Union stated:

"The Government has been a strong supporter of the European Security and Defence Policy (ESDP), which is designed to give the EU the military and civilian capabilities it needs to support the EU's Common Foreign and Security Policy objectives and, in turn, the peace and international security objectives of the UN."

That common foreign and security policy enables the European Union to take concerted action using a variety of both civil and military means. The early reactions to the recent visit to Iran by my right hon. Friend the Foreign Secretary, working in concert with his counterparts from France and Germany, provide a good example of the common foreign and security policy in action. Are the current Conservative Opposition against such action, and against such European co-operation?

At the St. Malo Summit in 1998, the United Kingdom and France, the main architects of the ESDP, recognised that, for the European Union to play its full part in international affairs, it must have the capacity for autonomous action to participate in the Petersberg tasks, which include humanitarian and rescue tasks, peacekeeping and peacemaking. In the joint declaration from the 1998 UK-French summit, this Government secured the recognition that existing collective defence commitments, including NATO, would be maintained, that ESDP would be developed

"in conformity with our respective obligations in NATO",

and

"that the Alliance remains the foundation of the collective defence of its members".

That has not changed. My right hon. Friend the Prime Minister said at his press conference on 23 October that

"it must be absolutely clear that for NATO countries the basic territorial defence rests with NATO, and the defence guarantee rests with NATO, and secondly in any structured co-operation, which we support in principle, it has got to be agreed between all 25 of the countries, so it is important that it only goes and develops in a way that is fully consistent with NATO."

I should like to clear up one other myth that is being put about by the Conservatives. What St. Malo secured, from the United Kingdom perspective, was that the ESDP would be developed in conformity with NATO, would operate only where NATO as a whole was not

engaged, and would draw on NATO as well as European military capabilities to avoid unnecessary duplication. Last Thursday, my right hon. Friend the Prime Minister said:

"We don't want duplication and we certainly don't want duplication with NATO . . . The record since St. Malo has not been one of us either giving up on the transatlantic alliance or allowing EU defence to become a competitor to NATO."

Dr. Julian Lewis (New Forest, East): We would have no argument with the strengthening of European capabilities within NATO if the structure for the control and command of those capabilities remained within NATO. However, if a command structure existed outside NATO, but drew on the same troops, ships and aircraft that are at NATO's disposal, what would happen if NATO needed those troops, ships and aircraft and if there was a divergence between the two sets of commands being given to the same set of capabilities?

Mr. Hoon: I regret that the hon. Gentleman, like other Members on his Front Bench, is hypnotised by the European Union. Of course there is a command structure outside NATO: it exists in national headquarters. It has always existed, and that is precisely what the word "autonomous" refers to. There is not, and never has been, anything to prevent European nations—or, indeed, any other nations—from operating together militarily in an alliance or coalition to achieve a military objective. That is essentially what we are talking about here. Nothing has changed as a result of these agreements. The capabilities exist already. To return to the earlier part of the hon. Gentleman's question, we certainly want European capabilities to be improved within NATO, but we want them improved outside it as well. Simply being transfixed by the phrase "European Union" and, if the hon. Gentleman will forgive me for saying it, frothing at the mouth every time the phrase is used, is not an acceptable or sensible way of conducting the debate.

We have a position in which the pre-eminence of NATO for the more demanding global crisis management operations is recognised. It is necessary only to look at the range and scale of operations in which NATO is involved—in the Balkans, in Afghanistan and in support of Poland's efforts in Iraq—to see the remarkable array of skills and expertise that have been developed with other nations. The agreed EU position, reflected in the presidency report on the ESDP that was endorsed by the Nice European Council, is that NATO remains the basis for the collective defence of its members. The report emphasised specifically that the ESDP was about conducting crisis management tasks. That seemed to us an appropriate and complementary division of labour between the EU and NATO. In effect, the EU acts militarily only where NATO as a whole is not engaged.

Mr. Jenkin: There is a crucial distinction, which the Government keep making, even though the right hon. Gentleman resisted when I intervened on him during our previous debate on this subject: NATO will be confined to issues of defence while matters of security and crisis management will be taken over by the European Union. What does he think that NATO is in the modern security situation? It is a crisis management organisation. What has it been doing in the Balkans? What is it doing in Afghanistan? It does crisis management. Why do we need two crisis management headquarters and two crisis management capabilities? The only reason for having a EU crisis management capability separate from NATO is so that it can shut the door on our north American allies.

Mr. Hoon: I will give the hon. Gentleman an illustration of what I am talking about in a second, but it is important that he recognises that the world cannot fit into this neat analysis—for or against the European Union and for or against the involvement of European nations in particular operations. What we are talking about is improving the overall capability of European nations, both within NATO and outside it, and I will give him an example to deal with his point in a moment.

The practical arrangements between the EU and NATO are embodied in the Berlin-plus agreement, concluded in March 2003. It sets out the support that NATO would provide to the ESDP in terms of assured EU access to NATO planning capabilities, the presumption of availability to the EU of NATO capabilities and common assets, and a range of European command options for EU-led operations, including developing the Deputy Supreme Allied Commander Europe's role in relation to European responsibilities.

It was on the basis of Berlin-plus that the EU was able to launch its first military operation, taking over the stabilisation role from NATO in Macedonia, with supreme headquarters allied powers Europe—SHAPE—as the operational headquarters and DSACEUR as the operation commander. The UK supported that mission. Are the Conservatives now against it?

The EU's second military operation, in Bunia this summer, is another example of where the ESDP can be used effectively. The operation, which followed an upsurge in violence in the north-east of the Democratic Republic of the Congo, stabilised the situation and assisted in the deployment of reinforcements for the UN peacekeeping force there. The House will be aware of the valuable contribution that the UK has made to that important mission. Are the Conservatives against that operation? The hon. Member for North Essex may not like the fact that the mission was conducted autonomously.

At the start of the ESDP, at the Cologne European Council in 1999, we agreed that ESDP operations would be conducted either with recourse to NATO assets or using national assets. NATO has had little experience of such small-scale operation in Africa. Various European national headquarters, in contrast, have a wealth of just that sort of experience. That is why we agreed with the approach taken in Bunia and why we supported it.

In that context, as my right hon. Friend the Foreign Secretary stated in the House on 20 October:

"There is a hierarchy in military planning. It is not formally established in treaty but it has been followed and we want it to continue to be followed: NATO first, then the Berlin-plus arrangements . . . making use of NATO assets, and thirdly, wholly autonomous operations."—[*Official Report*, 20 October 2003; Vol. 411, c. 383.]

Patrick Mercer (Newark): I have listened with great interest to what the Secretary of State has been saying and the point that European nations' experience in Africa endows them with an autonomous capability for operating there. Could not the same argument be made for the experience of European nations versus NATO in terms of operations in the Balkans? NATO was involved successfully in the Balkans. Why now do we need autonomous forces operating in Africa? I am sure that NATO can learn.

Mr. Hoon: The hon. Gentleman, with the benefit of considerable experience, regularly reminds the House of the importance of not overstretching our armed forces—I am sure that he would extend that to the armed forces of other countries as well—so it must be of some assistance both to NATO members and other European nations that organisations other than simply a NATO command headquarters are capable of carrying out such operations because, undoubtedly, that will have the effect of spreading the burden. As he rightly points out, modern nations in the present global security environment have a problem in taking on their share of responsibility, so I would have thought that, consistent with the points that he has wisely made to the House on many occasions, he would agree with my argument.

Mr. Keetch: I wish to return to the hierarchy described earlier that applies when the EU may take a role that NATO does not want to take. Liberal Democrat Members have often said that NATO should have a formal right of first refusal. NATO should have a formal ability to consider an operation, and if it did not want to undertake it for whatever reason, the EU system would click in. Does the right hon. Gentleman believe that such a formal right exists at the moment? If he believes that it does not exist, it might be helpful for other hon. Members to understand the arrangement if such a formal right of first refusal did exist.

Mr. Hoon: I am grateful to the hon. Gentleman for that intervention. Clearly, there is no such formal right and I have indicated that there is no such specific treaty provision, but there are regular, detailed exchanges and conversations, particularly between Heads of State and Government in contemplation of military action, and certainly between Defence Ministers, trying to establish both the scale of any required operation and the most appropriate way to carry that through. All that takes place well before formal meetings involving NATO Ministers, EU Ministers or, indeed, a coalition of the willing, depending on which is appropriate.

I turn now to the capabilities. The Government firmly believe that the European countries need to strengthen their military capabilities. We are pursuing that both in NATO and, indeed, through the EU. The United Kingdom's work in NATO contributed to the agreement, at the Prague summit last year, on the Prague capabilities commitment, which is beginning to produce results. Multinational groups have been established to run programmes that address the critical capability shortfalls and recognise future capability requirements. The NATO response force—the tip of NATO's spearhead of high-readiness forces—is another resounding success for Prague. It was inaugurated just over a week ago, with an initial operating capacity. Although not yet the full package, it is 12 months ahead of schedule.

Similarly, under the Helsinki headline goal, EU member states aim to be able to deploy within 60 days, and sustain for at least one year, some 50,000 to 60,000 troops on crisis management operations. The EU now has operational capability across the full range of the Petersberg tasks, limited and constrained by recognised shortfalls. EU member states must now take action to address those shortfalls by more effective defence spending on the capabilities that enable member states to deploy their forces rapidly. That is being taken forward by EU member states in the European capabilities action plan.

Mr. Peter Viggers (Gosport): The Secretary of State refers to the wish to have 60,000 troops available on a sustainable basis. How many troops would that require, and how likely is it to be fulfilled?

Mr. Hoon: The hon. Gentleman is too long-standing an expert in such matters to ask that question without already knowing the answer. The answer is clear: it will depend on how long the operation lasts. The operation might require those troops for a short period, not longer than the figures outlined in the Helsinki headline goal. Alternatively, if the operation was a recurring one and the troops were required for years, as has been the case in the Balkans, we would obviously need many more than the 50,000 to 60,000 troops available if the force were to be sustained at that level for any longer period. All I would say is that we have not needed to have that number of United Kingdom troops engaged over that length of time in the Balkans, so I hope that the hon. Gentleman would accept that, when we get to the peacekeeping stage of any operation, the number of troops required may be significantly lower than might be required, as we have seen most recently, in the war fighting in Iraq.

Together those initiatives in NATO and the EU will lead to greater overall European capability and capacity to meet the range of threats that we all now face. A capabilities development mechanism has been agreed by the EU and NATO that aims at full and mutual transparency of the programmes. In the case of the strategic airlift and air-to-air refuelling programmes, the same country is chairing both groups to ensure a co-ordinated approach.

In support of those efforts to enhance capabilities, the United Kingdom has been playing a leading role in the creation of a European defence agency. We are currently discussing detailed arrangements with other member states, and we have secured widespread European support for our view that it should be primarily focused on developing EU military capabilities and establishing a framework for measuring them. It would also have a wider commitment to promoting cost-effective procurement and competition. Are the Conservatives also against that?

Every one of the measures and negotiations that I have described has been aimed at delivering a more effective defence contribution for Europe and our transatlantic partners. Our approach has been to ensure that effectiveness, not just in cost terms but in operational terms, is the driving force for change. To that end, we have been robust in our stance against unnecessary duplication.

Mr. Jenkin: When does the Secretary of State think that he will be able to produce a draft statute for the European armaments, research and military capabilities agency? I notice that under article III-212, paragraph 2, the agency will have a statute drawn up by the Council acting by qualified majority. On the agency's statute, seat and operational rules, is it likely that the operational rules themselves will contain qualified majority voting? The list of tasks assigned to the agency is very broad, and could well include, under the heading

"contribute to identifying the Member States' military capability objectives"

the setting up of a military planning headquarters. Therefore, even if the proposal is shelved at present, under those arrangements money could be raised and spent on a military planning headquarters.

Mr. Hoon: I remind the hon. Gentleman that four is not a qualified majority, however the arrangements are configured.

I turn to what is becoming a much misrepresented part of the negotiations with our European partners: the aspirations to create an EU operational headquarters. Let me start with what actually has been agreed. At the Nice summit in December 2000, it was agreed that the role of the EU military staff would be to perform, and I quote again,

"three main operational functions: early warning, situation assessment and strategic planning".

The EU military staff terms of reference, reflected in the Nice presidency report on the ESDP, do not include operational planning. That is still the position. The Government have not agreed to any change in that position in the draft constitution. As my right hon. Friend the Foreign Secretary told the House only last Monday,

"It is not the case that military planning is currently done only in NATO: for some time, EU military staff based in Cortenberg have carried out strategic planning. That should continue—it is fine by us—but the issue for us is that there is no case for having operational planning and the running of operations per se in an EU headquarters, separate either from supreme headquarters allied powers Europe, SHAPE, or from national headquarters."—[*Official Report*, 20 October 2003; Vol. 411, c. 383.]

The military advice that we have received on this is clear. The military elements of ESDP operations could be planned only by an operations headquarters with access to the functional capabilities available at SHAPE or from national headquarters. The EU military staff does not have such capabilities.

We believe that there is scope to improve the EU's strategic planning capacity—its ability to look ahead and identify areas of potential concern worldwide and to frame strategic military options. Our opposition to the proposal to develop an EU multinational operational and planning headquarters remains unchanged. Whether or not it is at Tervuren, it is not the way ahead.

From a military perspective, we are convinced that the operational planning and conduct of an EU operation needs to be undertaken from a working headquarters—a headquarters formed at SHAPE or by a national headquarters. Only with that approach can we ensure the currency, expertise, and access to in-depth military advice and co-ordinated resources that is needed. We must concentrate European efforts on developing effective military capabilities, not on the unnecessary duplication of NATO facilities.

If the hon. Member for North Essex still believes that collective defence leads to a European army, he should read the Nice presidency report, in which it is stated that the ESDP

"does not involve the establishment of the European Army".

It would be difficult to be clearer than that, but, for the avoidance of doubt, it also goes on to say that the commitment of troops by member states to ESDP operations would be based on national, sovereign decisions. Some people, however, would rather invent the concept of a European army than explain why the world will be less dangerous if European nations work together on military tasks that NATO does not take on.

Dr. Julian Lewis: The Secretary of State is being exceptionally generous in giving way. He might find it useful to take this opportunity to assure the House that, if a Government of this country were at direct loggerheads—as they were over Iraq—with leading members of the European Community and the European military set-up that is gradually evolving, it would not inhibit a future Government in any way from proceeding with a military campaign such as that in Iraq, which was done with the support of the official Opposition?

Mr. Hoon: Of course not. The hon. Gentleman has given the most recent possible example. There were discussions with European allies, and the countries that participated in the meeting in Belgium that led to the specific proposals—four of them—are in a distinct minority in the European Union. I find it difficult to understand why Opposition Front Benchers are so seized of those countries, which form a tiny minority, rather than the overwhelming majority of countries that support the position of the British Government on Iraq and, indeed, the specific negotiations.

I make it clear that there is no European army or standing European rapid reaction force or, indeed, any European agreement to create that. Forces are offered by EU member states for EU crisis management operations on a voluntary basis. That is no different from the arrangements for NATO crisis management operations or, indeed, from those used by other international organisations, such as the United Nations. My right hon. Friend the Prime Minister was clear on that point last Thursday when he dismissed the idea that British troops could be used without the consent of the British Government. He said:

"It is only in circumstances where the British Government or any other government agrees to participate in each individual operation that we participate."

As to the future, we are actively engaged in the wider debate in the intergovernmental conference and we set out our position in the White Paper to which I referred. The European security and defence policy is only one element of the IGC and we are at the centre of the debate. We are trying to shape the debate with a view to the United Kingdom's long-term interests rather than sitting on the sidelines and sniping, as the Conservative party would have us do. We welcome several proposals

[Mr. Hoon]

in the draft constitution that would strengthen the ESDP. Can the Conservatives say the same? Do they welcome those proposals?

We support the updating of the Petersberg tasks—the range of crisis management operations that the EU can undertake. That will ensure that the ESDP continues to reflect more closely the security challenges that we now face. The new solidarity clause should enable a swift and co-ordinated response to be made to a request from a member state for assistance when dealing with the consequences of a terrorist attack or disaster. We also support the creation of an intergovernmental European defence agency to increase co-operation among member states when developing defence capabilities.

Proposals for structured co-operation go further and present both opportunities and risks. There are opportunities to strengthen the ESDP and encourage member states to improve their effective military capabilities. Much depends on the detail that will be contained in an associated protocol. We are discussing ideas in this area with many partners to establish the right way forward.

We do not support all the proposals in the Convention text. Effective links to NATO are vital to the success of the ESDP. We could not agree to any proposal that would contradict, or replace, the security guarantee established through NATO. However, we also want a strong and effective ESDP, and that must be flexible and responsive to global security challenges. Any proposals for new forms of co-operation must not undermine that.

Mr. Bercow: Will the operations of the proposed European defence agency be subject to the terms of the protocol on the application of the principles of subsidiarity and proportionality in the treaty of Amsterdam, and to those of its intended successor?

Mr. Hoon: I understand the benefit of applying subsidiarity to the arrangements because we clearly do not want a European capability solution that would mean that one country, or a small number of countries acting together, could solve a specific problem. That is the benefit of having an agency to look across all members of the EU, examine their current military capabilities, identify shortfalls and gaps and, indeed, suggest where solutions may lie.

Mr. Bercow *rose—*

Mr. Hoon: If the hon. Gentleman will forgive me, I shall move on to my conclusion.

Anyone with any experience of international or European negotiations knows that the best way to secure Britain's interests is by engaging with our partners and allies to secure the best way forward for Britain. I have been conducting some interesting reading lately and I am sure that all Conservative Members have been reading the latest pamphlet that the right hon. and learned Member for Rushcliffe (Mr. Clarke) produced. He recently wrote:

"the more influence Britain has in Brussels, the more influence we have in Washington and the wider international community."

I am sure that that is a useful text for Conservative Front-Bench spokesmen to reflect on when they respond to the debate.

I have set out a consistent and coherent set of policies and actions that delivers a European defence structure, takes account of the relative strengths of NATO and the European Union, reflects the modern security environment and allows us to enjoy the benefits of a strong European defence dimension as well as a positive transatlantic relationship.

5.15 pm

Mr. Paul Keetch (Hereford): May I add our condolences and sympathies to those offered by the Secretary of State to those people recently hurt in Iraq? I am sure all hon. Members would join us in that.

I welcome the debate, although it is difficult to understand how much further forward we are since last week's statement on NATO and European defence. Nevertheless, as already expressed, there are legitimate concerns about what impact the discussions within the EU and the intergovernmental conference will have on NATO. Judging by the comments of the US ambassador to NATO and the consultations with other EU and NATO partners, it seems that will have to handle those with more sensitivity and transparency in future.

I, too, suspect the Conservative party's motives in calling for this debate, as I think the Secretary of State and others do. Perhaps the Conservatives are trying to draw attention away from their other problems—I note the poor attendance of their Back Benchers—by concentrating on their usual anti-European rant. If they had really wanted to draw out some of the things in a defence debate that members of the armed forces are concerned about, they could have called a debate on a range of issues—overstretch, which the Conservatives go on about, armed forces housing, pensions and defence medical services. Those are more relevant to the men and women who serve in the armed forces than NATO and EU defence policy.

Hon. Members on both sides of the House are in agreement that the primacy of NATO must not be threatened. They also agree on the hierarchy to which the Secretary of State recently referred, which was again set out by the Foreign Secretary last week, of NATO first followed by Berlin-plus should NATO decline to be involved, followed by EU operations without NATO support, as in the Democratic Republic of the Congo, followed by wholly autonomous operations. Provided that that remains the Government's position, it is entirely sensible and we will continue to support it.

Mr. Mike Hancock (Portsmouth, South): The inference I drew from the Opposition was that they regretted Europe's positive response to the request by our American allies for Europe to do more. Does my hon. Friend think that there was a disappointed air to their contribution as a result of Europe for once responding positively and getting its act together?

Mr. Keetch: I have enormous sympathy with my hon. Friend. If he is patient, I shall come to that.

Mr. Jenkin: A cursory reading of the motion shows that we welcome Europe's greater contribution to global

defence. What interests me, however, is whether the hon. Gentleman will press his order of priorities, which has some merit, on the Secretary of State, because it is not written down in anything that the Government have signed with our European partners. The so-called right of first refusal for NATO over EU operations does not exist, as we saw before the Prague summit when France threatened to veto the continuation of the Macedonia mandate unless NATO as a whole agreed that the EU should take it over. France did that with finesse to produce what it wanted.

Mr. Keetch: I shall deal with the intervention of my hon. Friend the Member for Portsmouth, South (Mr. Hancock) first. I share his concerns about the Conservative view of the issues. An anti-European rant does appear to run through the Conservative party.

I am concerned by the lack of even-handedness in the shadow Defence Secretary's attitude to the reality between the United States and Europe. His is a political party that supported—hook, line and sinker—the deployment of Her Majesty's armed forces in Iraq and asked hardly a single question about it because our forces were acting with United States armed forces.

In answer to the specific question, I do believe, as Liberal Democrat Members have said on many occasions, that there ought to be a formal right of first refusal. The Secretary of State answered that point well in his speech; there is no such formal right, but there is a series of arrangements between Defence Ministers which we need to look at.

No party or Government in Europe or, indeed, the United States should be against European security and defence co-operation. As the shadow Defence Secretary said, that belief is underlined in the motion in his name. However, American anxieties about European defence arrangements must be set in context. Successive American Administrations have supported defence co-operation in the EU since 1962. Even the Opposition motion expresses a belief in enhanced European military capacity, even if it is not explicitly developed under the auspices of the ESDP.

Even now, despite the rhetoric from some quarters, the current US Administration has been supportive of the ESDP for the most part. Baroness Symons said in the other place on 22 October that

"the guidance from the State Department is still supportive of ESDP."—[*Official Report, House of Lords*, 22 October 2003; Vol. 653, c. 1614.]

It is worth remembering, however, that the anxieties of the Pentagon are not shared throughout Washington and are the subject of criticism in the United States. Some analysts in the US believe that undue antagonism from the US could itself be a danger to the alliance and that Europe should have the right to discuss its defence arrangements provided that they do not undermine the alliance.

All nations have the right to decide on their own defence and to speak to other nations if they want to do so. I do not believe that that undermines the north Atlantic treaty at all. So far, all the discussions and documents relating to the ESDP have stressed the primacy and inviolability of obligations to NATO, and we agree with that.

We supported the Government in their efforts to make progress in this matter at St. Malo in 1998. We have also supported the attempts to improve interoperability, joint procurement and shared capabilities since then through the Helsinki headline goals, the Prague capabilities commitment and the NATO rapid reaction forces. As the Secretary of State said, a major goal of the ESDP is to increase capabilities, and that goal is beginning to be realised, albeit too slowly. The French announced a major increase in defence spending earlier this year, but sadly they have not been followed by others. The Helsinki headline goal process is beginning to deliver improved capabilities—deployable capabilities—in many areas. That process complements, rather than diverts from, NATO and it makes both the ESDP and NATO stronger.

NATO and the EU are not in competition. Everybody agrees that the EU needs to do more, and that is what St. Malo was about. How those capabilities are organised is not, as the Americans would say, a zero-sum game. The Defence Secretary and I are in good company—which includes leading Conservatives and others who are extremely important in defence—when we make that point. Two former Chiefs of the Defence Staff, Lord Bramall and the late Lord Carver, two former Conservative Defence Ministers, Lords Heseltine and Gilmour, and a former Tory Foreign Secretary, Lord Hurd, signed a joint letter to *The Daily Telegraph* in November 2000 which said:

"European defence co-operation is not about creating a Euro-army in competition with Nato: it is an essential underpinning of the Atlantic Alliance... ESDI and Nato are entirely complementary and it is not helpful to the public's understanding of this important issue to suggest otherwise."

I agree with those comments and with the recent comments of the right hon. and learned Member for Rushcliffe (Mr. Clarke), as expressed by the Secretary of State.

The capabilities that are available to NATO are the same ones that are available to the EU. There are no separate British troops, tanks, warships or aircraft with a little NATO flag that will, some time, turn into a little EU flag; they are the same capabilities. It is important for us to remember that.

The EU has done a splendid job in Macedonia, in the Congo and with the police support mission in Bosnia. If the NATO mission in Bosnia is brought to an end and the EU takes over, I wish it well in that task. The Government appear to accept that no new structures, which could compete with NATO for joint operations, are needed. Indeed, the Berlin-plus arrangements make any such structures redundant. The EU has been assured access to NATO planning assets. Who could require more? Provided that the Berlin-plus arrangements, which have been agreed by all concerned, including NATO members, are followed, there should be no problem or conflict of interest between the two formations.

We have had some discussion of the draft proposals produced by the European Convention, and there are concerns about the way in which the ESDP could develop following the adoption of a European constitution. In fact, the problem is more likely to be that the addition of many new members slows down co-operation and encourages states to seek national

[Mr. Keetch]

solutions instead of getting involved in more complex multinational negotiations. We, too, welcome the expansion of the Petersberg tasks set out in article III-210 of the new constitution. The way in which those tasks are defined and implemented will be decided unanimously, as has been said, and we support the view that there should be no qualified majority voting on defence and foreign affairs.

An armaments research and military capabilities agency is a good idea, which we support in the interests of saving money and improving defence co-operation. Any enhancement of European capabilities will benefit NATO, but the key point is the way in which those capabilities are configured and deployed. We, too, have concerns, as structured co-operation should not discriminate against other EU countries that want to take part. Moreover, a mutual defence guarantee could be seen as a threat to NATO, as the Secretary of State has just accepted. The Government have declared that they are aware of those issues and have resolved to deal with them during discussions at the intergovernmental conference—we shall take them to task if they fail to do so.

The Liberal Democrats have always believed that the real value added by the ESDP to British security lies in sharing the military burden and increasing capabilities through pooling assets. Progress on reaching the Helsinki headline goal has been painfully slow. Achieving further and deeper collaboration on the provision of capabilities is, in fact, the real issue facing European Defence Ministers at the moment. Many targets have been set at the behest of the Americans, the British and the French, most recently at Prague, but considerable work needs to be done to translate those targets into deployable assets. Pooling capabilities has long been a theme of Liberal Democrat defence policy, but considerable potential remains for more sharing. A range of civilian and shared military support operations could be operated jointly by NATO and the EU in a similar way to the AWACS—airborne warning and control system—planes that currently fly under NATO command.

Dr. Julian Lewis: While the hon. Gentleman is on the subject of pooling assets, will he rule out from future Liberal Democrat policy the pooling of Anglo-French nuclear deterrents as part of an EU military superstructure?

Mr. Keetch: I cannot speak about the French nuclear deterrent, but certainly we have no plans whatever in Liberal Democrat defence policy to pool the British nuclear deterrent in any EU force.

Ultimately, the ESDP will be defined by what it delivers. It promises to deliver much, not just in terms of offensive, war-fighting capabilities that could be of use to NATO, but in making larger numbers of intelligent and well-trained peacekeepers available for multinational operations. If we want NATO to continue to develop its ability to meet the new security challenges of the 21st century, the United States and Europe must co-operate as partners. The ESDP is part of that co-operation, which is why we shall not support the Conservative motion but shall instead join the Government in the Lobby.

5.28 pm

Mr. Terry Davis (Birmingham, Hodge Hill): As my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) said in an intervention, this debate is a lot of fuss about nothing. It was significant that in his opening speech the hon. Member for North Essex (Mr. Jenkin) built his argument not on any analysis of Government or EU policy, but on the admitted ambitions of some people in Germany and elsewhere to have a European army. I concede the point—of course there are people in other European countries who want total integration and a European army—but that is not the position of the British Government. I do not think it is the position of any party in the House, not even the Liberal party, which usually strongly supports European integration, but not on defence. It is the classic storm in a teacup. We should not allow ourselves to be mesmerised or carried away by the dreams of some people in other European countries, any more than we should be carried away by the nightmares of the Conservative party.

Everybody in the House agrees that NATO should have the right of first refusal whether to undertake humanitarian tasks—the so-called Petersberg tasks. That is not new. We have had a European defence organisation for some 50 years; it is called the Western European Union. To use the language of the hon. Member for North Essex, some people would argue that the obligation under the Brussels treaty, which is the basis of the Western European Union, is much more extensive than the voluntary commitment under the NATO treaty. Although it exists on paper and has done for 50 years, we in Britain recognise that that obligation has been superseded in practice by our commitment and that of our allies to NATO. That is the way it works.

For some time, the Western European Union has had an accepted role in humanitarian tasks, peacekeeping and similar missions—the Petersberg tasks. In the past few years it has been agreed that the WEU should be integrated into the European Union. All that has happened is that the EU has taken over from the WEU the responsibility for Petersberg tasks. Although there are all sorts of difficulties surrounding that decision, those detailed difficulties are not the subject of the debate this afternoon. I repeat: it is a storm in a teacup.

It is essential that we do not leave the job to NATO. It is one thing to say that NATO should have the right of first refusal; it is a different thing to say that NATO should have a right of veto. It is significant that the right hon. Member for Wells (Mr. Heathcoat-Amory) said in an intervention that the Americans should have the right to give permission for Europeans to undertake the Petersberg tasks. I reject that concept. There will be some situations in which the Americans do not want to get involved. We should not go cap in hand to Washington and say, "Please, President Bush, if you don't want to do it, may we do it?"

We should have the autonomous right to take our own decisions as a sovereign country, in alliance with our European allies, to undertake some mission that almost certainly—but not exclusively—will be in Europe. There have already been examples of that. Someone asked from the Opposition Benches, "When has NATO never wanted to undertake such missions?" Consider the case of the Balkans. Only a few years ago, Albania was sliding into anarchy. NATO did not want to get involved. The EU did not want to get involved,

because the British Government did not want to get involved. The British Government prevented the EU from taking any action in Albania. I do not make a party political point, but there was a Conservative Government at the time. On behalf of the British Government, Lord Hurd attended a crucial meeting at Apeldoorn, where it was decided that the EU would not take action, so it was left to a coalition of European countries, fortunately, to take the necessary action to ensure that Albania did not go the way of the rest of the Balkans.

In Albania there would have been a civil war on the scale of that in Bosnia, except that it would have been between political parties, rather than between people of different ethnic origin. That very dangerous situation was averted by a coalition—an alliance—of European countries, regrettably outside the European Union, but extremely effective none the less. Operation Alba was one of the greatest successes of any coalition of willing people.

There will be similar situations in the future. I hope not, but it would be unreasonable to pretend that that will not happen. It would be wise to make provision to ensure that if it happens we can take action because it is part of Europe. Albania is part of Europe. Europe is not the EU; Europe is much bigger. We have a right and an interest in taking action in the Balkans and elsewhere. I am thinking of places such as the south Caucasus, where we might well want to get involved as Europeans with our European allies.

We have faced that situation before and it could easily arise in future. The real problem about the arrangements that are being negotiated is not the nightmare envisaged by Conservative Members, but the complete lack of any arrangements for liaison between national Parliaments. That is a retrograde step, because we have had such arrangements before. If Conservative Members cared about defence and the roles of national Parliaments, they would complain that our Government have not done enough to ensure that there is liaison and consultation between national Parliaments in jointly scrutinising the arrangements that are negotiated at a European level.

As someone who consistently voted against Maastricht, I have no difficulty in supporting the Government in the Lobby tonight.

Mr. Hancock: I am grateful to the right hon. Gentleman for giving way just before he sits down. If I may, I should like to give him the opportunity to put a case to the Government for the retention of the WEU to serve in the role of parliamentary scrutiny of defence across Europe.

Mr. Davis: I am grateful to the hon. Gentleman. We entirely agree on this issue, although he means the WEU Assembly, not the WEU—we tend to confuse the two. The WEU has been integrated into the European Union, but there is a role to be played by a body of some kind—perhaps not the WEU Assembly, as I do not pretend that the WEU and its Assembly were perfect organisations. There is a great need for improvement, but it would be a great mistake to throw the baby out with the bath water by dispensing with the Assembly now that the WEU is integrated into the European Union.

That is a different debate that I shall not pursue further. I am sure that the hon. Member for Portsmouth, South (Mr. Hancock) and I, together with hon. Members on both sides of the House, will do so on future occasions. I merely draw attention to the fact that the Conservative Opposition are barking up the wrong tree.

5.37 pm

Mr. Peter Viggers (Gosport): The Americans came rather slowly into the first and second world wars; we are very grateful that they did so. After the second world war, the main aim was to link the United States so inextricably to Europe through NATO that there was no question of its entering briskly into any further conflict. Indeed, it was required, as a part of the NATO alliance, to ensure that no further conflicts would happen in Europe and that any attack on one member would result in a joint response. It has often been said that NATO is the most successful alliance in the history of the world. It has been very successful in achieving its objectives.

It is important to remember, however, that the United States does not look only to us in Europe for its allies. If one visited a schoolroom in the United States, one might be surprised to find that the map on the wall shows north and south America in the middle of the world, with Asia on the left and Europe on the right. That is unlike the standard Mercator projection on the wall of most of our schoolrooms, where the United Kingdom is in the centre with the United States on one side and Asia on the other. The United States does not necessarily wake up every morning worrying about Europe, central Europe and Asia. A book prepared in the United States entitled, "Report on Allied Contributions to the Common Defence", links it not only to allies in Europe and NATO, but to those from north and south America, as well as to Japan, Korea and allies in the Gulf. The United States does not owe us a living—we must play our part if we wish it to play its part in supporting the NATO alliance.

NATO has been extremely successful. It faced down the Warsaw pact. The deployment of Cruise and Pershing missiles by our former Prime Minister, now Lady Thatcher, and President Reagan led to the end of the cold war and the collapse of the Berlin wall. However, the importance of NATO remains.

There were some stresses before the events of 11 September, which I shall subsequently call 9/11 for the sake of shorthand. There was an imbalance in, for example, military input. Many of us who are involved in NATO matters used to talk about the ratio of 100:60:15. If one took the American input into defence to be 100 per cent., European input would be 60 per cent. but output would be approximately 15 per cent. In other words, the Americans had approximately six times the military power of Europe. Consequently, the defence capabilities initiative tries to rectify the defects in Europe in, for example, heavy lift, command and communications, air-to-air refuelling and, above all, sheer weight of forces. European forces have been significantly weaker than those of the United States.

Let us consider the input of some countries into defence. The United Kingdom is notable for being better than many. Only Turkey and Greece contribute

[Mr. Peter Viggers]

percentages of gross domestic product to defence that exceed those of the United Kingdom. Of course, that is for their own purposes. Luxembourg, which is a prosperous country, contributes a small amount—approximately 1.1 per cent.

Mr. MacShane: It is 0.8 per cent.

Mr. Viggers: The Minister corrects me, but let us call the modest percentage 1 per cent. for simplicity. That is less important than Germany's input, which was 1.9 per cent. when I last looked. The Minister may have a different figure. *[Interruption.]* He indicates a lower figure. Germany, with a heavy GDP, does not make much of a contribution to defence when compared with many others.

There is not only an overall quantitive weakness but a failure to co-ordinate defence procurement. Different nations often insist on their own aircraft, tanks, guns, uniforms and boots. If the head of an airline insisted on having his own aircraft, he would be certified and fired without delay, whereas the heads of different air forces—notably in France—insist on having their own aircraft. We have co-operative ventures but we do not come together to procure one type of equipment.

That was the position until 9/11, but since then there has been a massive boost to the United States defence effort. The United States spends approximately as much on defence as the next 11 largest countries put together. Its increase in defence spending is the equivalent of much of the European initiative overall. The United States is therefore in a class of its own.

Article 5 was invoked, not, as was expected, by a European country against possible aggression but in respect of the attack on the World Trade Centre and the Pentagon. The United States therefore effectively invoked article 5 of the Washington treaty, which led to the European NATO countries deploying airborne warning aircraft over the United States and support of the US by Europe.

The invocation of article 5 was not what we historically expected—a triumphant proof that NATO is an operative coalition. In the context of Afghanistan and Iraq, it proved ultimately to be more a coalition of the willing than simply the operation of NATO. I therefore maintain that invoking article 5 after 9/11 did not result in boosting support for NATO.

Before an attack on Iraq, Turkey invoked the NATO treaty and asked for support against a possible missile attack. The refusal of France and others put NATO under considerable stress. So NATO has been in some difficulty, and this all comes when NATO is being expanded: the three Baltic states of Estonia, Latvia and Lithuania are to be admitted, together with Slovakia, Slovenia, Bulgaria and Romania. That will be helpful in strengthening and broadening the alliance.

The admission of those—in military terms—comparatively modest countries is justified, bearing in mind the fact that although we have thought of NATO as a military alliance, it is, of course, also political. One might once have asked, "What is the point of admitting Estonia to NATO? What can it do to support the defence of the other NATO countries?" However, that is not really the right question. The question is what Estonia, Lithuania, Latvia and all the other nations can do to strengthen the political alliance that is NATO.

Also, those countries will be given the reassurance of NATO membership. They still feel that they are under the shadow of the former Soviet Union and now of Russia, and might feel that they can benefit from the safeguard—the spiritual and mental support—that they get from being members of NATO. That is important in terms of NATO's expansion. NATO is alive and well, but we need to work on the alliance.

Meanwhile, there are the European Union initiatives to consider. Let us never forget, although it is quite easy to do so, that France withdrew from the integrated military structure. It deliberately put itself in a situation whereby it cannot take part in the normal command and co-ordination efforts of NATO. It makes a point of not being part of the integrated military structure, and that significantly weakens NATO and significantly weakens the contribution that France can make to it.

I thought it regrettable that the Government and our Prime Minister chose the country that is not involved in the integrated military structure to be the subject of the St. Malo initiative in 1998. The intended Franco-British co-operation, and the strengthening of the European institutions for defence and of the European security and defence policy, which has led to a proposal that there should be a separate headquarters and command structure for a European force's identity, have not been very successful.

The Secretary of State talked with some pride of an initiative for having 60,000 troops available on a sustainable basis, but he ducked and weaved when I asked how many troops would be needed to maintain 60,000 on a sustainable basis. Of course, we all know that the answer is three times 60,000, because there must be one unit in preparation, one in operation, and one in stand-down and retraining. That is before one takes account of the fact that troops are often unfit for military service—some 10,000 are currently unfit—quite apart from all the other problems of training and so on. We would need 180,000 troops, but the Secretary of State did not give the answer that he knew as well as I did: we are nowhere near providing 180,000 troops on a sustainable basis, and we are dreaming if we think we can.

There is a tendency in Europe to talk about European co-operation and, having talked about it and agreed yet another new European initiative, everyone goes home feeling that they have done something good—people feel fitter for it all. That is rather like a man going to a shop and buying an exercise bicycle or a pair of dumb-bells, and going home feeling that he has done something to improve his health. He has not done anything of the sort. The fact is that these European initiatives are all talk and not much action. They are like, as they say in Texas, someone with a big hat and no cattle. To follow the analogy through, there is a danger that Europe is deteriorating because we are not taking defence as seriously as the Americans are. I have heard it said that Europe, or the European Union, is deteriorating into a great, fat, lazy Switzerland.

We cannot go on like this. There are severe dangers in pursuing the European defence initiative. I want to make two points that have not been made yet today. In

making the first, I speak as a member of the NATO Parliamentary Assembly, of which several of those present now are also members. We co-operate and participate in the assembly's debates, and learn a great deal from listening to colleagues from other countries. I listen to Americans who say that if there were a credible European defence identity, the United States would not feel the need to become involved in areas such as Kosovo.

I remember a conversation with an American senator, who said, "I do not think we would have been able to carry Congress with us if there had been a European defence identity. Congress would not have felt the need to be involved. It would have said, 'Kosovo is a European issue: let the Europeans work it out'."

As I said when I was talking about the allied contributions to the common defence of the United States, the US has many obligations apart from those in Europe. If there is a credible European identity in defence terms, it will not wish to be involved. I am confident of that, and I think it is a serious hazard.

The second hazard is this. If the US is not involved in a European venture and we in Europe do become involved, if and when the involvement becomes difficult—if more military power is needed than we originally anticipated; if the small involvement in an attempt to keep the peace turns sour, and our troops come under immense pressure and attack—we say to the US, "We are very sorry, but we had a European initiative which has gone wrong and we now need your support", the US will be even less likely to involve itself.

Dr. Julian Lewis: May I add a further refinement to my hon. Friend's point? Even if a so-called crisis management operation went wrong and escalated, and we as Europeans had to appeal to the Americans to come in—and even if they did come in—by then the war would already be under way. If they had been involved from the outset under the NATO structures, the war might have been avoided through deterrence, and the fighting might not have broken out in the first place.

Mr. Viggers: That is a good point. The sheer weight of NATO's power might deter a potential aggressor. The whole point of deterrence is that there is no need to become involved, because the initiators have been deterred. If an approach is made with much less force and in a rather timid manner, the fighting could well escalate. It is the sheer weight of the American war machine that enables America to assist in the maintenance of peace around the world.

Let me say in parenthesis that we should continue always to pay tribute to the Americans. Theirs is in many ways a rather insular country, and only 7 per cent. of them have passports. It has taken real determination and a real moral sense of purpose for America to involve itself in world events as it has.

The EU and NATO are not coterminous. With military involvement through the EU we would, as it were, gain an ally in Ireland and lose an ally in Turkey, which is NATO's strongest member in the crucial area of eastern Europe and western Asia. NATO is better shaped to assist the maintaining of peace in dangerous areas than is the EU. I should add that some of our allies have an agenda that is inconsistent with NATO and, indeed, hostile to NATO interests. We would not paint a complete picture if we did not point out that there are European interests that are anti-American. They would like to see a greater American initiative, and to aggrandise their own countries at NATO's expense.

All the difficulty that we have been discussing has arisen because our Prime Minister has a penchant for telling people what he thinks they want to hear. What he says in Europe is different from what he says in the United States. That is why, along with many others, the ambassador to NATO, Nick Burns, has expressed serious concern about the manner in which the European defence initiative is proceeding. He is anxious for us to play our part, and remain staunch allies of NATO. If we do not reiterate our support, there is a risk that the United States will place more emphasis on other parts of the world.

The debate has drawn attention to an important issue, and I congratulate my right hon. Friend the Leader of the Opposition on the motion.

5.55 pm

Mr. John Smith (Vale of Glamorgan): It is a privilege to speak in the debate, and also to follow the hon. Member for Gosport (Mr. Viggers), who made a very interesting speech. I, too, am a member of the NATO Parliamentary Assembly, and have been for some years. I take an interest in NATO's future and in its current state, and I often reflect on the huge success that the NATO alliance has been. It has already been described as probably one of the most successful military alliances in history—certainly in European history—and it has given us virtual peace in Europe for nearly half a century. We want it to go on succeeding, which is why I was so disappointed to see the motion and to hear what was said by the hon. Member for North Essex (Mr. Jenkin).

The debate was supposed to be about NATO and the European security and defence policy, but the hon. Gentleman's speech was about nothing of the sort. It displayed a preoccupation with the vagaries of the pending negotiations on the EU constitution, and had little or nothing to do with the crucial defence issues that face this country and the rest of the world. Those are the issues that I came to hear debated, and to talk about.

In fairness to the hon. Member for Gosport, he raised a crucial issue. He said that NATO had been enormously successful but that we should be very careful, because it was currently under threat and there were pressures on it that needed to be addressed. He rightly drew attention to those pressures, unlike the Opposition Front-Bench spokesman. I hope that the Opposition Member who winds up the debate will do the same.

The biggest single threat to NATO—the most successful military alliance in European history—is the lack of burden sharing. It is an equal threat: a threat to one is a threat to all under article 5 of the north Atlantic treaty, and under article 5 as invoked on 12 September 2001 we will come to the aid of an individual member. As has been pointed out, it is ironic that we ended up going to the aid of our biggest ally, the United States of America. We made a very practical contribution in providing air surveillance for that country when it was experiencing a period of great need, was under a great threat, and was feeling great fear, having been the victim of such a terrible atrocity.

[Mr. John Smith]

NATO, however, was primarily a cold war alliance, and the cold war disappeared a long time ago. I believe—as, I think, do many Members who take an interest in defence matters—that in many respects our current security environment is ten times worse than it was during the cold war, when our enemy was predictable, stable and clearly identifiable. That is not the world in which we live now: we live in a much more insecure world, where the enemy is not obvious and we do not know whence the threats will come from one day to the next. Who could have predicted the military engagements in which we have been engaged in the past five years? I do not think that anyone could have done so.

That illustrates the nature of the threat. It illustrates the importance of defence spending, and it illustrates why the Government are right to increase it in order to protect this country and create a safer global environment. It is, of course, crucial for us to persuade our European allies to share their responsibility. That is exactly what they are not doing. The biggest single threat to NATO is if America becomes more and more separated from Europe in terms of military capability and technical capability in the military sector, which since the increase in defence expenditure in the United States has become very great indeed, not if there is one command, two commands, or one planning organisation. That is irrelevant. That is like arguing about how many angels can dance on the head of a pin. The truth is that those countries do not have capability.

There is plenty of planning capability already in Europe. One would not have to create a new planning capability structure because all one would have to do is move a few people around. What one does not have is the military capability to be able to respond to an article 5 threat, for example, if it were presented to Europe.

The reason the Prime Minister sat down with the President of France to discuss the future shape of European security and defence policy is that Britain and France are the only two countries that can deliver it. They are the only two countries with a war-fighting capability. France is not even in the military command structure, so it is right that the British Government play a leading role in shaping European defence policy, and at the same time play a leading role in terms of our alliance with our most powerful ally, the United States of America. No one, therefore, should be confused about the role that is being played, and I think that it is very constructive.

It is crucial that we get the Europeans to invest in defence. Not only are they not investing but their defence expenditure is going down. Their contribution to NATO is going down. That must be addressed. We have had the defence capabilities initiative and the Prague capabilities commitment and we are starting to see an improvement, but the big issue in Europe is not just the lack of defence expenditure but the inefficient way in which other European countries are investing their budgets in defence. They do not address the capabilities of NATO, the Petersberg missions under the ESDP, or, frankly, anything else. So much of the debate this afternoon has been an irrelevance. What we need to do is to address those issues that guarantee the future of NATO, which has served us so well for so long.

I remind the House that every NATO member, including the new members from new Europe—not old Europe—is in favour of a European security and defence policy, because every country recognises the importance of improving that capability for NATO. There will be no duplication whatever in terms of military capability because at the moment it does not exist. Anything that is being created is a bonus. Anything that is created for Petersberg missions under the European security and defence policy will be available for NATO missions, and those are capabilities that do not exist at the moment. That is why it is ludicrous for Opposition Front Benchers to argue what they have been arguing today and no doubt will continue to argue in the debate. That is the single biggest issue; that is the single biggest threat to NATO. The single biggest challenge that we face is establishing those capabilities.

Command and control and new headquarters are irrelevant. The only interoperational activities, the only combined activities, that can take place are through NATO structures, because they work, have been tested and have been extremely successful over the past decade. Europe could not do anything about the Balkans and sat back and watched people slaughtering each other in Bosnia, which was, strictly speaking, outside the sphere of influence of article 5 of the NATO treaty. That is why there is a strong case for developing a European military capability. That is now being used in Macedonia and in the Congo. Surprise, surprise! It just so happens that NATO command and control facilities are being used, because there is no other option. The debate that we have had about the creation of the European bogeyman, some fundamental threat that will undermine the defence of this country, is patently absurd.

It is somewhat sad to see a once great party, the British Conservative party, advance these arguments in an Opposition day debate. That party was closely associated with the defence of this nation for many years. Conservative Members are so off the wall now. They turn up this afternoon and use precious time to discuss a crucial issue—the defence of the nation—by talking about the vagaries of the European Union constitution. It has been pointed out to them repeatedly that it will have no bearing whatever on the future defence of this nation.

It is absurd even to contemplate a situation where the one country in Europe that has a war-fighting capability, this country, and which is within the military command structure of NATO, would commit British troops, British men and women, to active engagement anywhere in the world without the sovereign approval of the nation. Even to argue such a case is patently absurd. Yet that is what Conservative Members have done today; it is what they have been doing all afternoon. I hate to say it, but I am sure that that is what the Conservative spokesman will do when he sums up the debate.

I would like to hear some constructive proposals on how we can aid our allies in Europe, our fellow NATO members, in addressing their problems. I would like to hear proposals not even to increase but just to stem the haemorrhaging of their defence budgets, and to help them to build the capabilities that were outlined in Prague in 2002. That is what we should do if we were

serious about defence. Frankly, if one of the political arguments necessary to achieve that is that Europe should have a crisis management and conflict prevention and avoidance capability within a rapid reaction force of 60,000 troops, so be it. I agree with the hon. Member for Gosport that it is a long way off because one needs 180,000 troops to do that, but do not forget that there are 2 million troops in Europe, who, if they were trained and prepared properly and if there were the political will, could provide the very force to meet not only the Petersberg missions but the commitment to NATO as well.

That is the challenge of this debate about NATO and the European security and defence policy. That is why I will support the Prime Minister's amendment and why it is sad to see the Tories in the state that they are in now.

6.8 pm

Patrick Mercer (Newark): It is a great pleasure to follow the hon. Member for Vale of Glamorgan (Mr. Smith). I hope that I will be able to make some positive suggestions, rather than be merely negative.

I pay tribute to the members of the American armed forces who have been killed over the past 24 hours in a series of extremely unpleasant ambushes and skirmishes in Baghdad and the surrounding area. Without wishing to be complacent, notably, there have not been British casualties for several months, touch wood. Clearly, the opposition in the southern part of Iraq may not be as serious as that in the centre and the north. It could also be that our excellent soldiers, sailors and airmen are doing a first-class job. Before going any further, I want to pay tribute to the work that they are doing.

Sadly, neither the Secretary of State for Defence nor his shadow is currently present, so I will not be able to patronise them to their faces, but I should like to point out how interesting I found their opening comments. I assume both men to be honourable and utterly rational, but they came at similar problems from two very different angles, which proved extremely illuminating. The Secretary of State made some calming and placatory comments, which I also found very interesting. In an interview of 4 August, the French Defence Minister said:

"Europe has reached a point of maturity where it is now capable of isolating any one-off problems . . . Today, I reckon Defence Europe"—

capital D, capital E—

exists, even though it needs to be bolstered on the capabilities front, on which all the European countries must make extra efforts. But today we are demonstrating in Macedonia, where we took over from NATO"—

note the use of the phrase, "we took over from NATO"—

and above all in Ituri [Democratic Republic of the Congo] where we are operating autonomously, that Defence Europe exists."

In the light of words such as those, it is hardly surprising that people such as the hon. Member for Vale of Glamorgan, who presented an extremely balanced view, exhibit a tension and a concern about where our defence is going.

I still do not understand why operations such as those in Macedonia and the Democratic Republic of the Congo cannot be mounted underneath a NATO umbrella. Nor do I understand why, given that our European partners' defence spending is falling continually, we are even contemplating adding another headquarters. Headquarters are expensive. They involve big fat chaps with red tabs—I can say that because I was one—who consume large salaries and are driven around in cars. But they do not carry a rifle or deliver a grenade. They do not keep peace or save starving thousands. They do not contribute, in terms of killing or saving, one iota. As has been said, anybody can plan; the question is one of adding money and capability and keeping people up to the mark, via the various different agreements and alliances that we have had over the years. My view is that NATO has stood the test of time, and that comments such as the French Defence Minister's are deleterious. My view is also illustrated by my hon. Friend the Member for Gosport (Mr. Viggers), who said that a feeling of anti-Americanism most certainly exists abroad and about, in NATO and Europe, which is thoroughly damaging to the transatlantic alliance.

Mr. John Wilkinson (Ruislip-Northwood): I am listening to my hon. Friend's speech with great interest, but does he not realise that our French neighbours have the clear political ambition that the European Union should exercise an autonomous muscle and intervene in world affairs? It is easiest to start where there are less intractable military problems: in Africa, for example, of which countries such as France have much experience, and in which they have great financial and commercial interests.

Patrick Mercer: I am very grateful for that intervention. It certainly illuminates the point that I was struggling to make, but which my hon. Friend makes much more clearly than I ever could; indeed, it is made particularly clear by the conduct of the French during the war in Iraq. I do not wish to beat a drum or to aerate this matter more than is necessary, but the fact remains that we are standing on a dividing line in terms of where this nation goes: whether we look towards America, or towards Europe, in terms of our defence.

I should like to consider a rather more arcane aspect of NATO and European defence policy, and to discuss three different elements of what lies ahead for this nation's defence and its relations with America and Europe. First, it would seem that, as my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) has just pointed out, European nations are concentrating at the lower end of the war-fighting spectrum in particular. My grave concern is that Great Britain is about to join the second-class military nations—a development that, in my view, will be heralded in the White Paper that will be published shortly. It will not only show the way in which our defence will be restructured; it will also disguise the swingeing defence restrictions—not cuts—that will be introduced over the next months and years. The grave danger is that if we are not careful Britain's first-class armed forces will end up being capable of standing shoulder to shoulder only on operations such as those in Macedonia and the Democratic Republic of the Congo, to which we have just referred. They will be incapable of the higher end of war-fighting that we have seen, and continue to see, in Iraq.

Secondly and even more significantly, just around the corner is the grave danger of trying to reap a peace dividend on the back of what I trust and pray is the

[Patrick Mercer]

wholly laudable progress that will, I hope, be made in Northern Ireland. I am not alone in this view—the outgoing Chief of the Defence Staff made exactly that point as he stepped down from his post. He said that any lessening intention in Northern Ireland must not be used as an excuse for a peace dividend. I firmly believe that this Government will cynically attempt, on the back of any success that they enjoy, one hopes, in Northern Ireland, to cut our armed forces in such a way that they are capable only of dealing at the lower end of the operations that we have discussed. In this way, there might be a much more comfortable billet for this country as a third-class power, with other European powers rather than with America. That worries me gravely.

I turn to my third—I hope novel—point. In a recent debate on defence policy, I tried to intervene to tell the Secretary of State that we need new and fresh defence thinking. He was introducing, in his inimitable way, the foothills of the White Paper. At no point in his comments was anything other than conventional war discussed. Our capability to deal with the asymmetric threat simply did not feature. Tanks, aeroplanes, ships, numbers, bullets and so on were mentioned, but intelligence effort, co-operation between uniformed and non-uniformed forces, and co-operation between armed forces, police forces and other forces that might help to recover from a terrorist outrage—in other words, the gamut of homeland security—were not touched on. The EU and NATO between them must look towards a totally different way of dealing with the changed threat. Only by so doing will we be capable of meeting—whichever alliance we are in, whichever way we choose to go—the threat that lies just around the corner.

Labour Members giggled rather hard at one or two documents allegedly written by Conservative Members, which were published in that noble organ, *The Sun*. None the less, I shall offer a quote. As a result of what that paper did—or did not—say, the fact remains:

> "Nicholas Burns, the United States ambassador to Nato, has said the EU plans represent 'one of the greatest dangers to the transatlantic relationship'."

Nothing that we do—nothing—must endanger that relationship, because upon it our future depends.

6.19 pm

Mr. Mike Hancock (Portsmouth, South): I do not think that a single speech this afternoon has dissented from that last contribution. Every hon. Member has supported the ongoing commitment of this country to have a strong relationship with the United States: no one has expressed significant dissent about that in recent defence debates. What they have done is suggest, as the Americans themselves have time and again since President Eisenhower first proposed that Europe ought to do more—successive American Administrations have argued the same point—that we have to share the burden. As the hon. Member for Vale of Glamorgan (Mr. Smith) rightly said, if there was a threat to NATO, the biggest threat was the fact that Europe has, over the past 40-odd years, ignored the request and demand from the US to play—and pay for— a bigger role in the defence of the world through NATO.

We are right to praise the splendid results of 50 years of co-operation between Europe and our north American allies, which has delivered peace, but it is wrong to suggest that we can stand still. The American Administration have made it clear that they are not prepared to stand still and they demand that Europe move forward. What disappoints me is that they make that demand, and then want to exercise a right of veto if they do not like the direction in which Europe is going. Conservative Members have reminded us time and again of the role of the sovereign nation, but it disappoints me that they were prepared to give up that sovereignty by giving the US a veto on when our forces would or would not be used. That drift away from their prepared line seriously disturbed me.

The hon. Member for Newark (Patrick Mercer) was right to end his comments by reminding us of our commitments to the ongoing fight against terrorism. The sort of unexpected event that has beset the US, occurs all too often in Iraq and is all too frequently on the horizon in Saudi Arabia, elsewhere in Europe and, indeed, in the UK. Our lack of preparedness in respect of homeland defence is a significant issue, which Parliament must address. I would be greatly disappointed if any of the Government's proposals in the White Paper were going to dilute our commitment to homeland defence. I would like to see it strengthened.

Dr. Julian Lewis: I endorse the hon. Gentleman's remarks. I do not believe that he was present at the defence procurement debate on Thursday, when I raised the possible danger—I have often discussed it with my hon. Friend the Member for Newark (Patrick Mercer), given his special responsibilities in that area—posed by sealed containers that come into this country, when only minuscule numbers of them are picked out, scanned and identified as potential carriers of weapons that could cause devastation in the heart of our cities. I confined my one request to the Minister for Europe to address that point, but he did not do so. I welcome the emphasis that the hon. Member for Portsmouth, South (Mr. Hancock) has put on that matter and I hope that the Opposition can work together to secure some better answers from the Government than we have had in the past.

Mr. Hancock: I entirely accept that. Together with my hon. Friend the Member for Portsmouth, North (Syd Rapson), I represent a major seaport, and we drew attention to sea-borne threats when the Defence Select Committee was producing its report. We mentioned the problem of being unable to check enough containers. Sometimes, out of whole shiploads, perhaps containing 1,000 containers, only about 10 might be checked with any thoroughness. I have already said that I shall be disappointed if the Government do not ensure that sufficient resources are devoted to dealing with that problem. The hon. Member for New Forest, East (Dr. Lewis) is right to emphasise that issue and I hope that Ministers will listen hard to what is said.

In examining Europe today, we should reflect on how NATO has changed in response to European expansion from being more of a military alliance to being more of a political one. The hon. Member for Gosport (Mr. Viggers) was right to mention the example of Estonia. What does that country bring to the military table? Very

little. However, it does bring an immense experience of involvement in political dialogue in an important part of northern Europe. Similarly, we need to bear in mind the great experience of dealing with the former Soviet Union that is shared by the countries that will shortly join the EU. Their valuable experiences are drawn from the eastern part of Europe, and we need to learn to use their expertise.The EU is responding as Governments have requested it so to do.

To understand the St. Malo dialogue, we have to remember what was said during the previous year. President Clinton had spoken to the President of France and the British Prime Minister to explain that he expected those two countries to become the leaders of the European dimension in defence. He looked to them to bring some impetus and try to get Europe to spend more on defence, and to plan and co-ordinate the capabilities of Europe. St. Malo was born out of the pressure then exerted by the then American President and his Administration. Europe responded positively, and St. Malo gave the lead to many of the initiatives now being brought to fruition.

We have heard today that the idea of having a duplicate planning centre has been shelved and is no longer on the agenda. I sat in a meeting in Brussels last week where the NATO ambassadors representing EU countries made it clear that the capability to provide 60,000 men for deployment had been achieved. Not only that, such deployment included the support necessary to make that happen. That was repeated in the Select Committee in the same week. However, what could not be guaranteed was the capability to have such support in place for a year. That is the problem every time: the lack of such support to deliver the capability. It can be delivered only with the support of our American allies through NATO—only that offers Europe the possibility of mobilising a force that can deliver the punch that we want it to have. We have to work in harmony with NATO.

I was disappointed that the biggest failure that any of the ambassadors—and particularly ambassador Burns from the United States—could suggest for the problems that we had experienced was the failure to understand the structures of the EU. The NATO Council had not understood what the EU was trying to achieve. It was interesting to note the well publicised comments to the effect that Ambassador Burns was going to read the riot act to his colleagues at the NATO council. He did nothing of the sort. In fact, he changed his tune considerably at the meeting. The Secretary-General, the former Secretary of State for Defence here, was complimentary in thanking the ambassador for the change of tone. Far from going there to teach us a lesson, the ambassador did the opposite and complimented Europe for what it was trying to do. I am delighted to see that the American Administration are nowhere near as frightened of Europe doing what it was asked to do as the Conservative spokesman, the hon. Member for North Essex (Mr. Jenkin), was this afternoon.

The right hon. Member for Birmingham, Hodge Hill (Mr. Davis), who spoke about the need for proper parliamentary scrutiny of defence in future, is dead right. We not only need to exercise such scrutiny in this Parliament, we need a parliamentary assembly that can deliver such scrutiny right across Europe. We need a parliamentary forum or assembly—not the European Parliament—with real teeth. The Minister for Europe might like to consider having a debate on that subject in the House in Government time: it is long overdue. I am very disappointed by the tone of the Conservative motion this afternoon, and I hope that the House will reject it.

6.29 pm

Mr. Richard Spring (West Suffolk): We have had a number of excellent speeches this afternoon, particularly those of the hon. Member for Hereford (Mr. Keetch) and the right hon. Member for Birmingham, Hodge Hill (Mr. Davis), who both claimed that Conservative sentiments were alarmist. I want to deal with that issue in my remarks. Some of our EU partners have a clear ambition to secure much greater integration at many levels, including in respect of defence. Frankly, I believe that they want it at a level that is unacceptable to the British people.

We heard a particularly good speech from my hon. Friend the Member for Gosport (Mr. Viggers), who talked about the failure of defence procurement to work together across European boundaries, and specifically about the problem of heavy lift. He also referred to the enormous impact on others of the huge US spending commitment, and he rightly mentioned the need for NATO to reform. Indeed, spending—or the lack of it—in Europe was a consistent theme of many contributions.

I listened with interest to the hon. Member for Vale of Glamorgan (Mr. Smith), who said that NATO had been a huge success, which is true, and that the biggest threat to it was the lack of burden sharing. I agree with him on that, too. He talked about establishing capabilities and mentioned the fact that we—and my hon. Friend the Member for North Essex (Mr. Jenkin) in particular—had referred to the constitutional implications of what is before us.

I do not want to dwell on that issue any more than is necessary, but I want to make one point on article I-15 of the proposed constitution, which deals with the competence of the Union in relation to matters of common foreign and security policy. For the record, I refer the hon. Member for Vale of Glamorgan to Professor Arnull's submission to the Lords Constitution Committee so that we can draw the matter to a close. The professor stated:

> "The power of the Court of Justice to review compliance by Member States with the second subparagraph of that provision is particularly significant."

That measure relates to loyalty and mutual solidarity. He continued:

> "It may lead the Court to be called upon to consider whether action by a Member State complies with an act adopted by the Union in this area or is contrary to the Union's interests or likely to impair its effectiveness. The Court would be likely to regard at least some of these issues as justiciable."

However we look at this issue, case law, driven on by the European Court of Justice, has massively increased what can broadly be described as judge-led law in this country, with all the implications that flow from that. I simply wanted to make that point to the hon. Gentleman and other hon. Members. This is not an obsessive thing; we know what has happened in the

[Mr. Richard Spring]

European Union and I believe that, with the constitutional arrangement that is now before us, the whole process of integration will inevitably be driven further forward.

My hon. Friend the Member for Newark (Patrick Mercer) is always heard with enormous respect when he speaks on military matters. He talked about new structures at a time of reduced spending, and what he said was absolutely right. He also mentioned the changed threat—the threat of terrorism—and the need for homeland defence. Those points are very pertinent at this time. I agree with the hon. Member for Portsmouth, South (Mr. Hancock), who also highlighted the need for homeland defence and the lack of spending.

The people of this country have, rightly or wrongly, lost faith in almost all our national institutions, but the one institution that continues to inspire unqualified respect and affection is our armed forces. By way of an example, whatever controversy may have surrounded the Iraq war, nobody could dispute that, militarily, it was extraordinarily successful. Our front-line soldiers performed magnificently, and their conduct in post-conflict Iraq has been marked by a remarkable mixture of firmness and sensitivity. We are also blessed with military leadership that stands up to any international comparison. That could have been said time and again over past decades. The point is that we play pointless politics with our armed forces at our peril.

The Government have an obsessive stated desire to have influence in Europe, not by a firm focus or sense of purpose, but by being carried along in the slipstream of others, time and again. I heard the Prime Minister observe, about an emerging EU defence identity, that it was going to go ahead anyway, so we had to be involved. To what purpose? It is beyond absurd to suggest that that will buy us any influence. There will be times when, explicitly, our national interests have to outweigh some illusory pursuit of influence.

In his desire to mend fences with France and Germany after the Iraq war, the Prime Minister has again given in to an agenda that could damage NATO but yield no practical benefits. Of course the Government are right to try to mend fences with our European partners in France and Germany. The joint trip to Iran by the three Foreign Ministers was a fine example of what can be accomplished when our three countries work together. But, by consenting to the creation of an EU defence policy that is increasingly separate from NATO—reinforced in the proposed EU constitution, as I have spelled out—the Government are endangering the basis of British and European security, weakening the transatlantic alliance, alienating countries that look to us and, once again, failing to show leadership in Europe.

Mr. Nicholas Soames (Mid-Sussex): I warmly endorse the point that my hon. Friend so powerfully made about the brilliant success of British forces in the Iraq war, and, indeed, at all other times. He was at the Ministry of Defence, and I wonder whether he would agree that the forces' principal concern on this matter is the Government's obsession with structures and their failure to understand that what matters more than anything else in the European context is capability, in which we are grievously deficient?

Mr. Spring: I absolutely agree with my hon. Friend, and I pay tribute to him for being one of the most outstanding Ministers ever to have occupied a position in the Ministry of Defence.

The Government must ensure that EU military co-operation proceeds only under NATO's umbrella, and without duplication or competition with NATO. I speak with some admiration for the way in which France has set the agenda for the European project over and over again. The proposed EU defence entity is very much a French creation, as indeed are so many other policies in the EU. But let us consider NATO. For decades, France has not been part of the integrated command structure, and that has certainly had a direct impact on the efficacy of the organisation. Although most of the other EU countries have been full members of NATO, has French influence in Europe overall been diminished?

The point is that there will be times when European countries will not feel it appropriate to be part of an integrated structure at whatever level. Is Ireland's influence in Europe less because it is not in the Schengen agreement? Is Sweden ignored because of the single currency issue? Of course not. The blunt truth is that there can never be a viable EU defence identity without British involvement. That being the case, why have we been sucked into this? Of course, this is all about politics and not about defence. Surely everything in history shows us that to do something not specifically for a particular functional purpose, but to make a political point, is invariably wrong in practice and in principle. There is no evidence that the creation of an EU defence identity will enhance European defence capabilities. There is something profoundly unsound in doing something not to resolve a functional problem, but simply because of some misplaced political purpose.

The Prime Minister may wish to forget it, but in 1997 he assured the House that

"getting Europe's voice heard more clearly in the world will not be achieved through merging the European Union and the Western European Union or developing an unrealistic common defence policy."—[*Official Report*, 18 June 1997; Vol. 296, c. 314.]

Yet since then his policy has changed. That should be no surprise. This Government took office pledging to uphold the EU's three separate pillar structure, yet they are now acquiescing in its abolition. Three years ago, they were against a written EU constitution; now they are in favour of one. They used to be against a legally binding charter of fundamental rights, but now they accept the proposal. And this Government are now backing the very unrealistic policy that the Prime Minister once inveighed against. They have consented, in effect, to an EU planning defence cell and are willing to accept structured co-operation—in other words, deeper defence integration—within the EU, despite the fact that it is absolutely clear where that agenda is leading us.

Dominique de Villepin recently said:

"The appointment of a European Foreign Minister, together with the creation of a European Defence policy, backed by credible assets, will enable Europe to defend its vision and shoulder its responsibilities."

An internal German army document stated:

"A European Army legitimised and financed by the European Parliament is the visionary goal of German policy in the ESDP."

It went on to say that this European army needed

"a clear definition that separates it from . . . NATO".

That is the thinking behind the whole European defence integration process. Those who favour that approach have invariably been ultimately successful in the pursuit of integration at different stages of the EU's political process.

My hon. Friend the Member for North Essex set out the risks of undermining the transatlantic relationship at a time when there is, as hon. Members have observed, rising anti-Americanism. Regrettably, there are those who sit in Governments in our EU partner countries who would not find that unacceptable. By contrast, I invite the Secretary of State to talk to our friends in the EU accession process, who consider that rise with genuine alarm. Like me, the Minister of State for Defence was recently in Turkey, a country to which we should all be greatly indebted for what it did in the cold war. He will have heard in no uncertain terms of Turkey's anxieties.

Our American friends famously helped to preserve our liberties during the cold war. Of course, as we have heard again this afternoon, the nature of future conflict would be very different, but given the inability of Europeans to spend on defence, it is hugely important that our American allies continue to want to be in Europe. I speak as a Member of Parliament who has more than 20,000 American service personnel at RAF Mildenhall and RAF Lakenheath. They are hugely welcome in our midst.

In different economic circumstances, will a future US Administration considering budgetary savings look to their European commitments to secure them? Given the unwillingness of Europeans to spend, and the clear, open and focused desire of some in Europe to create a wholly separate defence identity, what will their response be? There is a limit to generosity. It should be our unequivocal role to understand, without qualification, the nature of the danger and to react to it not by weasel words, but by taking a clear and principled stand.

We want European countries to be strong in defence and to co-operate closely. They need to establish an equitable burden in international security, and they need to spend more in a more rational way, concentrating on today's defence needs. However, that must be entirely and unequivocally within NATO. We, the Europeans and the Americans are united by shared beliefs in democracy, the rule of law and human rights. We can best promote those beliefs throughout the world if America and Europe stand together.

What is it about this Government that means that they so lack self-confidence that they must continually make damaging gestures to gain influence in Europe? Any dispassionate observer who looks at the proposals before the intergovernmental conference will see immediately that there has been almost no substantive British influence on the Convention's proceedings. So we have the worst of two worlds—signing up implicitly to a defence identity that adds nothing to our defence capabilities, but for which there is obviously no quid pro quo. It is symptomatic of the cataclysmic failure of British influence in the EU that history, in due course, will judge accordingly.

6.43 pm

The Minister for Europe (Mr. Denis MacShane): We have had a good debate, with some fine Back-Bench speeches. I would like to be able to pay a compliment on the speeches that we have heard from the Conservative Front Bench, but at times, even in parliamentary debates, some intellectual honesty is required.

We heard an extremely good contribution from my right hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis). There was also a good contribution from the hon. Member for Gosport (Mr. Viggers), almost in a double act with his near neighbour the hon. Member for Portsmouth, South (Mr. Hancock). They spoke well; both are experts on defence issues.

The hon. Member for Gosport gave us to believe that NATO was under some threat. On the contrary, in all my travels in the incoming member states in eastern Europe, I have found that NATO is extremely popular. Those countries reject the efforts of both the anti-Americans, many of whom exist in different parts of mainland Europe—there are some here in island Europe—and the anti-Europeans, who of course control the Conservative Front Bench.

Towards the end of his speech, the hon. Member for Newark (Patrick Mercer) was slightly critical of the role of France. I refer him to the interview given in *Newsweek* by General Jones, the US four-star general who is currently Supreme Allied Commander Europe. He went out of his way to praise the quality of the French army, describing it as probably the finest expeditionary force in Europe.

There were animadversions at the beginning of the hon. Gentleman's speech to a paper that was published more than a year ago by some unit somewhere in Germany. I have been as yet unable to find out who is responsible for it—certainly no German Minister is taking responsibility for it—but it will be translated and put in the Library by the Conservatives. I welcome that contribution, and it is good that at long last the Conservatives are translating documents from Europe and understanding how Europe works. They may find that recommendation 21, at the back of that document, states that the only language to be used for any future European military operation should be English. There are other recommendations that would be of great interest to our friends in France, but we will leave Paris to decide whether it wants to take that document, from the thousand papers churned out monthly throughout Europe and the United States, as seriously as the Conservative party has done.

When considering matters that pertain to our security, we have to look at 10, 20, 30, 40 and 50 years' time. When we take that wider perspective and consider the rising powers that we can now see around the world equipping themselves with nuclear weapons or even the capacity to operate in space, it is more vital than ever that the two great democratic regions of the world, where the rule of law, open-market economies and liberal democracies are enshrined—namely, the European Union and the United States—co-operate even more closely to secure a peaceful and prosperous

[Mr. Denis MacShane]

21st century. That is why it is so irresponsible of the Conservative party to spend so much energy trying to drive huge wedges between Europe and the United States. As long as the Labour party has Government responsibility, it will continue to try to bring the European Union and the United States together.

Tomorrow, our friends across the Atlantic and in the EU of 25 will read this debate with some amazement. The British Conservative party, which since 1945 has devoted time, thought and political skill to strengthening European defence, is now pledged to criticise and undermine every effort to achieve a more coherent and concerted approach for our European allies. Conservative Front Benchers, with their fanatical anti-European opposition, cannot attract any support, even from their own Back Benchers. The debate has been most notable for the fact that more Liberal Democrat Members have attended it than Members from the main Opposition party. The 25 member states of the European Union will be looking at this debate with some interest—*[Interruption.]* I understand that there may be 25 Conservative Members who have rather more interesting things to work on and discuss tonight. Perhaps some of them could have turned up for this debate.

This country has always believed in the notion of the EU having a common external policy. A previous Prime Minister believed that Europe should have a common external policy and that "greater depth" should be given to Europe's "internal and external activities" to

"Fulfil our international responsibility to the causes of freedom, democracy, prosperity and peace."

In arguing for a common external policy, one of this country's leaders has said that the member states with which we are in joint partnership in Europe should

"increasingly . . . adopt common positions on world problems and . . . vote together in non-economic international bodies"

and

"take more seriously their solemn commitments to consult and take account of their partners' views".

All those quotes come, of course, from the noble Baroness Thatcher in a paper that she circulated to her European partners in 1984, and it is a mark of how far the Conservative party has moved to the ultra anti-European, anti-Atlantic part of the spectrum that the statements that she made then should now be repudiated by all Conservative Front Benchers.

Several issues have been raised during the debate. We have heard about an issue that was raised during much of last week—the idea of an operational headquarters at Tervuren, a pleasant suburb of Brussels—but we now understand that that idea will not see the light of day. It has been argued that there will be some loss of control over the deployment of British soldiers, yet in every European treaty since Maastricht, including in the draft for the new constitutional treaty now under discussion, it has been made quite clear that each sovereign nation state in the EU will control the deployment and use of its soldiers, sailors and airmen.

Mr. Jenkin: I should be very grateful to the hon. Gentleman if he said where the draft treaty says that.

Mr. MacShane: As part of the treaty of Nice, as my right hon. Friend the Secretary of State for Defence made clear, it will be up to each European member state to decide whether its soldiers, sailors or airmen are deployed in any European operation.

The right hon. Member for Wells (Mr. Heathcoat-Amory), who is not in his place, intervened to say that NATO should give permission before any European state or any coalition of European states take any action. He may want to reflect on the notion that the House of Commons and this sovereign nation should have to seek permission from anyone before deciding to deploy our armed forces in action.

Mr. Keetch: The record should be checked. The right hon. Member for Wells (Mr. Heathcoat-Amory) was saying, as I understood it, that America, not NATO, should give permission before any other country intervened. If he did refer to America—the Secretary of State for Defence is nodding—and the Conservative position is that America should have a right of veto over the deployment of Her Majesty's armed forces, let alone forces from the rest of Europe, that is pretty disgraceful.

Mr. MacShane: It is important that we work in partnership and collaboration with our allies—including, of course, the United States—but we are not in the permission game and the Government will certainly take the only decisions that count: those to send any of our armed services into action. That point was underlined in the interview that Ambassador Burns gave on Radio Free Europe when he said:

"The UK is the closest ally of the US and we have a perfect understanding of each other and we are working closely together and there are no problems between the US and the UK on this issue".

However, the whole thrust of not just the speech made by the shadow Secretary of State for Defence, but the continued activity of the obsessive anti-Europeans who now control the Conservative Front Bench, is to divide the UK from the United States and the UK from our partners in Europe.

Mr. Soames: The hon. Gentleman is an expert in this knockabout stuff, but does he not understand that that the declaration made in April by Germany, France, Luxembourg and Belgium on European defence was extremely divisive and has led to profound concern in America and elsewhere? This is not to do with driving wedges; it is a profound concern about the future of European defence. Will the hon. Gentleman take seriously the real anxieties raised by many Opposition Members who want Europe to play a bigger role in its own defence and who understand that the action of Germany, France, Luxembourg and Belgium represents a serious slap in the face for NATO and is likely to cause the gravest confusion?

Mr. MacShane: The hon. Gentleman is repeating word for word speeches that I have made across the continent. I made exactly those points. I hope that when the necessary 25 signatures have been found, the hon. Gentleman will assume his rightful place as shadow Secretary of State for Defence because he would

certainly make a much better fist of it—he would understand Europe and the United States—than the hon. Member for North Essex (Mr. Jenkin).

Mr. Jenkin: Where was all that said?

Mr. MacShane: I repeat my answer. If the hon. Gentleman likes, I can send him chapter and verse of speeches on the record and on the Foreign and Commonwealth website in which I made exactly the point that we have two ways in European defence—NATO, which has stood the test of time and has a big future in front of it, and what we need to do at European level. As a good new Labour MP, I say that there is no need for a third way. I have said that time and again.

Mr. Jenkin: Does the hon. Gentleman believe that the United States agrees with the following statement:

"The EU should have a common capability for the planning and leadership of operations independent of NATO means and capabilities",

because that is the Government's policy?

Mr. MacShane: The Government's policy remains to build on decisions taken by previous Governments to ensure an effective European contribution. Whether in Operation Alba in Albania, when a European initiative was blocked by the previous Government, or in the Congo, Kosovo, Sierra Leone or East Timor, it is right that European forces should be prepared to accept their responsibilities.

The Conservatives, as we know, ruined much of the UK's defence capability in the 1990s with their massive cuts. They damaged the alliance with United States by their crass interference in American domestic politics in the middle 1990s. They undermined, if not destroyed, Britain's standing in Europe with their relentless hostility to a constructive partnership with the EU. Above all, they did nothing to stop Milosevic turning the former Yugoslavia into Europe's killing fields. Indeed, my right hon. Friend the Member for Birmingham, Hodge Hill reminded the House that the Conservative party, when in power, sought to block Operation Alba. Like Neville Chamberlain, the political godfather to today's isolationist Tory Front Bench, the Conservatives turned their eyes away from the terror and torture of Milosevic. More than 1 million asylum seekers cascaded into northern Europe from Bosnia, Croatia, Kosovo and even Serbia because the Conservatives refused to come to grips with reality.

Today, the Conservative party is out on the far right of the extreme end of anti-European politics. While President Bush and our own Prime Minister struggle to defeat fascist terrorism in Iraq, the Conservatives, as we saw in their disgracefully opportunistic motion last week, only want to undermine the United States and our nation for having the guts to take on Saddam's tyranny and terror. Derided in Europe, of no interest to the United States and ignored in our country, today's Tories have nothing to say. This opportunistic, dishonest, badly worded and irrelevant motion is the last gasp of a party that looks into the future and sees no place. One day, a Tory leadership will emerge that is capable of talking sense to Europe and being an effective partner of the United States. Let us all hope that that leadership emerges, if not tonight, as soon as possible. I ask all hon. Members to support the Government amendment and reject the anti-European, divisive motion tabled by those on the Conservative Front Bench.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 134, Noes 336.

Division No. 337] **[6:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Fabricant, Michael
Fallon, Michael
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Turner, Andrew *(Isle of Wight)*

Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. John Randall and Mr. Mark Francois

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beith, rh A. J.
Bell, Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blears, Ms Hazel
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, rh Robin
Cooper, Yvette
Cotter, Brian
Cousins, Jim
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr. Evan
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keetch, Paul
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moore, Michael
Moran, Margaret
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*

Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stunell, Andrew
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Jim Fitzpatrick and Mr. Jim Murphy

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House believes that NATO is, and should remain, the cornerstone of Europe's collective defence; believes in the importance of European nations building up their military capabilities to contribute more to their defence and security through NATO and the EU; welcomes the development of the European Security and Defence Policy as a part of the Common Foreign and Security Policy, including its role in undertaking operations where NATO as a whole is not engaged; welcomes the "Berlin Plus" agreement which provides the EU with assured access to NATO planning and presumed access to NATO assets and capabilities for military operations; and welcomes the success of the ESDP operation undertaken in the Democratic Republic of Congo and the continuing military operation in Macedonia and police operation in Bosnia.

Health Care Targets

Madam Deputy Speaker (Sylvia Heal): We now come to the motion on the effect of Government targets on the provision of heath care. I must inform the House that Mr. Speaker has selected the amendment in the name of the Prime Minister.

7.16 pm

Dr. Liam Fox (Woodspring): I beg to move,

That this House notes that the Government's obsession with target-setting now pervades almost every aspect of healthcare; believes that the volume of centrally set targets and the way in which these have been imposed is having a detrimental effect on clinical outcomes, since the welfare of the patient becomes a secondary consideration to the achievement of the target; further believes that the imposition of these targets is seriously demoralising the professional staff within the NHS, diverting them from spending time with patients to additional paperwork and bureaucracy; is appalled that pressure on managers to achieve targets has led to distortions in reporting on performance, so that the public has no confidence in claims that are made about achievements in the NHS; and calls on the Government to do away with their reliance on the target-setting culture, to re-invest the money saved on bureaucracy into front line medical care and to trust doctors, nurses and other professional staff to get on with their jobs with minimal interference, in the interests of all of their patients.

I must say at the outset how bizarre it is that the Secretary of State for Health has not attempted to stay to hear a debate on such an important health issue. I understand that he recently visited the United States to learn about the benefits of its health system. It seems that he is rather more interested in that than in what happens in this House or the national health service.

The debate revolves around the question of what targets actually are. Most of us would regard targets as quality benchmarks and something against which we could monitor progress. Most of us would say that targets relate to the application of best practice and that they are aspirational. Yet, under the new Labour Government, targets have become something quite different. They have become direct commands in the health care system. They are ministerial diktats meaning that strategic health authorities and primary care trusts are simply the delivery arm of Whitehall acting on ministerial instructions.

Under the full lexicon of new Labour, we hear of "earned autonomy", which is a wonderful oxymoron, meaning "You can do what you like as long as it's what we tell you to do." We are told that PCTs control 70 per cent. of the budget, but they merely handle 70 per cent. of the budget. That is rather like saying that bank clerks control millions of pounds because they handle millions of pounds, although they have no discretion in what to do with the money. Part of the myth perpetrated by the Government is that they are decentralising the service.

The problems with targets fall into several distinct categories: their effect on patients and clinical priorities; their effect on integrity and trust in the system; their effect on non-acute services; and their effect on recruitment and morale. Let me begin by talking about the effect on patients and clinical priorities, because all hon. Members will be aware of stories that have been

[Dr. Liam Fox]

circulating widely about distortions in the system. In September, the BBC broke a story about what was happening in Leeds. It said:

"Managers at Leeds Teaching Hospitals NHS Trust say they will only accept referrals from GPs if they are sure patients can be seen within 17 weeks ... The trust has now written to GPs in Leeds to tell them it will not accept new patients if it means it will breach the outpatient waiting time targets set by the government. In a letter to GPs, the trust warned that patients"

will have to go elsewhere. It said:

"We will accept a referral only when we have the capacity to see the patient within the maximum waiting time—which is currently 17 weeks for outpatients by 31 March 2004. We may be unable to accept a referral from your practice."

The trust had the nerve to say:

"This is not all about waiting times ... This is about managing the number of people coming into the trust and improving planning."

So patients are referred to where it is convenient for the system to see them. In other words, the system is not there to service the patients; the patients are there to service the system. That has been the great cultural corrosion under new Labour.

Rather more recently, on 13 October this year, the United Lincolnshire Hospitals NHS trust said about the suspension of specialist pain services in Lincolnshire:

"The Local Primary Care Trusts and the United Lincolnshire Hospitals NHS Trust has reached an impasse in negotiations regarding funding of the county-wide specialist pain services. The service has been suspended because capacity of the service is insufficient to meet a growing demand. Faced with an unwillingness on the part of the Primary Care Trusts to invest, and a likelihood of breaching monitored waiting times for new outpatients, a decision was made to suspend the service."

In other words, if a trust cannot make the targets, it can give the service up entirely and not breach Government guidelines. What sort of ethical basis is that for running a system?

The consultants at the centre of the problem said that the decision

"was taken without consultation with clinical personnel and, apart from continued access for patients with cancer pain, is not based on clinical need but rather financial and political criteria."

In their letter, the consultants also said:

"There have been a number of instances where pain clinics in the UK have stopped accepting new patients as a means of managing waiting lists, with the recent nationwide survey revealing four clinics spread across the country currently not seeing new patients"—

not because the patients did not need to be seen, but because it was politically inconvenient for the managers to have to report to Ministers that they could not meet their targets. So the statistics came first and the patients came second.

Hugh Bayley (City of York): In my health authority area in North Yorkshire, the number of out-patients waiting longer than 13 weeks has fallen over the past five years from more than 5,000 to 1,000, a fivefold reduction. The figures for the area represented by the hon. Member for Woodspring (Dr. Fox) will be similar. Does he think that we should get rid of the out-patient waiting time target? If not, precisely which targets does he suggest the NHS should abandon?

Dr. Fox: I do not believe that the service should be forced to work to centrally driven targets determined by Whitehall. It should be up to clinicians to determine which patients are treated, and the priority of that treatment, in their locality. There will need to be a different balance of services in different parts of the country. To attempt to run the service in a one-size-fits-all target-driven culture designed in Whitehall will be catastrophic, as it is in many of the areas I mentioned.

Several hon. Members *rose—*

Dr. Fox: I shall give way in a moment.

Let us consider what happened in Oxford, for example, where we saw the obscenity of patients sitting in ambulances, queuing by the accident and emergency departments so that they did not breach the four-hour waiting time for accident and emergency. The Government's Commission for Health Improvement ambulance trust review said:

"One of the reasons for long delays in A&E departments accepting patients from waiting ambulances may be their own need to achieve a target that no patient should wait more than four hours from arrival in A&E to admission ... This illustrates how targets set for one service may work against good cooperation between services."

It is not possible to micro-manage a system as complex as the NHS from behind a Minister's desk in Whitehall. It is not possible to design a set of targets and criteria that will allow professional people to exercise their judgment appropriately.

Mr. Mark Hendrick (Preston): How can a Government determine whether the taxpayer is getting value for money from their health care if the Government do not set the targets? Does he not accept that hospitals throughout the country do not have inexhaustible capacity? If a hospital cannot meet the need in the locality, it is feasible that that patient may have to be treated elsewhere.

Dr. Fox: The hon. Gentleman raises two important points and he betrays what is at the heart of the new Labour problem. First, he says that the Government have to set targets to get value for money, but there is no concept of what is appropriate for the patients. The most important thing is not the system but what matters to the patient. Secondly, he mentions patients going elsewhere. It is Conservative policy that patients should move anywhere they want to inside the NHS. Naturally, any policy is constrained by capacity, but patients should be able to exercise that choice themselves. Instead, they are moved around for the convenience of the administrators. That has nothing to do with what patients want or what is good for them. In that scenario, the system comes first and the patients come a very poor second.

The Secretary of State for Health (Dr. John Reid): I thank the hon. Gentleman for clarifying his remarks. Will he confirm that for the 1,500 people who were waiting more than 26 weeks in his constituency for a consultant's appointment and who have now been completely taken off any list—no one in his constituency is waiting more than 26 weeks—as a result of our objectives in driving forward those targets, he would

abandon all the targets and objectives and we would return to the situation that prevailed before the Labour Government?

Dr. Fox: The Secretary of State's question reminds me of what happened to some of my constituents when the Bath Royal United Hospital NHS trust told them that only two patients were waiting more than 18 months anywhere in the country. We were inundated with calls all afternoon from people wanting to know who the other person was. As far as the patients were concerned, many had been waiting for that time, and I intend to deal with the accuracy of the figures.

The Secretary of State does not understand that activity is being driven by the numbers, not by the clinical importance of the conditions affecting patients. It is not acceptable to get numbers down if it means that the sickest patients might wait longer than those with less important conditions. What is absent from the Government's approach is the idea that the most appropriate people to make decisions for patients are the clinicians who look after them. We all want lower maximum waiting times across the board. That is a universal aim. We want to ensure, however, that that does not result in a clinical distortion by which some of the sickest patients have to wait longer.

Mr. David Hinchliffe (Wakefield): Will the hon. Gentleman give way?

Dr. Fox: Of course I shall give way to the hon. Gentleman in a moment.

One set of Government figures reveals the flaw in the Secretary of State's case. Their targets for seeing cancer consultants are, on the surface, laudable and sensible, but they are about gaining access to a consultant in the first place; they say nothing about when a patient will receive treatment. So let us consider what has happened in cancer treatment.

According to Department of Health figures produced in September, waiting times for cancer treatment increased in most cases between 1999 and 2002. *[Interruption.]* The Secretary of State says, "No, they have not", so let us look at them. Between 1999 and 2002, the average waiting time for treatment for cancer of the oesophagus was up 14.3 per cent.; for cancer of the stomach, it was up 20 per cent.; and for brain cancer, it was up 66.7 per cent. The Government have met their targets for how quickly a patient can see a consultant, but they have increased the length of time before patients receive treatment. What is the point of that?

Mrs. Joan Humble (Blackpool, North and Fleetwood): The hon. Gentleman does not mention breast cancer treatment or the initial referral. Constituents of mine have had almost immediate access to both the initial consultation and treatment. Those women would have died but for that development. They welcome the targets because they are the direct beneficiaries of them.

Dr. Fox: But if the consequence of all patients who are suspected by their GP of having breast cancer being seen within a maximum waiting time—which, again, on the surface, seems fine—is that the consultants who should be treating those with proven breast cancer are having their activity redirected, there is no clinical gain. It is a question of what is sensible and what is appropriately judged by clinicians.

With the best will in the world, politicians cannot create a system that is both specific and sensitive enough to deal with individual patients. It is nonsensical if the patients get a maximum waiting time to see a consultant but the waiting time for treatment is lengthened, because that is what will make the difference to the clinical outcome for the patient.

Dr. John Reid: With great respect to the hon. Gentleman, who has practised medicine, I say to him that the whole point is that, unless patients are seen early by a consultant, those clinical judgments cannot be made. When we took power, people waited weeks and, in some cases, months to see a consultant, even when the doctor had identified a suspected cancer. Now 98.5 per cent. of all people diagnosed with a suspected cancer see a consultant within two weeks.

That early appointment is important precisely so that the consultant can then decide, according to their clinical assessment, in what order treatment should occur. But patients have to be seen first, and under the last Conservative Government, even when people had been diagnosed, they waited weeks and months; now they are seen within two weeks. That is the point.

Dr. Fox: The Secretary of State is right: that is the point. The point is that it is not how quickly patients are seen that matters for their clinical outcome; it is how quickly they are treated. According to the Government's own figures, the waiting time from being seen to being treated is going up. It is being elongated by the fact that consultants have targets for seeing new patients, not follow-up patients, and there is no Government target for the length of time before treatment.

I recently attended a meeting with CancerBACUP at which a cancer consultant said that his hospital was making very good progress with cancer doctor numbers. He said, "We now have extra consultants, which is a good thing, except for how we did it. We delayed the retirement date for our outgoing consultant from 31 March to 1 April, brought forward the recruitment date of our new consultant from 1 April to 31 March and gave one of our retired consultants one session a week. As we were measured on 31 March, we had three consultants. Of course, we really have only one, but on paper we have three." It is that sort of statistical manipulation that is so damaging to morale, integrity and trust in the system.

Mr. Hinchliffe: The hon. Gentleman may have had some contact—in a professional capacity, I hasten to add—with the genito-urinary medicine clinic in Bristol, which I, as a member of the Health Committee, visited a little while ago. We were told that it was turning away 500 people a week because it simply did not have the capacity to treat people with serious infections and sexually transmitted diseases. The Committee, with the support of its Tory members, put forward the view that in such circumstances patients should have access to treatment and care within 48 hours; they should not be turned away to go and infect other people. To their

[Mr. Hinchliffe]

credit, the Government acceded to that request. Were they wrong to do so when we have such a crisis in sexual health?

Dr. Fox: That is a very good question because it goes back to what we mean by a target, as I said at the outset. It is fine for the Government to say, "This is what we regard as best practice and it is aspirational", but using targets as a means of forcing activity on the system—an activity designed on a one-size-fits-all basis—does not really work in the real NHS. That is the problem that we are identifying in this debate.

The targets and the way in which they are interpreted also have an effect on the trust and integrity in the system. In June 2003, in a damning condemnation of the culture of targets, the Audit Commission said:

"Local managers must want to improve patient care via meeting targets—not manipulate things to theoretically meet targets without real gain. For example, practices such as offering appointments at short notice and restarting waiting times if patients cannot attend comply with DH guidelines, and allow some trusts to achieve targets, but would not be considered fair by patients. Similarly, cancelling high numbers of operations the afternoon before the due date means that the commitment to rearrange within 28 days does not apply, and the Plan target can be met—but again, this is not acting in a way that patients would think fair. Such trusts have lost sight of the real priorities, which are about improving the NHS for patients, not just meeting Government targets."

In practice, the target culture nurtures target-oriented behaviour.

Looking at the accuracy of the figures that Ministers are so fond of quoting, the Audit Commission said:

"A number of trusts were found to be operating in ways that seemed weighted away from the interests of patients. These include the practice of offering appointments to patients at short notice and then, when they are unable to attend, recording this as a 'patient cancellation' and resetting the 'clock' measuring their waiting time to zero."

The chairman of the commission said:

"You're about to breach the target, you then tell the Department to phone up 50 per cent. of the people on that waiting list and offer them, surprisingly, admission within the following two weeks, to which of course large numbers say 'Two weeks? I can't do that.' At which point they're told, 'I'm terribly sorry, you have to go back to the beginning of the waiting list" and hence the target is met."

That is fine if one thinks that the most important thing in the health care system is meeting the targets, but as the Audit Commission clearly said, it does nothing to help patients.

When the all-party Public Administration Committee reported on the Government's measurements, it said:

"The danger with a measurement culture is that excessive attention is given to what can be easily measured, at the expense of what is difficult or impossible to measure quantitatively even though this may be fundamental to the service provided (for example, patient care . . .) There is the further danger that the demands of measurement may be so consuming of time and effort that they detract from the pursuit of a service's underlying purpose. The measurement culture is also in danger of threatening standards."

That is a Labour-dominated Committee.

Mr. Ian Liddell-Grainger (Bridgwater): As a member of the Public Administration Committee, I should point out that we went on to say that we had found numerous cases where figures were being blatantly fiddled and people were lying to cover up the culture that my hon. Friend has just mentioned. Does he agree that that is happening?

Dr. Fox: The interesting point, following further investigation of the details, was what the culture meant to patients in those situations. In May 2002, the Bath Royal United Hospital trust found that more than 2,000 out-patients waiting more than 13 weeks for a consultant appointment had disappeared from official lists—at that time the trust reported just 22 such outpatients. A lot of patients who were genuinely waiting were not, on paper, waiting at all.

In autumn 2002, after a strategic health authority investigation, the Good Hope Hospital trust in Birmingham found that 30 inpatients had waited over 15 months for treatment and six outpatients had waited longer than 26 weeks for treatment, but those figures had not been correctly recorded. In March 2003, the strategic health authority for South Manchester University Hospitals trust found that long waiters—those who had been waiting longer than 18 months—were simply excluded from returns, and other patients were being inappropriately redesignated from the acute waiting list to the planned admissions list.

We all know from our constituency mailbags that those are not unusual cases. Ministers will say that they are isolated examples and that the managers in question must be sorted out because they have no place in the NHS. Those managers are merely carrying out the tasks that they know are required of them by central Government in the target culture. It is no use Ministers saying, "It has nothing to do with us," because managers know that if they fail to meet their targets or they breach the Government guidelines, they will get a phone call from someone in the Department of Health telling them how they ought to be running their hospital and which patients ought to be seen. That is simply not acceptable.

Earlier this year, we had the great accident and emergency farce. The figures published by the Department showed that the proportion of patients in England who spent less than four hours in A and E had risen to 82.4 per cent. Those were wonderful figures—we would all love to think that patients did not wait in accident and emergency—and they were released on 20 June. However, the BBC programme "Panorama" and the British Medical Association showed that they were nonsense and did not accord with what was happening in the real world. According to the BMA, two thirds of accident and emergency departments in England established special arrangements during the monitoring period, which they knew about in advance. Preliminary results from a questionnaire sent to accident and emergency staff found that the temporary use of medical and nursing staff was the most common tactic, followed by staff working double or extended shifts. Fourteen per cent. of respondents were aware of routine surgery being cancelled so that extra beds were available that week. The majority believed that efforts to meet the Government's targets distorted clinical priorities in accident and emergency.

It is nonsensical to operate a service by saying, "We know you're going to be measured this week. If you can meet the targets that week, whatever you have to do to

do so is fine. The Government will be able to tick a box and say that we've met the targets." In fact, that distorted activities in other areas and other patients suffered. Nobody believed that the exercise was genuine or sustainable and, of course, the following week, things went back to what they were before. It is an Alice in Wonderland way to run a health service, and results in a culture of distortion and deceit.

Other services damaged by that culture are the non-acute services and the services for which the Government do not have a centrally driven target. The Prime Minister keeps telling us that public services are about "schools and hospitals", which betrays a great deal of ignorance of what happens in the health service, as most of our health care is provided not in hospitals but in the community. The obsession with acute hospital targets means that, far too often, too little attention is given to other services. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) will talk about the effect of targets on primary care in his winding-up speech, but while Ministers have developed obsessive-compulsive disorders about hips, knees and cataracts, mental health services have continued to deteriorate. The so-called sexual health strategy is a disaster. I am sorry that the hon. Member for Wakefield (Mr. Hinchliffe) has left the Chamber, because it would have been interesting to learn from him just how bad things have got for the GUM clinic in Bristol. The Government's immunisation strategy is in tatters, and infectious diseases such as tuberculosis have reached record levels. While diabetes becomes ever more prevalent, screening and care constantly lag behind that trend.

We also need to consider the effect of targets on staff morale, recruitment and retention. If there is one thing that shows the Government's lack of understanding of the complex way in which the health service works it is their absurd star rating system, which is designed to demoralise people, tells us nothing of any value about hospitals, and ought to be scrapped. When the star ratings, in their crude way, are applied to hospitals, they often create a misleading picture. Hospitals are treated as single units, not a complex interaction of services. Just because a hospital has a poor gynaecology service does not mean it will have a poor cardiology service. Just because it has an excellent ear, nose and throat service does not mean that it will have an excellent orthopaedic service. The star rating system does not tell patients anything of any value, but it can, in many cases, have a demoralising effect on staff in those hospitals. The chairman of the BMA, Jim Johnson, said:

"Nobody should use star ratings to judge how well a hospital is doing. They measure little more than hospitals' ability to meet political targets and take inadequate account of clinical care or factors such as social deprivation. It is grossly unfair on staff working in low-rated trusts that public confidence in them is being undermined".

The Times carried out an investigation in May and found that a third of English hospital trusts with the highest mortality rates were the best performers in Government ratings. To put that in context, we might consider the high level of hospital-acquired infections and what the Government's figures tell us about the relationship between infection and cleanliness. Fourteen of the 20 trusts in England with the highest levels of hospital-acquired infections received the Government's top rating for cleanliness. It is nonsense for a trust to get the top rating for cleanliness while, at the same time, putting patients at the highest risk of getting a hospital-acquired infection. What on earth does that tell patients and doctors about the quality of the service?

David Taylor (North-West Leicestershire): Would the hon. Gentleman care to tell the House about the links between levels of hospital-acquired infections and the outsourcing arrangements in place at many of those hospitals, a good number of them dating back to the period when his party was in office?

Dr. Fox: That is one of the most absurd arguments that I have ever heard. If a trust has contracted-out cleaning, but the hospitals are filthy, why pay the contractors? It should get someone else in to do the job. One of the biggest problems with hospital-acquired infections is simply cultural. Transmission of infection between patients has nothing to do with expenditure but a great deal to do with washing one's hands. For a doctor or nurse to wash their hands after seeing one patient and before seeing the next does not require a Government grant. It is part of the culture of the system—it is not helped by any Government target and is good practice for professionals who deal with patients. It does not require Government intervention, but it does require a bit of thought about patient care.

One area where morale has been particularly hard hit is general practice. *Medeconomics*, the specialist health magazine, reported in September this year:

"There are now fewer GPs per patient than five years ago. In 1997 there were 54.3 GPs for every 100,000 people, compared to 54.1 in 2001."

Figures published this month show that the number of vacancies has gone up. More than two thirds of GP vacancies were unfilled for more than six months, and the number of such vacancies has increased by 31 per cent. since 2002. Dr. John Chisholm of the BMA's general practitioners committee said:

"We are not surprised by this increased vacancy rate . . . in England. Indeed it matches the findings of our own GP vacancy rate survey . . . The upward trend is a matter of great concern."

Finally, targets have another cost. A target culture breeds bureaucrats in the same way as micro-organisms breed in a culture dish. If a target is set, it must be monitored, the results of that monitoring passed to someone else, and so on. Co-ordinators have to co-ordinate other co-ordinators, and the gap between decision making and delivery is filled with an ever-growing volume of interference, control and obstruction. It is no wonder that more people joined the Government payroll in the past year than work in the European Commission—there are hundreds of posts in monitoring units, delivery units, assessment teams and co-ordination groups. The overall number of public sector workers has risen by 0.75 million in the past five years so that they now account for one in four of the work force. It is little wonder that the Government's extra spending and our extra taxes have not resulted in clear benefits for patients.

Targets are not about patients but about politics. The NHS is being run to suit the spin of the Government machine, not the clinical needs of patients. Political expediency is given priority over the need for care. New Labour has corroded the integrity of the NHS. It has put

[Dr. Fox]

statistics before patients, demoralising NHS staff—the staff I trained and worked with, who are becoming increasingly difficult to recruit. This is no longer about the health of the public but about the political health of the Government. And they told us that things could only get better.

7.48 pm

The Secretary of State for Health (Dr. John Reid): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the Government's record extra investment in the National Health Service; supports the Government's policy of linking investment to reform; notes that setting targets and monitoring performance against them are a vital part of the accountability process; welcomes the Government's determination to devolve power in the health service to the front line backed by three-year allocations of money to NHS organisations and clear delivery targets for the next three years; welcomes the positive effect of the right targets on staff morale, motivation and standards; welcomes the increases in capacity and workforce numbers, the greater availability of new and better drugs, the shorter waiting times and the greater choice available to all patients; notes that expenditure on NHS management as a proportion of the total NHS budget is falling; and supports the Government's commitment to a high quality NHS, responsive to the needs of patients, available to all free at the point of need."

Well, now we know. We knew before tonight that the Conservative party was committed to reducing the amount of money in our health service, diverting money from the NHS to subsidise people who could afford to go private. However, now we know two other things. We know that the Conservatives oppose the increase in NHS staff numbers—the hon. Member for Woodspring (Dr. Fox) revealed that in the last part of his speech—including extra doctors and so on. The Conservative spokesman gave a pledge that our targets, which have resulted in extra doctors and nurses, reduced waiting times, increased finance, and made sure that there are more operations for more people, who get them more quickly, will all be scrapped under a Conservative Government. That pledge is significant, and it is a dividing line to which I shall return. It is ironic that the Opposition, who regard themselves—on what basis has never been clear to me—as competent in a managerial and business sense should argue that there should be no centrally set targets whatsoever. It is one thing to argue sensibly for a balance between devolution of operational capability to the front line, which I fully support, but, on the other hand, it is something else entirely to argue that there should be no drive or strategic objectives set from the centre. It is an extraordinary statement from any party that claims to have any knowledge of any organisation, public or private.

It is ironic that the debate is taking place on the very day that the Leader of the Opposition set Wednesday as a target date for his opponents, who have a target of 25 letters being submitted. It is ironic that today we are debating a Conservative motion deploring targets. *[Interruption.]* I am sorry. The hon. Member for Woodspring (Dr. Fox) is getting frustrated. I hope I have not kept him away from letter writing or from composing a personal manifesto. He has a chance to shine tonight and I hope he takes it, because perhaps greatness awaits. I know that there is some scepticism about his opportunities and his chances, but the Opposition are running out of options, so he must have some chance of greatness in the coming period.

We make no apology for targets in pursuit of excellence. Targets bring—

Mr. John Bercow (Buckingham): Useless windbag.

Dr. Reid: I take it very badly that such an eminence grise of the House complains about my contributions. We await the day when the hon. Gentleman is standing at the Government Dispatch Box, but it may be a considerable time before any of the Opposition arrive on the Treasury Bench.

Targets bring focus, delivery and accountability. They are foreign to the Opposition because they also bring equity, which has never been a prime objective of the Conservatives. Of all the presentational aspects tonight, the one that grieves me most, though it is not unexpected, is the way that the efforts and achievements of 1.4 million staff who treat 1 million patients every 36 hours have been demeaned and condemned by the Opposition spokesman.

Dr. Fox *rose—*

Dr. Reid: I shall give way in a moment. Every improvement that has taken place in the national health service has been brought about because of the determination and commitment of those who work in it. To hear every single improvement disparaged as the result of lying, fiddling and cheating by the NHS staff says more about the party that makes those allegations than about the NHS staff. I give way to the hon. Member for Woodspring if he wishes to withdraw half of his speech tonight.

Dr. Fox: It is a great pity that the Secretary of State must resort to such tactics and puts into our mouth words that were never there. It is especially disgusting, if I may say so, that he tries to suggest that we would denigrate the work of staff in the NHS. As I just said, they are the staff with whom I trained and worked. Unlike the Secretary of State, I have worked in the NHS. It is the staff who are keeping the NHS afloat, despite Government interference. The right hon. Gentleman might want to ask himself why the Opposition trust the professionals to exercise their judgment on patients, but he does not.

Dr. Reid: Every one of the words that I quoted was taken from the hon. Gentleman's speech—he can check *Hansard:* "fiddling", "cheating" and "lying". I could have gone further. He referred, at least by implication and possibly explicitly—we will read it in *Hansard*—to managers as micro-organisms being spawned. Not only did he use such language, but in almost 36 minutes he could not bring himself to admit that there had been any achievements or improvements by NHS staff.

I admit there are some deficiencies—I shall come to them later in my speech. I know the size of the challenge that we were left by the previous Government. I will not pretend that everything is all right, but an NHS whose every achievement is condemned by the Opposition is not an NHS that will march in the street for the return of a Conservative Government.

As anyone involved in any organisation, public or private, knows, targets bring focus, concentration of effort and delivery, as they drive effort and ingenuity towards achievable ends. Targets bring accountability because they not only distil the priorities of the public, but set the criteria by which promises can be measured. They bring a degree of equity because, for the first time, they provide the public with an equal right to access, and a right to judge whether the politicians are assisting in delivering an improved service, as they promised. Targets provide a degree of equity, not a privilege that only a few can buy—a point to which I shall return—but a right for everyone.

People want to know how quickly they can see a GP or how quickly they can have an operation. They want to know that we are doing all we can to reduce those times, and they want to know whether we are succeeding in reducing those times. The abolition of all those targets, as promised tonight by the Conservatives, would deprive the NHS of the drive and the resources to better the service that it gives, and would remove from the public any indication of whether the Government and the NHS are improving at all.

Furthermore, the absurd separation and implied dichotomy between the time that one has to wait, often in pain, for an operation, and the quality of the service that one perceives oneself as having received is a separation and dichotomy that can be made up only in the minds of those who, like some Opposition Members, have never had to wait for an operation because they have found other ways to jump the queue and get it quickly.

Mr. Andrew Turner (Isle of Wight): Where is the equity that the right hon. Gentleman has guaranteed to deliver, when constituents of mine have to travel three hours in each direction and spend £90 to get three children to an NHS dentist?

Dr. Reid: There is a distinct lack of equity in that situation. I assume the hon. Gentleman is referring to the Isle of Wight. I have no hesitation in saying that we have a mountain to climb in NHS dentistry. We have a huge challenge in respect of public health issues. Sexually transmitted diseases present us with a major challenge. All these things are true. I do not claim tonight that everything in the NHS is as it should be. I say to the House that things in the NHS are vastly improved over what they were six years ago, in every conceivable direction.

Dr. Fox: On the point made by my hon. Friend the Member for Isle of Wight (Mr. Turner), the Government have been in office for six years. In 1999 at his party conference, the Prime Minister specifically promised that within two years no one would be denied access to an NHS dentist. What went wrong?

Dr. Reid: We are trying, in circumstances not of our own making—in circumstances that we inherited—to improve almost every aspect of our health service, which was left under-invested, underfunded and in decline over a period of almost 25 years. Only last month we put another £35 million into NHS dentistry to try and improve the position that the hon. Member for Isle of Wight described.

There are many in the House who, from a position of authority and commitment to the NHS, could criticise us for not doing enough, but the Conservatives are the last people entitled to do so, since their policy is to reduce public expenditure as a whole and, even from that reduced amount, to divert money from the NHS to subsidise those who can already afford to jump the queue by going private, through the patient passport.

Mr. Bercow: Will the right hon. Gentleman allow me?

Dr. Reid: Of course, and I will listen with a view to learning from the hon. Gentleman how great men should speak.

Mr. Bercow: I am grateful to the right hon. Gentleman for giving way. May I clarify his position, for the avoidance of doubt? In response to my hon. Friend the Member for Woodspring (Dr. Fox), the Secretary of State's attitude is that if the Prime Minister makes a promise in 1999 to be delivered in 2001, and in 2003 it still has not been delivered, that is the fault of a Government who left office in 1997. Is that his position?

Dr. Reid: No, I did not say that. If we make a promise and fail to deliver on it, we should say from the Dispatch Box, "We have not delivered on that promise. We continue to try to do so." But it is not irrelevant to explain to people that although we have free will, we do not, as an old philosopher said, operate in circumstances of our own choosing: those circumstances were largely created by the Conservatives. In this party, we suffer from the great disadvantage of knowing that when our leaders make a promise, they are liable to have to answer, a few years hence, on whether it was delivered. The Conservative party has the good fortune to change its leaders every so often, so none of them can ever be held accountable for anything, let alone promises that they made 24 hours ago. *[Interruption.]*

Madam Deputy Speaker: Order.

Dr. Reid: Thank you, Madam Deputy Speaker. As you know, there is a great deal of nervous energy among Conservative Members at the moment.

Is the Conservatives' problem that we have set targets or—for them, it is a bigger problem—that we are meeting those targets?

Mr. Hendrick: Does my right hon. Friend agree that the state of NHS dentistry is due not to the resources that are being ploughed in or the commitment of the Prime Minister, but to the fact that it takes six years to train a dentist?

Dr. Reid: Any fair and balanced person would accept that the Conservatives' introduction of a contract that alienated the whole dentistry profession has had long-term consequences. That is why, despite the comments of the learned doctor, the hon. Member for Woodspring, I take some small and modest satisfaction from the fact that doctors and consultants gave us an overwhelming vote in acceptance of the contracts that we proffered. That is because they achieve a balance between giving central direction and setting strategic objectives and recognising the flexibility, independence,

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integrity and professionalism of doctors and consultants, so that they can contribute towards a general corporate effort that recognises their individual contribution and autonomy in so doing. We are achieving a great deal in that respect, despite the nay-sayers.

I wonder why Conservative Members decided to decry not only the targets, but all the achievements and improvements of the past six years, which, for all their partisan comments, they must know are going on. The answer lies in what the hon. Member for Woodspring is alleged to have said at his party conference—that if the Government were to succeed in improving the national health service, in line with the plans that I set out, the Conservatives would be politically "flummoxed". I am not sure that that was the word that he used, but I remember that it started with an F. He is probably right. His party is in a state of complete flummox—indeed, I would go so far as to say that they are well and truly flummoxed.

The truth is that the investment that we have put in, the systems reform that we are carrying out and the strategic objectives and targets that we have outlined have had a dramatic effect on the health service. Unlike the hon. Member for Woodspring, I shall try to give a balanced picture. I have already accepted that in some areas we have not made the advances that we should, but it is reasonable to point out that in 1997, when we took office, there was no standard waiting time to see a GP—no objective had been set—because so many people were waiting too long. Now, nine out of 10 people can be seen within 48 hours. In 1997, when the hon. Gentleman's party had been in power for some considerable time, more than 30,000 people were waiting for operations: last month, there were 31. That is the result not of lying, cheating and fiddling managers, but of a huge, determined effort by NHS staff, increased capacity and changes and reforms in the system. Making that reduction from 30,000 to 30 is surely an achievement by the NHS that even the most grudging Conservative spokesman should be prepared to flag up and offer an accolade.

I remember the days, not that long ago, when Conservative Members wondered aloud whether they would be able to give a guarantee that no one would wait more than two years for an operation. Now, almost no one waits for more than a year. By March next year, I hope that no one will wait more than nine months; by the following year, I hope that no one will wait for more than six months. Those are the targets that I set. Let me say, because it is relevant to one of the cases that was mentioned, that even if we achieve a six-month maximum wait, it will be six months too long for me. We should be aspiring to give people what anyone with large amounts of money would demand—that is, an operation within weeks, sometimes days. I take some satisfaction from the fact that seven out of 10 patients are admitted for treatment within three months of joining the in-patient waiting list. More than 90 per cent. of people—almost double the rate under the Conservatives—are seen, diagnosed and treated within four hours in accident and emergency departments. It is simply not true, as the hon. Member for Woodspring implies, that the achievement of that target was a one-week wonder.

Dr. Fox: It was.

Dr. Reid: The hon. Gentleman repeats the calumny. In fact, it has been maintained for five months consecutively. It is not one week's effort by a bunch of fiddling and lying staff, but a sustained effort from March until now. Indeed, I can tell the House that in August, the last month for which we have figures, the average was 90.3 per cent. We should celebrate that achievement by NHS staff, not decry them at every opportunity.

Although such successes do not completely transform the health service—we will be years in that job—they remind us of the horrific mess that the Conservative party made of it when it was in power. I am not in the least complacent. We have further work to do to improve access to accident and emergency, GPs and practice nurses. Yes, on occasion people have used methods that none of us would condone to achieve targets or to pretend that they have done so. I recently condemned those methods in front of an audience of 500 or 600 GPs, saying that they are not only unwanted, but deleterious to the whole service, as well as patients. However, they are not the norm. The hon. Member for Woodspring implied that the Audit Commission's report says nothing but that all the targets had been met only by wholesale cheating and lying. That is a complete misrepresentation. I recommend that he and his hon. Friends read it again to get a more balanced picture.

Of course, we have to shorten the waits for admission to hospitals even more than we have done already. As I said, we want to achieve nine months next year and six months in the year after that. But nobody is helped by an Opposition who have clearly broken away from the post-war consensus and, in pursuit of their political objectives, claim that the NHS is incapable of improvement. Another aspect of that argument is to say that the volume of targets and their rigid centralised structure stifle local innovation.

Again, the truth, when it is pushed too far falls into error, as Nye Bevan said. I agree that there has to be a balance between central objectives and local decentralisation, and operational autonomy at the front line. Surely we would all agree with that. However, claiming that any centrally set objectives and targets are nothing more than a stifling of all local autonomy is different. That is similar to saying that the only way in which to run a business or a concern is along the lines of an anarchist convention whereby everybody has to decide what they want without any central objective being laid out strategically.

It is simply not true that the volume of targets in the national health service is so immense that it stifles all local initiative. The Department of Health has a budget of more than £60,000 million and 62 targets. That is roughly one target for every £1,000 million that we spend. No reasonable person would consider that to be excessive. Of course, if doctors genuinely believed that there was a contradiction of their oath or an undermining of their clinical position, we would discuss that with them and, if that was inadvertently happening,

be prepared to reconsider. We did that with the accident and emergency services when doctors said that reaching a 100 per cent. target would remove the necessary clinical decision making and autonomy. Of course, we were prepared to change.

Our success has been maintained only because we have combined central targets with power and resources that are devolved to the front line to give health professionals and managers the freedom to innovate in pursuing the objectives and targets.

Mr. Stephen McCabe (Birmingham, Hall Green): Clearly, it is true that no reasonable person would take the view of tracking the money that my right hon. Friend outlined. However, someone who is on tape at a closed Conservative party meeting, telling people that his strategy is to talk down and run down the NHS as a pretext for dismantling it would have to ridicule targets. He would need the ensuing chaos to achieve his ambitions.

Dr. Reid: Exactly. In such straitened times, we are all obliged to help the Conservative party. First, I advise Conservative Members that if they want to call emergency debates, they should not choose the subject of the health service. Secondly, if they choose it, they would do better to change their policy. The hon. Member for Woodspring may believe that he is ploughing a furrow towards the leadership of the Conservative party, but he is digging a grave for the party in the country because his animosity towards the national health service and all the improvements is so difficult to hide that it is obvious to everyone.

David Taylor: Will the Secretary of State acknowledge that perhaps he has been a little unfair to the Conservative party? Our NHS framework for mental ill health might benefit from some of the targets that the Opposition have set themselves in trying to reduce the number of people who suffer from chronic panic attacks to below 25. Is not that an admirable target?

Dr. Reid: If I have been unfair to the Opposition in any way, I am sorry. Although our team of Ministers maintain above all that NHS priorities are those of the public and the Government, and that fulfilled targets make a genuine difference to people's lives, we would be the first to accept that we sometimes fall short. One example has been mentioned tonight and we have much work to do on that. We also fall short in other cases. However, even when we fall short of 100 per cent. success, the significant improvements mean that people are hugely better off than they were under a Conservative Government.

The Opposition celebrate every time we fall short. That happened earlier this year, when we had hoped that, by March, nine out of 10 patients who wanted to see a doctor would be offered an appointment in 48 hours. We fell short of that, as one or two newspapers noted, and the Opposition celebrated our failure to reach the 90 per cent. target. We fell short; we achieved only 88 per cent. success. We therefore missed by a fraction. However, the achievement remained a huge stride forward from the position that we inherited from the Conservative Government whereby only half the patients were seen by a doctor in 48 hours. Even when we miss the target marginally, there is a vast improvement for the people who matter—the patients.

What exactly motivates the Opposition to keep raising such subjects? They cannot be doing so to add to the coherence and motivation of their troops, who have little love or respect for the NHS. Is it right for the Opposition to complain that we have more than 55,000 extra nurses? Is that a rightful complaint for a responsible Opposition to make? Should we really consider nearly 14,000 more doctors towards our target as a great failure? Is it truly a cause for regret that in 2000–01, there were nearly 300,000 more in-patient operations than in 1996–97, when the Conservatives left office? As I said earlier, 98 per cent. of those unfortunate enough to be suspected of having cancer can now see a specialist in a fortnight—half as many again as when the Conservatives were in power. Are all those achievements truly a source of disappointment to the Conservative spokesman?

Dr. Fox: Since the Secretary of State wants to give the balanced picture this evening, I ask him the following question. If there are 14,000 extra doctors and it takes five years to train a doctor and the Government have been in office for six years, how many began their training under the previous Government?

Dr. Reid: Some did and some have come from abroad. Yet as the hon. Gentleman pointed out, we have more vacancies than ever. Let me explain that conundrum. *[Laughter.]* I am trying to be helpful to the laughing cavalier, the hon. Member for East Worthing and Shoreham (Tim Loughton), who obviously finds it difficult to hold two concepts in his head at the same time. He finds it difficult to understand how we can have more doctors than ever and more vacancies. The answer is easy. We have more doctors but we have created more posts than ever. That should not be a cause for complaint.

The application of targets for quicker access to cancer treatment has helped to cut death rates from cancer in this country by nearly 9 per cent. Does the hon. Member for Woodspring believe that the figures are being fiddled by people not dying when they should? No one can question the figures. We have cut deaths from cancer by nearly 9 per cent.

Let us consider coronary heart disease. No patient now waits longer than nine months for heart surgery, compared with 2,700 in March 1997. Does the hon. Gentleman believe that those 2,700 people view targets as a mistake? Does that apply to those who have been helped because targets for quicker access to treatment for coronary heart disease has cut mortality rates by almost 19 per cent. in the past three years?

The details that I have outlined should be cause for celebration. We should raise the roof because the efforts of NHS staff have reduced cancer deaths by 9 per cent. and coronary heart deaths by 19 per cent. To my knowledge, that significant figure has not been replicated anywhere else in the world.

Why do the Conservatives need to misrepresent the position? Why do they have to run down the successes of the NHS instead of presenting a balanced picture? They have to do that to justify their plans to run down the

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NHS. They need to create the illusion of irredeemable failure inside the NHS to justify their craving to subsidise private health care outside the NHS. What they plan is simple: it is not a patient passport for the many, but an exit visa from the NHS for the few who are well off.

More to the point; that exit visa will be paid for by the rest of us with longer waits, more distress, fewer operations, fewer doctors, fewer nurses and no targets, as the Conservatives have confirmed tonight. There will be no standards by which we will drive our health service. As always, the Conservatives have contrived, after great thought, to abandon their so-called compassionate conservatism—a contradiction in terms if ever I heard one—and return to the old policy for the few to be paid for at the expense of the many. *[Interruption.]*

The hon. Member for Woodspring shouts, "Rubbish." The suggestion that our old folk should find almost £2,000 if they want a quicker cataract operation or over £5,000 if they want a quicker hip operation could have come only from the Conservative party in this country. The idea that anyone who needs an early bypass should get it early by virtue of their ability to pay over £9,500 is completely in tune with the Conservatives' philosophy and completely out of tune with the sentiments of people in this country.

The Tories' policy is not a matter of increasing choice for the many; it is cheque-book choice for the few, which they have come back to as ever. Our answer is to reduce waiting times for everyone by investing, reforming and driving the NHS in partnership with its patients and staff. It is to deliver better care, more quality and more operations for more people more quickly than ever before.

The Conservative answer is diverting investment from the NHS into the hands of those privileged enough to be able to afford the purchase of priority treatment while extending the waiting times for the others. *[Interruption.]* The hon. Member for Woodspring asks about the diagnostic and treatment centres, where I am purchasing in the private sector in bulk and delivering free for every single person in this country. I am not asking people to buy earlier operations by spending their own money if they have it or to wait longer if they do not. That is the difference between him and me. I will not be constrained by dogma.

I will be prepared to deliver health care wherever it can be provided, always provided that it is built on the foundation of the NHS of equal access to health care free at the point of need, but the hon. Gentleman and his party, driven by dogma, can come only to the one solution, which is to divert money from the NHS to the few people who can afford to pay the other half of the costs of the operation in the private sector. That is less choice for the many and the cheque-book choice of earlier operations for the few, subsidised by the taxpayer.

I thank the hon. Gentleman for tonight; I thank him for what he did. He has provided us with the real dividing line in British politics, which will run from now to the general election. That dividing line is between those of us on the Labour Benches who believe in a national health service free at the point of need and those on the Tory side who believe in subsidising those who can afford to pay for health care and the privileged few in this country. I tell the hon. Gentleman this: when it comes to that choice and that great dividing line, the vast majority of the people of this country will be on our side.

8.24 pm

Mr. Paul Burstow (Sutton and Cheam): As I listened to the debate unfold and to the arguments about target setting in the NHS, it increasingly came into my mind that perhaps the biggest target we are debating is the Conservative party. That is our difficulty tonight: there are many distractions that have resulted in many choosing to be elsewhere and not to listen to the valid criticisms of targets that have been made by Conservative Front Benchers.

I will try to deal with those points, but first I want to place on record my party's appreciation of the NHS and its staff for delivering better health care for the vast majority of our citizens. The hard work of front-line staff deserves to be applauded, but all too often—perhaps inevitably—that does not happen in these debates. As constituency Members, we receive correspondence from constituents who had bad experiences of the NHS. That distorts our impression of what is happening in the NHS, but the truth is that the public are strongly committed to the principle of health care free on the basis of need, as are the Liberal Democrats.

Many who have experienced acute hospital care, in particular, in the NHS are seeing a difference as a consequence of the extra investment that is going in. That is extra investment that the Liberal Democrats had the courage and conviction to vote for, and to argue for at the general election. We are delighted that, at long last, that extra investment is arriving and beginning to bear fruit. We hope that it will continue to bear fruit in developing patient care.

Tonight's debate is about targets. Reference has already been made to the Audit Commission report, which, earlier this year, rightly shed a strong light on some darker and more disturbing aspects of the target-setting culture that the Government have introduced, not just in the NHS, but right across the board in public services. The debate is a welcome opportunity to discuss the targets and the damage that they can cause to the way in which priorities are set and the way in which health care needs are being met.

It is perhaps worth stressing that there is nothing new about target setting in the NHS. Indeed, the Conservatives, when in government, started it a long time ago—one has only to think of the patients charter—and their ideas continued through to their 1997 manifesto and to their 2001 manifesto with their patient guarantee proposals. However, under Labour, target setting has been developed into a pervasive and corrosive tool of ministerial control of every aspect of the way in which the NHS delivers care.

Performance in the NHS needs to be measured—of course it does—and the Secretary of State is absolutely right to say that he should be setting strategic goals for the delivery of health care, but the reality is that we are not setting strategic goals for our health care system or

for the health improvement outcomes that we wish to see for our population. We are micro-managing detailed aspects of health care delivery. That is not strategic management but detailed micro-management.

The targets should be evidence-based and they should be outcomes-focused, but to my knowledge the Government have never published any systematic research evidence of the efficacy of the targets that they have set to date. Indeed, I wonder whether the Secretary of State, even at this stage, would be prepared to subject all the 62 targets that he has in place to evaluations and appraisals by the National Institute for Clinical Excellence. Perhaps then we would see whether they really deliver a clinical benefit and better outcomes for the patient. Will he make that offer tonight? Perhaps NICE could look at those targets.

Dr. Reid: I am not sure that NICE would be the appropriate body to survey all the targets but, as far as I can see, an almost endless array of bodies already examines them, inside and outside Government. I am continually making representations to those bodies, through the Health Committee, the Public Accounts Committee, the Audit Commission and, now, the Commission for Health Audit and Inspection. I assure the hon. Gentleman that the target results are not hidden under a bushel. I could write to him listing the bodies to which we must supply answers.

Mr. Burstow: I look forward to receiving the letter, in which I hope the Secretary of State will also cite the evidence base underpinning each target. The Liberal Democrats have raised that on a number of occasions, but today we have been given no answers to satisfy us or many people outside.

The Public Accounts Committee has examined target setting, not just in the context of the health service but more widely. In a recent report, the Committee said:

"What we found, however, is that these very laudable aims are in many cases not being fulfilled nor widely recognised as such by those on the front line whose job it is to deliver them. This is not least because of the lack of proper integration between the building of an organisation's capacity through what we call 'the performance culture' and tracking quantitative achievement in the public services through the 'measurement culture'. The result has been tension between those charged with centralised responsibility and those who are responsible for dispersed delivery of public services."

That is at the heart of this debate. I think that all hon. Members believe that performance management in the NHS must deliver the very best care for the population, but targets do not do that. Targets measure quantifiable items, which are the easiest things to measure. That is the fundamental weakness, and I am sure that we shall hear more about it when the Conservative spokesman winds up the debate.

Dr. Fox: The Secretary of State asserted that patients cannot possibly determine the quality of services offered to them without Government targets. Does the hon. Gentleman agree that that is completely untrue? There is a world of difference between measurements, best practice, and the centrally, rigidly driven targets—in effect, management commands—used by the current Government.

Mr. Burstow: What matters is whether we are making a difference to the health care outcomes of individual patients. I am talking about not just their experience of the system, but whether it adds years to, or saves, their lives. That is what this should be about, but unfortunately the targets being set all too often do not deliver it.

Mr. Hendrick: Will the hon. Gentleman give way?

Mr. Burstow: I will give way shortly, but I hope that the hon. Gentleman will bear with me for a while. I suspect that I shall say several things on which he will want to comment.

Of course we need a performance culture in the NHS. What gets in the way is the measurement culture identified by the Public Accounts Committee—what could be described as a targets and tick-box culture. Too many of the current targets seem to be based on the findings of focus groups, and on process and experience—although experience matters—rather than on patient outcomes. Ministers talk, as the Secretary of State has tonight, about devolution and earned autonomy, but behind and belying all that is the talk of targets. NHS trusts can do whatever they like, provided that they hit the targets. That is the constraint. That is the straitjacket in which the NHS is being required to operate, and in which foundation trusts will be obliged to operate if they ever come into being. It gets in the way of innovation, initiative and clinical judgment. If I may put it simply, what gets measured gets done.

Accident and emergency waiting times are a case in point. That target, which has been mentioned by Members on both sides of the House today, is based on a snapshot taken over a single week. It happened in trusts in my area, and I should be more than happy for the Secretary of State to say something about it when he writes to me. The NHS knew that it was happening, so operations were cancelled, and beds were freed as a result. Agency staff were brought in to increase capacity during that week.

Dr. Reid: I think that the hon. Gentleman has been genuinely misled by some of the reporting. Yes, there was a snapshot target that was published, but the level of 90 per cent. and above has been maintained in every month before and after that. I can send him the figures, if he wishes, and publish them. The week of the snapshot produced the highest level—I think that it was 92 per cent.—but it has now been 90 per cent. for five months. That was not a one-off.

Mr. Burstow: I look forward to the Secretary of State's letter. Perhaps he will also explain the methodology used for the capture of the information, so that we can be confident that it uses a reliable measure. I must say that the analysis that I have read of the way in which the scheme has operated so far told us nothing, except that the best time to go to an A and E department was while the snapshot was being taken. If the Secretary of State can provide the information, I will more than happily acknowledge the achievement, if it is an achievement.

Another example is the target on GP access time, which is even worse in some ways. It is a classic political target. Of course, we all want to see our GP more quickly when we are unwell—no one would dispute

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that—but the target does not measure that. It measures the time until the first appointment. It makes no difference if the first offered appointment is inconvenient and cannot be kept. The box gets ticked, the target gets hit, but it misses the point completely, and that is the problem with the targets that are being set.

The cancer diagnostic waiting time target—the two-week wait—is a classic case of piecemeal target setting that fails to improve cancer survival rates because it fails to look at the whole patient pathway. Of course, it is stressful to have to wait a long time for a cancer diagnosis. I have no doubt about that but, as *The Lancet* has reported, diagnosis followed by a long wait for treatment does not help a person's chances of surviving cancer.

Currently, there are few published statistics, although we have heard some of them mentioned tonight, on the time it takes from diagnosis to treatment, except in the case of breast cancer, for example. Such selective publishing of performance data serves only to reinforce the impression that targets are a proxy for delivery, and that they are designed to capture headlines, not to do the important job of saving lives and improving the quality of patients' lives.

On its own, speeding up diagnosis diverts resources from treatment. It is a wasteful and dangerous approach in isolation because those targets distort priorities and get in the way of whole-systems thinking and person-centred care. That concern is expressed by clinicians, not just politicians.

Targets can be misleading. They can give the public a false sense of comfort, whether it is the overall star ratings or the patient environment action team inspections. Those are often presented by Ministers as dealing with issues of cleanliness and hygiene, yet cleanliness is just one of the 19 categories in the PEAT standards. The scoring system is such that a hospital rated badly on cleaning could still get a green light from the scheme. Indeed, the scoring for cleanliness is self-assessed and audited by the NHS trust itself—hardly an objective and independent measure of what has been done on the ground. There is no role for Commission for Health Improvement audit and inspection.

It came as no surprise that so many green light hospitals topped the league for methicillin-resistant staphylococcus aureus, or MRSA, infections. Just last year, a report by the Commission for Health Improvement said this about an inspection that it did in West Dorset General Hospitals NHS trust:

"The trust has experienced a substantial increase in MRSA infections in the last three years. The infections have led to further problems including ward closures. The trust identified a number of risk factors for MRSA infection, but reports that there was only limited success in instituting control measures, primarily because of resource issues. Staff told CHI that the increase in activity and the pressure on meeting targets has resulted in staff not having the time to get the basic infection control procedures in place".

Because of targets, they do not have the time to deliver essential basic good standards of hygiene in a hospital; that is targets putting lives at risk and helping to increase the chances of people getting sicker, not better, in hospital.

It is time that the Government's obsession with target setting came to an end. To be genuinely responsive to patients and to local community needs, the NHS must be free to determine local priorities. Of course, performance should be measured and compared, but it should be measured on ill health prevention and health outcomes achieved: the years added to a person's life and the lives saved should be the yardsticks against which NHS performance is measured. However, because the measurement culture is so dominant and what is easy to measure tends to be what gets measured, the focus is always on acute care.

I believe strongly that the balance in our health care system needs to shift from disease treatment to disease prevention. Unless much more is done to tackle the root causes of ill health, the costs of health care will continue to climb. When it comes to debating whether health care costs will increase and what the drivers behind that will be, the tendency has been to assume that health care costs will rise as a consequence of a growing elderly population. The Government are to be applauded, because their Wanless inquiry into health care expenditure comprehensively debunked that myth. It is not old age that is going to drive up the costs of the NHS bill. What will be the real driver behind increased health care costs over the next 50 years? It will be the rise of chronic diseases: diabetes—particularly type 2 diabetes—coronary heart disease, arthritis and the many other chronic health conditions that are the direct consequence of the obesity epidemic emerging in this country and across the world.

The challenge is to build a public health service that is capable of leading a revolution in health care, and which tackles the causes of ill health, rather than just treating its consequences. Poverty, poor environment, bad housing, poor diet and lack of exercise are the roots of many chronic diseases in the UK today. That is why Liberal Democrats argue that the health service ought to be commissioned locally by local government, not just bringing health and social care together, but creating the opportunity to tackle those root causes of poor health. That is why we reject the Conservative proposition that a national quango needs to take responsibility for the national health service. We think it wrong to remove from political accountability day-to-day control of the NHS in this way. We reject the idea that we should allow an unelected, unaccountable quango to take charge of the NHS.

Today's debate is really about the Conservatives' proposition and their analysis of the health service. It is a chance—at least, it should be—to showcase their new health policy, but we did not hear a great deal about that. We heard a lot of analysis, but not much prescription. In fact, their new policy, the centrepiece of which is the patient passport, needs to be showcased as much as possible. On this occasion, the Secretary of State is right: it is not so much a passport as an exit visa from the national health service. It would allow those who can afford to go private to withdraw from the NHS 60 per cent. of the NHS cost of the operation.

That figure is an important one to keep in mind, but in truth we are not talking about 60 per cent. of what the patient has to pay, because private operations—surprise, surprise—cost more than they cost within the NHS. Let us consider a hip replacement—just the sort of routine operation for which someone might opt to go privately. A hip operation in the NHS costs some £4,356. The same operation in the private sector can cost up to £9,000; indeed, some say that it can cost a little

more. Sixty per cent. of the NHS cost is £2,614, but that is just 29 per cent. of the cost of going private; the rest has to come from the individual's pocket.

Tim Loughton (East Worthing and Shoreham): I regret that the hon. Gentleman is playing the bogus figures game with the ones that the Government came up with. If he had visited hospitals in the independent, not-for-profit sector, he would know that that the price paid to those hospitals is much lower than the tariff that he suggests; indeed, in some cases it is equivalent to the NHS headline figures. Would a Liberal Democrat Administration—God forbid—commission no operations outside the NHS, not even the 250,000 that this Government are commissioning but misleading us about, in terms of the figures that they are paying?

Mr. Burstow: What we would not do is to try to palm off the passport idea as a golden opportunity to liberate people, giving them the chance to receive health care quickly. In reality, they would still have to pay huge bills, at the expense of our national health service itself.

Mr. Hendrick: Why is the hon. Gentleman against targets if he is genuinely in favour of measuring performance? Without targets, there is no benchmark. He talks about outputs, but we also need inputs. We obviously need quality care, but we also need some form of target to deal with patient numbers; without it, we cannot determine whether the outcomes are effective. The Liberal Democrats say that they are against targets and against the Conservatives' patient passport, but what would they do to improve the health service?

Mr. Burstow: As I said—I am more than happy to amplify the point a little—we propose genuine democratic local control of health care commissioning. We believe that health care commissioning is best done in the context of local government, in which there is the opportunity not just to integrate health and social care commissioning, but to look across the piece and address environmental health, housing and a range of other factors that are the real underlying causes of health problems. That is the agenda that we want to move on to, because we believe that it is the way to secure better health outcomes in the long run.

The Minister of State, Department of Health (Mr. John Hutton) *rose—*

Mr. Burstow: I see that the Minister is becoming very alert. That is not a good reason to give way, but I will nevertheless give way to him.

Mr. Hutton: I am very grateful. I am following the hon. Gentleman's argument closely and giving it the respect that it is due. I understood what he said about local government, so can I take it that, if there were to be a Liberal Democrat Secretary of State for Health, no national targets would be set for the NHS?

Mr. Burstow: Absolutely, because national targets of the sort produced by the Government are input and process-driven, not outcome-led, so they do not make a difference. What we want in respect of national priority setting and strategic goals is to move the focus of our health care system to public health. As to the current process targets, I am happy to go on the record and repeat what my colleagues have consistently said for a long time in critique of the Government's approach. If that gives the Government any form of succour, they are suckers to take it that way.

Tim Loughton *rose—*

Mr. Burstow: I give way one more time to the Front-Bench spokesman.

Tim Loughton: I am terribly grateful. We are starting to get at the beginnings, but only the beginnings, of a Liberal health policy. Is the hon. Gentleman saying that if Liberal Democrat councillors are put in charge of health policy locally, everything will be rosy? Why does he not trust professionals in the health service to determine the medical objectives that need to be followed? Many professionals will be on a national body, but at arm's length from political control, as we have suggested. Apparently, the hon. Gentleman wants more, not less, political control.

Mr. Burstow: The reality is that I am prepared to trust the patients and the people, and to achieve that through local democracy rather than through the central autocracy proposed by the Conservatives. It is interesting to see that the Conservatives dare to criticise an exposition of Liberal Democrat policy when they did not have the courage to outline any of their health care policies in the debate tonight—*[Interruption.]* It is a great pity that the shadow Secretary of State did not take that opportunity. It is also a great pity that he is not in his place to take up the challenge later.

In setting out the Conservative health care policy in early October—it seems a long time ago when so much water and so many leaders have gone under the bridge since—the hon. Member for Woodspring (Dr. Fox) identified the fact, as reported in the *Daily Mail* on 7 October, that 300,000 people currently had operations in the private sector. That is entirely right, but the number is important: 300,000 people opting to go private. In the same article, he took the example of a hip operation as the basis for working through the proposals. If 300,000 are already opting to go private and, under a Conservative Government, they could claim a contribution to a third or less of their private bill, what would that do for the NHS budget? We should remember that this is before a single extra NHS patient opts to use their patient passport at all. Without a single extra operation being performed, the Conservative policy would cost the NHS at least £900 million a year—possibly more, depending on the types of operation done in the private sector under the policy. That is taxpayers' money leaving the NHS with not a single extra operation being performed as a consequence.

Where will the extra £900 million come from? Typically for the Conservatives, we have heard no detail, no costings and no proposals for how the policy would be rolled out in practice—*[Interruption.]* If the detail exists, I wish that Conservative Front Benchers had taken the opportunity to outline it. It has certainly not been put into the public domain—*[Interruption.]* It is no good the hon. Member for East Worthing and Shoreham (Tim Loughton) protesting from a sedentary

[Mr. Burstow]

position that there is detail, and then not publishing it. That hardly amounts to a Conservative policy. Can he now provide some detail?

Tim Loughton: The hon. Gentleman should know that, for the last few weeks, our party has talked an awful lot about the patient passport. Considerable detail has come out. We are about to produce some rather interesting costings on how it will work. If he would be more patient, he might be pleasantly surprised. Perhaps he will now tell us how much extra in local council tax—the latest invention of the Liberal Democrats—it will cost us all, again before a single extra operation is done, to install all the extra managers and political bureaucrats that he wants to introduce into the NHS.

Mr. Burstow: I am afraid that the hon. Gentleman protests too much. We should wait to hear the details of the Conservatives' policy, then have a good belly laugh when they come out, because they will not add up. The Conservatives have not yet outlined how they are going to carve this £900 million out of the NHS budget to pay for their policy. That money will not add a single operation, private or public. That is the charge that the Conservatives must answer when developing their policies and selling them to the public.

The Conservatives would have us believe that they want to reform the national health service. I cannot criticise their motion in terms of its analysis of many of the flaws in the Government's approach, but the Government's amendment is much too self-serving and self-congratulatory to deserve the support of the Liberal Democrats tonight. From what I have heard of the Conservatives' policies, and of the details that they have outlined bit by bit during the exchanges that we have just had, we certainly would not wish to demonstrate our support for them in the Lobby. The Conservatives say that they favour reform, but what did they do when they were in office? They ran the national health service down and, in opposition, they are now all about abandoning it. That is not the solution that this country wants.

8.51 pm

David Wright (Telford): Before I was elected to the House, I spent some 13 years working in the public sector. Much of that time was spent working under a Conservative Government who brought in a whole raft of indicators and targets for local government. We struggled with them a bit at the time, but that Government were right to build up those targets and to increase the amount of information that was collected relating to delivery. Therefore, it is interesting that, in this debate, the Conservatives seem to have performed a complete volte face. Originally, they tried to approach the issue from the perspective of placing a business emphasis on the management of public services and, as I have said, they were probably right; yet they now seem to have changed their position and to be considering abandoning responsibility for key targets in the health service.

How can we manage a service of the scale of the NHS without targets? If we cannot measure it, how can we manage it? I assume that the Conservatives will not be using targets in future debates, yet their Front-Bench spokesman's opening speech used a whole raft of targets to try to illustrate how badly the health service was doing. Indeed, without such information, he could not have delivered his speech. Throughout my time in local government, I particularly enjoyed the contribution to management theory of Tom Peters, who said:

"Get hard data. Get it quickly. That's the key."

That is the key to managing in business, and it also applies to the health service.

The Conservatives' attack on targets completely misses the point. Labour Members have said all along that targets are not an end in themselves, but a vital mechanism by which we can improve our health service and increase accountability. Of course we must decentralise control of the health service, so that bureaucracy and form filling are reduced, but that must be balanced by the need for national standards. Patients should get the same guarantees of basic quality from the NHS wherever they live in the country, and national targets help us to drive up performance and standards where necessary. The Government are, of course, bringing in proposals for foundation trusts for those hospitals that reach the very highest standards. We are trying to improve national targets across the board, and when they are achieved the trusts will give greater freedom and flexibility to local managers to set targets and priorities. I very much welcome that initiative.

The public want to know how their money is being spent and what the results are. The main focus is, of course, on acute services, although target setting through primary care trusts is also delivering significant improvements in community-based health care.

Sir Sydney Chapman (Chipping Barnet): The hon. Member for Sutton and Cheam (Mr. Burstow) said that during the 18 years of Conservative government, we ran down the national health service. Would the hon. Member for Telford (David Wright) like to confirm that when we returned to office in 1979, expenditure on the health service was £8 billion, and that when we left in 1997 it was £42 billion? In the light of that, does the hon. Gentleman agree that, despite what he says, especially on targets, we are trying to get rid only of the contradictory targets that lead to a worse health service and that the whole emphasis should be on what we want to produce—a better managed national health service?

David Wright: I appreciate the hon. Gentleman's intervention. Undeniably, there were real-terms increases in health spending throughout the 18 years of a Conservative Government, and that resulted in improvements in services. However, services, including drugs and health care, have become more and more expensive over the years. I think that when the hon. Gentleman has heard my remarks he will acknowledge that we have made significant increases in health spending. I shall return to his point later.

In his speech, the Secretary of State outlined the progress that we are making nationally and gave some of the headline figures on health care. I want to tell the House how we are doing in Telford and Wrekin and in Shropshire. During the past three years, there has been an increase in investment of £25 million in capital developments and new service initiatives at the two main

acute hospitals in Shropshire—the Royal Shrewsbury hospital and the Princess Royal hospital in Telford. In addition, £19 million has been invested in moving services from the barracks-style buildings on the south site at the Royal Shrewsbury and opening new facilities to replace them in both Telford and Shrewsbury. In 18 years of a Conservative Government, we saw no progress on the Copthorne south site; progress has occurred only since the Labour Government were elected.

Last year, trauma and orthopaedic clinics, a new X-ray department and an endoscopy unit were opened at the Princess Royal. In 2001, a new maternity unit was opened and the hospital has also created a new clean air theatre. A new gymnasium and a refurbished fracture clinic have been opened recently. The accident and emergency department has been fully refurbished. Future investment will deliver a range of new facilities for haematology and chemotherapy treatment; there will be day surgery theatres, a dermatology unit and a satellite renal unit.

There has been tremendous progress in capital investment. The Opposition often accuse us of putting in the cash while not securing delivery, so what is that investment delivering on targets? More patients are being treated more quickly and in better buildings than ever before. Between 1997–98 and 2002–03, the total number of cases seen by the two hospitals rose by about 12 per cent. to 433,000. That includes elective surgery, emergency in-patients, out-patient attendances and accident and emergency attendances. Even with that increase, in-patient and out-patient waiting lists fell dramatically. No in-patient is waiting more than 12 months and the total size of the list has fallen by 34 per cent.

By March 2003, no out-patients were waiting for more than 28 weeks and the number of people waiting for more than 13 weeks fell by more than 36 per cent. between 1998 and 2003. In the words of the chief executive of the trust, Neil Taylor:

"Year on year activity is increasing, with the number of referrals from GPs and emergency cases going up, but our lists have been going down. The length of time that people are waiting for an operation has been significantly reduced."

We should trust NHS staff to know their business, although I know that that kind of performance and improvement in the delivery of targets is not what the Opposition want to hear. I am sorry about that.

Alongside that success in acute services, the PCT is making major progress in planning and delivering community-based services. In my constituency, two brand new GP surgeries have opened, in Dawley last year and in Oakengates this year. There has also been a large refurbishment at one of the most popular surgeries in the town. Resources allocated to the PCT will increase by £40 million to £152.9 million a year by 2005–06.

Chris Grayling (Epsom and Ewell): Is the hon. Gentleman aware that at least one PCT in Shropshire has been forced to use money allocated in this year's budget for the consultants' contract to help to bridge its financial gaps, such is the state of the financial predicament it faces? As a result, now that the consultants' contract has been approved, that PCT will struggle to afford to pay for it.

David Wright: There are problems with acute services following the merger of two large hospital trusts, and there is certainly a need for us to invest more heavily in new and developing services on those two sites and in the consultants' contract. We also have some problems with the maternity services provided at Oswestry. So things are not all rosy, and I was going on to say that we have some problems and we can always do better. For example, the PCT does not receive its calculated fair share of resources at the moment. I hope to secure an Adjournment debate on that very issue in the next few weeks. The new junior doctors' hours are a cause for concern in relation to staffing capacity and funding, particularly in accident and emergency services. However, the number of student doctors in this country has risen by 50 per cent. since 1997.

In general, the picture is very good. There are more doctors and nurses working in the NHS now than at any time in the past 15 years, so there is an impressive pace of change and significant progress is being made. Increased resources and capacity, coupled with reforms to the NHS, have already had a direct and positive effect on the quality of treatment that NHS patients receive in Telford and Wrekin and Shropshire.

The question that the Opposition have to answer is that, if targets really are having

"a detrimental effect on clinical outcomes",

how do they explain the facts that I have outlined in relation to Telford and Wrekin and Shropshire and the improvements that have been made to our local NHS? The use of targets has contributed to those improvements, but we have always been clear that they are a means to an end—a better health service for all—and not an end in themselves.

I shall briefly consider the Opposition's proposals for the NHS and what their targets are. The Opposition have clearly decided to tear up the post-war consensus on health. Even Lady Thatcher, in the years that the hon. Member for Chipping Barnet (Sir Sydney Chapman) mentioned earlier, did not attempt to do what the Conservative leadership plans to do to the health service. They no longer believe in the fundamental principle that NHS health care should be available to all, free at the point of need.

In fact, the patient passport is a Trojan horse for privatising the service. The only people who will be able to benefit from it are those who can already afford to pay for private medical treatment. The vast majority of patients will not be able to exercise any choice under the Tory proposals because, if they want to exercise that choice, they will have to pay to do so.

Tim Loughton: The hon. Gentleman obviously has not read any of the proposals. Everyone would benefit from the patient passport, without any coercion to pay a penny, by being able to exercise choice and gain access to any NHS hospital in the country. That would be much more widespread than the bogus choice that the Secretary of State for Health is peddling. I want to make it absolutely clear that not a single person would be

[Tim Loughton]

coerced into paying a single penny for any treatment in the NHS. Labour Members must stop peddling this nonsense.

David Wright: The problem is that if people wanted to jump the waiting list, they would have to pay more money. The problem with the patient passport is that if people wanted health care, they would have to pay for it in addition to what they are currently paying through general taxation. If hon. Members visited the people who live on the estates that I represent, they would find that they could not afford that expense. They want a high quality NHS, funded from general taxation and free at the point of delivery, and I am very proud to stand up for those principles this evening.

The Opposition's plans would cost the NHS about £2 billion to enable the minority of patients to go private. The battle lines are drawn in relation to the NHS, and I am confident that the people of Telford are on the side of the Government.

9.4 pm

Mr. Ian Liddell-Grainger (Bridgwater): The targets cover a multitude of sins, but I have specialised in one issue. I am a member of the Public Administration Committee, as is my hon. Friend the Member for Chipping Barnet (Sir Sydney Chapman), and the Committee considered all the targets, not just those in the health service. The first thing we discovered was that there is a great raft of targets in the NHS. In fact, the Government announced the 62 targets during a Select Committee sitting. We had no idea—even though the Select Committee is Labour dominated—that that was going to happen. Those 62 targets are set at the top level, but by the time that they reach down to GPs on the ground, they can have multiplied because there are targets on targets. We discovered parts of hospitals that create targets for other targets, for consultants, doctors and anyone who works in the NHS.

The Committee went to Bristol to look at what was happening there—Bristol was chosen for no particular reason other than that it was fairly close to London and it has a good train service. What we found was startling. We expected to see only the top management, but we found ourselves in a room that was filled with people who worked in Bristol hospitals. The problem was that they all wanted to talk about targets to a Select Committee—I do not quite know whether they all understood what a Select Committee did, but that is not the point. They all said the same thing—that targets were damaging health care in this country. They said that they were damaging it for different reasons: some said that it was because they are confusing; some said that it was because they are not achievable; some said that they did not have the money to achieve them; others said that they had had no clear steer from the Government on what to try to achieve. Others, more worryingly, said that they were being bullied to hit targets, that they were being forced by managers into a position in which they had to berate staff to hit targets, and that ambulances were going around car parks where, at the end of the month, patients were being left on trolleys without wheels so that they could be counted as beds, not trolleys. We also discovered that people needing eye tests were not being given the chance to have them because a target had to be hit at the end of the month. Up to 1,000 patients had been taken off a list relating to eye conditions—those suffering from glaucoma, diabetes and so on—because the target could not be guaranteed to be hit. That cannot be right.

When we started to investigate further, nurses told us that they would start to take action—Ian Bogle made some famous statements to which I shall refer later—because they simply did not have the ability to achieve the targets. The point has been reached at which targets are being created in the health service that are not achievable and that the staff do not want to achieve, and the detrimental effect on patients and staff is out of all proportion to what they are trying to achieve.

The star rating system for hospitals is also a problem—Bath is the other prime example in the west country of a hospital that was in a terrible state. It could not achieve the star rating because it could not hit the Government's targets. Why? Because its expertise is not what the Government were trying to target—in that case, cancer. The same was true of my local hospital in Taunton, Musgrove Park, which is not a cancer specialist hospital, although it must still try to hit cancer targets. However, that is not what it is known for or good at.

When the permanent secretary at the Department of Health came to talk to the Committee, his view was that the targets system had to be streamlined. That is fine—all targets need to be streamlined—but that is not what is happening. When it starts from the top and the permanent secretary sets out what we must try to achieve, five or 10 years later—and some of the targets extend for up to a decade—the targets bear no relation to what they set out to do in the first place.

The Public Administration Committee—another member of which, the hon. Member for Pendle (Mr. Prentice), has just joined us in the Chamber—said that it was detrimental to have more than five targets. Lord Browne of BP said that no more than five to 10 targets should be set, and that we should expect to fail to meet two to three of them. People should not be forced down a particular line when they cannot hit targets. Lord Browne is a fairly astute character to say the least—he was certainly an impressive witness in front of the Select Committee—and his view is that an organisation cannot work on 62 targets; it must quarter the number, and if it does not it will cause instability. In an organisation such as BP, which is not national but international, we can imagine how that would be magnified.

I want to talk about more local issues. Somerset Coast primary care trust, which is in my constituency, has three small hospitals: Minehead, Williton and Bridgwater. Our problem is that they supply one major hospital, Musgrove Park in Taunton. There is no straightforward bus service from any of those hospitals to Taunton. If people have to see a consultant, they have to rely on an ambulance car service, the one ambulance that is based in west Somerset, or a bus. The bus may or may not get people to the hospital in time, but they know that they must spend the whole day there, whether they like it or not.

When people get to the hospital in Taunton, they sometimes discover that the consultant cannot see them. That might happen because there is a problem at the end

of the month—it is funny how problems build up toward the end of each month. Cancellations occur, people cannot be fitted in, or machines break down. People then have to wait at the hospital because they have difficulty getting back from there.

In west Somerset, wards have to be shut periodically to allow staff to be transferred to the main hospital in Taunton to ensure that targets are hit. That happens regularly and we accept it because we have no choice—people in rural areas do not have a choice because where else can they go? We have paired up with hospitals in Dorset. People who go to the next main hospital from Taunton have to get to Poole or Bournemouth. I drove down to that area on Friday night and it took me more than two hours. The sort of roads that people have to use make it difficult to get there. How can transferring people by car to a hospital in Bournemouth hit targets? Surely the common-sense approach would be to transfer people from Somerset to Bristol or Exeter, but that is not happening.

A further problem is the general practitioner service in rural areas. I have been to see all my local GPs and they are an extremely good bunch who work hard. However, they cannot recruit replacements for retiring GPs, although they have tried. They cannot find GPs who are willing to set up home in rural areas. The opposite was true in the old days, but there are now fewer GPs in the area. One of my local rural surgeries, which has four or five doctors, has been continually advertising for a GP, but it cannot find one—that cannot be right. The problem is that if one GP retires in a place such as Bridgwater, 3,000 extra patients have to go to a different surgery for what is called "the time being". However, that does not happen for "the time being" because the problem has still not been resolved, although the PCT and the strategic health authority have tried extremely hard to address it. The situation has arisen because they are trying to hit targets, but it is not working. Doctors say that they must keep pushing people through, so they do not want to refer people to other services. We need doctors to start at the beginning with the patients whom they have. All the lists for doctors in the east of my constituency are closed, so some people cannot get a doctor.

For some unknown reason, the headquarters of our mental health service is in my constituency—I do not know whether that says anything about the constituency's hon. Member. The head of the service has moved on, which is fine, but we are left with a massive problem. We have lost bed after bed after bed. We cannot look after people with mental health problems from Bridgwater or Somerset. Worse still, in order to hit targets, people from outside our area are being referred there, and they take up the beds that we have left. That happens because areas such as Bristol that have too many patients have been told that they must hit targets, so they push people down the road and send them out to places such as Somerset, Dorset, Wiltshire and Gloucestershire. That cannot be right. We are losing beds because we do not have the money to pay for them, yet our area's people cannot get beds because of draconian measures from the centre to hit targets. The system is badly wrong.

We are trying to resolve the long-term effect of targets on old folk. One of the towns in my constituency has the highest proportion of elderly people in the county. However, so many care beds have been lost in my area that doctors are forced to refer patients to hospital for overnight stays. A person cannot get a bed in an emergency because we do not have sufficient beds to take up the slack.

Members of the PAC know how many beds have been lost in long-term and short-term c[illegible]f doctors cannot put old people into a care place[illegible]night, they refer them to hospital, but hospitals do not want them because they take up extra beds. The hospital's attitude is, "We don't want them because it does not work for our targets", so those people are pushed out again. In my constituency, more and more people have been put back into the community too quickly and without adequate care and back-up. To judge by the letters I receive, the situation is getting wo[illegible]

The figures show that the le[illegible] of care in the community has dropped dramatica[illegible]. Again, that may be the result of a target. All I know for certain is that people are coming back into my community and are not getting the care they need to ensure that they are properly looked after. The situation in accident and emergency departments is also worrying. Don Mackechnie, an accident and emergency consultant, said:

"I am appalled to see how A&E departments have been forced into taking extraordinary measures for a week-long period just to meet political targets."

Old people are being pushed into those departments because there is no choice. That cannot be fair.

The targets are political. They are targets for targets' sake. When we wrote the PAC report, we said that it is not possible to use targets as a means in themselves. That does not work, as has been proven over the past five years. A good target is a target that is achievable, but we cannot break the organisation that we are trying to get the best out of in the process. If we break the organisation, we get what happened in Bristol—deceit, difficulties and problems of low morale. I do not know where the doctors will come from, but they will not want to enter a service in which they are berated because they cannot hit a target. Political targets have one use only, which is to try to ensure that the money that is supposedly being pumped into the health service gets there. I tell the Minister that it is not and it is going wrong.

9.16 pm

Mr. Adrian Bailey (West Bromwich, West): We need to be clear that the Opposition motion is not just about targets. By proposing the abolition of targets, they are making it clear that they oppose the planning of public resources, performance management and public accountability. Above all, they oppose policies that they thought appropriate when they were in government.

I was interested in what the hon. Member for Woodspring (Dr. Fox) said about the inadvisability of centrally driven targets. Those of us with long memories may remember the statement by the then Secretary of State for Health, the right hon. Member for South-West Surrey (Virginia Bottomley), when she introduced the White Paper on targets, which included targets on coronary heart disease, stroke, cancer, mental illness and AIDS. She said:

"In each of these key areas we have set challenging but achievable targets . . . In other areas, more development and research will be needed before national targets can be set. What we

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are proposing are not short-term measures. The strategy will grow and develop . . . The White Paper identifies other possible target areas for the future. This underlines the fact that it represents a beginning, not an end."

Furthermore, she said:

"The NHS management executive will require health authorities to build the target-setting approach into all levels of local activity. The strategy will be central to the work of the NHS."—[*Official Report*, 8 July 1992; Vol. 211, c. 335–37.]

We can only marvel at where the Tories were when in government and where they are now in opposition.

The policies on targets adopted by this Government are consistent with that approach, with one significant difference: under the Tories, the NHS was starved of fund, but under Labour targets are backed up by consistent, sustained and record investment. One reason the Tories do not want to hear about targets is that they know that the target-setting culture and the performance indicators that underpin it demonstrate just how far we are going and just how much progress has been made with the extra investment from this Government.

The current NHS targets are not figures plucked out of the air; they arose from research and consultation with interested bodies. They relate to the milestones and objectives of the NHS plan, which, in turn, was determined following the widest public and patient consultation exercise ever conducted in the service.

I consulted my trust, Sandwell and West Birmingham Hospitals trust, to find out its experience of targets. Its response was that targets are very useful in a number of areas. The first is planning. Trusts now have clarity about public and Government expectations, and that allows them to examine their services, to plan clearly and to deploy their expanding resources accordingly. It enables them to prioritise and to invest in those areas of the service designed to meet those priorities.

Targets help with staff morale. Demonstrating improved performance against targets and communicating that to staff and local communities provides a boost to staff morale and is good for both recruitment and retention. Dedicated NHS staff who do a good job like to know that their efforts are formally and publicly recognised. I acknowledge that there is a danger in that, in those hospitals not reaching targets, there is a potential for lowering staff morale. However, my experience of NHS staff is that their commitment to the public is such that they would always welcome ways to improve management and planning so that they may serve the public more effectively. Without NHS targets and performance indicators, there is no way in which staff can know what they can achieve.

Targets help the local community. Trust performance indicators are keenly reviewed by groups and individuals who can then argue their case from a more informed position than before. They also provide a clear, shared framework for discussion between the primary care trust and the hospital trust about the deployment of their increased funding. PCTs are better able to account to local people and GPs the basis for their decisions and priorities.

Targets also help in expanding NHS capacity. Where trusts are in negotiation with building contractors and commercial banks for private finance deals, the management of risk is an essential part of those negotiations. Where the private sector can see that a trust is high performing, and therefore a lower financial risk, it enhances the prospect of private sector funding. Without financial targets, that source of financial reassurance would be lost.

Targets have also helped performance. By setting standards high and targeting efforts to pull the worst performers up to the highest standards, the NHS has already raised standards throughout the country. We have already discussed a clear example of that: the 90 per cent. of people who visit accident and emergency departments and are treated and discharged within four hours of arrival. The geographical variations in that service have virtually been eliminated.

The motion has nothing to do with red tape, bureaucracy or the perversion of clinical priorities in the NHS. The profound change in the Conservatives' policy since they were in government has everything to do with their desire to undermine and privatise the NHS. It is part of a wider strategy to reduce public funding and increase private practice. It signals the end of any Tory aspiration to improve the nation's health care through the NHS. By removing targets, the Tories are removing incentives for improvements and ending the possibility of an informed dialogue between local communities and local health care providers. By removing targets, they are reducing funding for the NHS and hiding the consequences. The so-called patient passport would deprive the NHS of an estimated £1 billion. Tax relief on private medical insurance would cost another £1 billion, which would pay for 16 hospitals, or 80,000 nurses, or 25,000 consultants, or 30,000 GPs. A funding deficit on that scale would devastate the NHS's ability to meet future public expectations.

By removing targets and performance indicators, the Tories hope to disguise the full extent of the failure of their policies to deliver the service that the public want. Their policy is designed to assist a minority of the better off who can afford private treatment while short-changing the great majority who depend on a publicly funded NHS free at the point of delivery. This debate is not just about targets but about the future of the NHS. Removing targets is an essential prerequisite for the privatisation process supported by the main Opposition party. There is a clear choice between the Government's vision of a well funded, better focused NHS, sensitive to the needs of a well informed local community and the Tory sabotage of an underfunded NHS haemorrhaging money to the private sector, unable to meet local need and with no means for the public to measure that deterioration. I am confident that the public and the great majority of people who work in such a dedicated way in the NHS will back the Government.

9.26 pm

Dr. Richard Taylor (Wyre Forest): In the three minutes available to me I shall make just one crucial point. I want to pick up a phrase in the Government amendment about the House welcoming

"the positive effect of the right targets"

and ask whether we have got the right targets. In 2002 and 2003, nine key targets dictated the outcome of the star ratings. In addition to those nine key targets there were a large number of items with a clinical or patient

focus. Sadly, an analysis of the 2002 ratings shows that the patient focus, particularly in the six points in the in-patient survey, bears no relation to the star rating that the trust received. The results of in-patient surveys of three-star trusts could be as low as those for no-star trusts. The balanced scorecard approach, which I have tried to get lots of people to explain, does not seem to take that into account. The 2003 ratings awarded by the Commission for Healthcare Audit and Inspection did not appear to take account of the patient focus. The clinical focus had little influence, and neither did the staff survey.

The targets that we should be aiming at should include patient satisfaction because, as has been mentioned by the hon. Member for Sutton and Cheam (Mr. Burstow), we cannot yet measure patient outcomes reliably. I was interested to read in today's papers that Aston university in Birmingham is to undertake a comprehensive poll of NHS staff for the Commission for Health Improvement and the Commission for Healthcare Audit and Inspection. I hope that staff opinion will be taken into account more in performance ratings in future. I appeal to the Minister to push for staff surveys and patient surveys to be taken into account. Why does nobody take into account the full inspections of hospitals that are undertaken by all the royal colleges for accreditation? They examine the performance of a hospital in detail and could add tremendously to the value of measures such as star ratings.

I finish by pointing out that targets are to be aimed at. When he missed a target, even Robin Hood was not penalised or shot directly. I do not believe that targets should be enforced to such an extent that trusts are penalised for not hitting them.

9.30 pm

Tim Loughton (East Worthing and Shoreham): We have had a good debate with some interesting contributions. It is a shame that we could not hear more from the last speaker, the hon. Member for Wyre Forest (Dr. Taylor), with his professional experience. He is right. The debate should be about the right targets, which the Government are trying to weasel out of. A target is to be aimed at. It should not drive the entire service and rationale of the NHS, as it does, with all the intimidating tactics that are used.

We had some interesting contributions from Labour Members. The hon. Member for Telford (David Wright), who has momentarily disappeared, says that targets help to drive up performance and standards. It is not the targets that do that; it is the professionals and resources in the health service that drive up the performance and standards. That is the fundamental misconception of Labour Members, which is why the debate is so essential.

My hon. Friend the Member for Bridgwater (Mr. Liddell-Grainger), when not erroneously suggesting that we should put down elderly people, is a distinguished member of the Administration Committee, and gave us the benefit of the experience of people in business, who know what targets are all about. He gave the example of Lord Browne, the chief executive of BP Amoco plc, saying that any good business would have between five and 10 targets, but under the new formula announced by the Secretary of State earlier this evening, there is one target in the NHS for every £1 billion of expenditure. If that principle were applied to business, BP would have many hundreds of targets, making it completely unmanageable. It would be absurd.

The hon. Member for West Bromwich, West (Mr. Bailey), I fear, reflected the topsy-turvy world in which Labour lives, saying that staff to whom he had spoken in his constituency verily embrace the target culture and welcome it, and that it has helped with staff morale. He ought to get out more and speak to real people who will give him real answers, not the answers that he wants to hear to the warped questions that he might be asking.

We make no apology for returning once again to the subject of the Government's obsession with targets and performance tables, and, most crucially, the bureaucratic baggage that attaches itself to such a system, which is so deeply ingrained in the Government's mindset, but nowhere more extensively and damagingly than in respect of health care. The Government have a target for everything, but know the ultimate value to the health of a patient of nothing. They pursue a policy that has as its primary objective the health of the national health system, rather than the health of the patients whom it exists to serve.

As the Audit Commission stated in its June report,

"too many targets and indicators risk obscuring where the real priorities lie."

There are targets for reducing maximum waiting times for out-patient appointments, reducing to four hours the maximum wait in accident and emergency, guaranteeing access to a primary care professional within 24 hours, reducing substantially the mortality rates, achieving a maximum wait of four months for out-patient appointments, achieving a maximum wait of nine months for in-patients—the list goes on and on.

There is one good target that has been achieved, according to a report in *Hospital Doctor*. The radiology department at the Ealing hospital trust has successfully reduced the wait time for a barium enema from 19 weeks to four weeks. The reduction has been achieved by local people using their ingenuity and local expertise in that hospital, rather than relying on some centrally driven bureaucratic target that the Secretary of State has told hospitals to achieve.

There are so many targets and so much measuring to be done, but the Secretary of State would be well advised to listen to an old farming adage: the pig does not get any fatter the more you weigh it. That is what all the targets are about. Individually, they all sound perfectly reasonable objectives, and none of us would not want to reach a state of improvement in health care generally, characterised by such worthy aspirations. Taken in their entirety, however, the cumulative effect of placing so much importance on these targets, completely suppressing the professional skill and judgment of doctors and nurses, is often to distort clinical outcomes; to create problems down the line for patients who do not fit neatly into the target priorities; to place intolerable pressure on intimidated managers to claim that targets have been met, irrespective of whether that is borne out by the evidence; and completely to demoralise the health professionals who came into the NHS to treat patients and to make them better. The outgoing chairman of the British Medical Association, Ian Bogle, describes it as

[Tim Loughton]

"the suffocation of professional responsibility by target-setting and production line values that leaves little room for the professional judgement of individual doctors or the needs of individual patients . . . The auditing of every bowel movement on every ward in every NHS hospital would be a fitting memorial to Alan Milburn."—

the former Secretary of State—

"now that he has decided to spend more time with his family".

We have heard many examples of the target culture distinctly distorting clinical outcomes. The experience of the Bristol eye hospital was related to the Public Administration Committee by its clinical director, Dr. Richard Harrod:

"The waiting time targets for new outpatient appointments at the Bristol Eye Hospital have been achieved at the expense of cancellation and delay of follow-up appointments. At present we cancel over 1,000 appointments per month. Some patients have waited 20 months longer than the planned date for their appointment."

That is on top of all the problems that are being caused by the delay in funding the National Institute for Clinical Excellence-approved treatment for wet form age-related macular degeneration, which, after undergoing the second-longest approval process of any treatment, is still being delayed to the extent that some 3,000 people risk going blind as a result.

An estimated 2 million patients are effectively being banned from making GP appointments under the advance access scheme because it would hinder GP surgeries in meeting the Government's 48-hour waiting time targets. That particularly affects elderly and disabled people who have to make special transport arrangements

On mental health, Dr. Matt Muijen, director of the Sainsbury Centre for Mental Health, has expressed concern that the targets for mental health services mean that many patients are being neglected at the expense of high-profile areas. He states:

"The trend I am beginning to see is that fewer people get better care. People who are high risk are getting good care but there is a big group of people who just need ongoing care. What about the people who fall through the cracks? . . . We certainly know an awful lot of places where they have to close down hospital beds to fund crisis teams."

Research carried out by the Conservative health team over recent months with the mental health trusts shows that, in practice, many of the new systems that the Government boast about rolling out are not happening—their claims are not being met.

There has been a big increase in the number of operations cancelled less than 24 hours before they are due to happen. That is a result of targets that give wrong priorities to clinical problems. Last year, 70,000 such operations were cancelled. There has been an increase of 4,627 in emergency readmissions to hospital after hospital treatment, often because people are discharged too early owing to pressure on management to meet targets elsewhere in the hospital. As my hon. Friend the Member for Woodspring (Dr. Fox) said, there is serious doubt about the accuracy of the data that are produced supposedly to attain those targets—the star rating of hospitals. James Johnson, the new chairman of the BMA, says:

"Nobody should use star ratings to judge how well a hospital is doing. They measure little more than hospitals' ability to meet political targets and take inadequate account of clinical care or factors such as social deprivation."

In May, a survey in *The Times* showed that only 15 per cent. of primary care trusts in England believed the 2003 star ratings to be accurate. People involved in health care do not take the figures seriously, let alone the patients.

Hugh Bayley: Does the hon. Gentleman realise that, like the NHS, every private hospital chain sets targets for cleanliness, timeliness of treatment and patient privacy? Why are the targets that are clearly necessary to maintain standards in the private sector not necessary to maintain standards in the NHS?

Tim Loughton: Independent hospitals have a different definition of targets. The standards must be met, and it does not require 62 different targets for those independent hospitals and other treatment centres to produce high quality health care. It does not require dozens, scores and hundreds of managers to investigate targets and whether they have been achieved. Why can independent hospitals do it when the NHS has to have ever increasing targets and people to administer them? That is the genuine difference.

Dr. John Reid: Will the hon. Gentleman give way?

Tim Loughton: If the Secretary of State will give me a minute to make some progress, I shall readily give way.

The position is not helped by the ridiculous spectacle of hospital trusts drafting in extra staff for the accident and emergency tests at the end of March. Let us dispel the myth that the Secretary of State has promulgated. At the end of March, the Commission for Health Improvement inspections for the star ratings were done in one week, whatever may have happened since.

Dr. Reid: Particular ratings were put out, but since March we have also maintained the statistics on the achievements in accident and emergency. They have consistently run between 87 per cent. and more than 90 per cent. for months.

On administration in the private sector, does the hon. Gentleman realise that 25 per cent. of the United States' expenditure, which is 15 per cent. of gross domestic product—that is twice what we spend, but it does not cover 43.5 million people—goes on administration. In the NHS, less than half that percentage is spent on administration.

Tim Loughton: That is why we do not hold up any experiences in the United States' system as examples that we want to follow. The Secretary of State has been in the United States investigating those systems. We have based many of our policy points on the experience in continental Europe, where things have been done differently. I am surprised that the right hon. Gentleman is so afraid of the experiences of our partners in Europe.

Most wasteful is the diversion of time and resources from dealing with patients to paperwork, inspection reports and bureaucracy. For example, at the end of September last year, there were 158,000 whole-time

equivalent NHS infrastructure support staff in England. That is an increase of 12 per cent. since the Government came to power. There are 31,000 whole-time equivalent NHS managers—an increase of 44 per cent. since 1997. It is not surprising that the extra manpower is required when it has been revealed that NHS hospitals are answerable to no fewer than 36 separate regulators out of the Government's total of 108.

The Better Regulation Task Force found that the number of regulators has mushroomed, with nine more promised, yet no one in Government takes responsibility for whether they operate effectively or should exist. David Arculus, chairman of the taskforce, said:

"If you are running an organisation like a hospital, these people impinge on almost everything you are doing, and 36 different regulators make it very difficult when you are trying to deliver a service."

How right he was. As the Public Administration Committee said:

"The danger with a measurement culture is that excessive attention is given to what can be easily measured, at the expense of what is difficult or impossible to measure quantitatively even though this may be fundamental to the service provided".

Where is the evidence that the Government's discredited target culture, which now pervades every part of the NHS, is achieving improvements that could not be better achieved by preserving the autonomy of our health professionals locally? It could be achieved by putting clinical considerations first, by trusting doctors to get on with their job, and by not undermining their judgment and overwhelming them with paperwork, box ticking and bureaucracy. It could be achieved credibly and convincingly so that patients can trust the information that they are given about NHS performance and not constantly having to question its veracity.

The new Secretary of State promised a new broom and a new approach when he succeeded the arch-centralist, the right hon. Member for Darlington (Mr. Milburn). On 7 September, in *The Observer*, he stated:

"Targets and objectives are a necessary spur. But they're not an end in themselves—the end is the best possible medical care."

What has changed since he took over? What targets have been abandoned so far, and not simply as a result of the Government's failure to achieve them?

The Government should have only one target in health—to improve the health of the whole nation and the quality of the clinical and social outcomes for all patients when they come into contact with all aspects of health care. They should be prioritised purely on medical considerations. Implicit in that is doing away with a raft of targets and the target mentality, which makes the goal the achievement of targets, not the health of the patient and trust in health professionals to deliver it. We must stop treating patients as statistics, whose importance and access to appropriate health care is determined purely by whether their early treatment would be a help or a hindrance to achieving the target, regardless of the clinical effect on the patient. That is the real dividing line between a Government stuck in a Stalinist time warp and—from the Conservatives—bright, imaginative and fresh ideas relevant to health care for all in the 21st century.

This Government stand for more targets, more all-pervading bureaucracy, more demoralisation of staff and more money for maintaining the health of a system, rather than that of the patients it exists for, micro-managed by a transient Secretary of State in Richmond house. Under the Conservatives, the health service would put patients first, give all patients real choice and power to access the whole of that system, put the quality of care ahead of the number of boxes ticked, and trust the professionals to deliver without the dead hand of the Secretary of State hovering menacingly over their every move. That is the real dividing line which we will enthusiastically set out to the British people ahead of the next election; it is one that I relish.

9.45 pm

The Minister of State, Department of Health (Mr. John Hutton): I have to say to the hon. Member for East Worthing and Shoreham (Tim Loughton) that it is not terribly sensible to refer to transient leaders, given the turmoil in his party. I want briefly to return to that theme, as he would anticipate.

This has been a useful debate, because, as the hon. Gentleman said in his closing remarks, it has helped to highlight the differences between both sides of the House in relation to the NHS. The hon. Member for Woodspring (Dr. Fox) made another of his characteristic speeches. By that I mean that he spoke for half an hour, but could not bring himself to mention any of his party's policies in relation to the NHS. Having read them, I perfectly understand why.

The hon. Gentleman shared with us the illuminating insight that the Tory Administration's targets for the NHS were always aspirational. That is certainly true, because the Tories never managed to meet any of them. He also confirmed, very helpfully, although I am not sure that the hon. Member for East Worthing and Shoreham took exactly the same line, that under a Conservative Administration—if ever there were to be one in the near future—no national targets would be set for the NHS. That will be of serious concern for taxpayers and for patients.

The basic thrust of the speech made by the hon. Member for Woodspring was to deny that any progress has been made in the NHS, which is the view of the hon. Members for East Worthing and Shoreham and for Bridgwater (Mr. Liddell-Grainger). In the process, NHS managers were accused of systematic dishonesty. Those are serious allegations. If that is the hon. Gentleman's view, I am sure that at some point he will want to come to the House and to Ministers with their substance. We look forward to receiving those allegations—

Mr. Liddell-Grainger *rose*—

Mr. Hutton: I will give way in a moment, because I want to come to the hon. Gentleman's speech.

We warmly welcome the hon. Member for Sutton and Cheam (Mr. Burstow) to his new responsibilities, and I am sure that he would want me to pass on to the hon. Member for Oxford, West and Abingdon (Dr. Harris), for whom I have a great deal of respect, my very best wishes and the best wishes of all Members of the House to him and to his partner.

I am grateful to the hon. Member for Sutton and Cheam for his support for the work of the NHS and its staff—that is very welcome—but he is quite wrong to

[Mr. Hutton]

characterise targets as not being related to improved outcomes for patients. I am sure that, with hindsight, he will want to go away, perhaps consider some targets that we have set this year and reflect on whether he was right to make that allegation. In fact, that also goes for the two Conservative Front Benchers who contributed.

I shall give the hon. Gentleman four examples in which we can say clearly that those targets are about improving health outcomes, which is the point and purpose of the work that we are doing: first, reducing the rate of smoking in the population—there is a clear evidence base for that, and it will improve the healthy lives of millions of people in Britain—and, secondly, increasing the proportion of patients who receive thrombolysis within 60 minutes of asking for professional help. Three years ago, only 38 per cent. of patients received thrombolysis within 30 minutes; now that figure has been doubled to 76 per cent. That will help to save lives.

It is quite wrong to say that that target is unrelated to health outcomes. Neither is that the case with the targets to reduce the rate of untreated psychoses in the population and to require all the hospitals to have a dedicated stroke service by 2004. All those targets are about improving health outcomes for the people of this country and the evidence base for that, which the hon. Gentleman wanted, is very sound and fully set out in all the national service frameworks to which they relate.

Mr. Burstow: I am grateful to the Minister for giving way, because the Department of Health's June 2003 "Review of Early Thrombolysis" states:

"In quarter 4 of 2002/03, 48 per cent. were treated within 20 minutes".

That does not achieve the target of 75 per cent.

Mr. Hutton: I did not catch the hon. Gentleman's first few words, but I can tell him that I gave the right figures on thrombolysis. Perhaps he and I should correspond on the subject.

The point I should make to the hon. Gentleman and his colleagues is that these targets are about outcomes. They are not arbitrary political targets. Targets only become arbitrary political targets for the Tories when we set them; that is not what they are when the Tories set them. I do not think that the irony of that will be wasted on the wider population.

The hon. Gentleman helpfully confirmed that under the Liberal Democrats there would be no national targets for the NHS, but there would be strategic national goals. I am sure that at some point he will want to explain to us what those will be.

I congratulate my hon. Friends the Members for West Bromwich, West (Mr. Bailey) and for Telford (David Wright) on their very effective speeches. Not everything is perfect in the national health service, and we do not claim that it is, but not everything is as hopeless and desperate as Opposition Members proclaim it to be for their own party-political reasons. That balance has been signally lacking from all the contributions we have heard from Conservatives today.

I am particularly sorry to say that in relation to the hon. Member for Bridgwater. I do not know how many GPs were practising in the NHS in his constituency in 1997, although I know that last year three more joined the NHS there. That is progress. It is not the case that, as the hon. Gentleman seemed to be trying to argue, there has been no progress in his constituency. *[Interruption.]* I listened carefully to what he said, and he did not mention any progress. Perhaps in a future debate he will have the good grace to talk about progress, but he did not manage to get round to it today.

The hon. Members for Woodspring and for East Worthing and Shoreham both used the Audit Commission report to suggest that it made the case against targets. It does not do that at all. It says

"The overall picture is one of good progress. It is clear that setting national standards and developing action plans are powerful tools for improving services to patients, and holding organisations to account for their performance. Making more efficient use of resources is an important part of meeting targets, and is the key to long-term progress."

Its key finding was that

"the majority of trusts were making progress, performing well against the main targets and managing resources adequately. In particular, the huge effort put into reducing waiting times for outpatient appointments and for hospital inpatient treatment was paying off".

Any objective person listening to the speeches of the Opposition Front Benchers must have thought that they were referring to an entirely different report.

The debate has served at least one useful purpose in highlighting the difference between Labour Members who want the NHS to expand and who believe in the principle that care should be free at the point of use, and Opposition Members who do not want and believe those things. We want to put extra investment into the NHS; they want to cut that investment. They want to take money directly from the NHS, as my hon. Friends have pointed out, to subsidise the cost of private medical insurance. That is the policy of the hon. Member for East Worthing and Shoreham, although he now seems to be denying it.

We say that NHS patients should come first. We want choice for every NHS patient, so that we can continue to cut waiting times and make the most effective use of our hospitals and new treatment centres. The Conservative party wants to introduce top-up vouchers for those who can afford to have private operations and treatment.

The policies that the Opposition want us to pursue are not new policies; they are just more extreme versions of failed Tory policies of the past—even more Thatcherite, even more unfair and even more damaging.

Tim Loughton: Can the Minister tell us why he thinks that last year 300,000 people, most of them not wealthy, using their own life savings—three times as many people as when his party came to power—opted out of the NHS to seek private operations, having already paid tax? Does he not think that those people are now owed more respect, care and help—and why did they have to do that in the first place?

Mr. Hutton: They did it to avoid long waiting times. I think that everyone understands that. The hon. Gentleman must surely understand it. The answer, however, is not to take money out of the NHS, but to increase investment in the NHS. I am astonished that the hon. Gentleman does not seem to be able to grasp that basic fact.

None of these Tory policies is based on reason and fairness. They are based on prejudice, and on pure political opportunism. They will not benefit the many; they will benefit the few. They are riddled with inconsistencies and contradictions. It is impossible to say, as the Conservatives have tried to say again tonight, that spending decisions in respect of the NHS will be made by an independent non-political body, and to announce in the same breath that £2 billion will be taken from NHS budgets to fund their policies on vouchers and private medical insurance. What a load of nonsense!

The NHS needs investment and reform if it is to meet the health care needs of our modern society. We have set a course for both. The record investment will see spending on the NHS grow in real terms by nearly 50 per cent. by 2008, building over 100 new hospitals and employing 55,000 more nurses than in 1997, and that is due to rise further still to 70,000 by 2008, employing more doctors—20,000 more consultants and GPs by 2008—and replacing cancer screening equipment at an unprecedented rate. Forty-two per cent. of MRI scanners, 63 per cent. of CT scanners and half of all linear accelerators are brand new—all purchased in the past three years.

The NHS is now doing 1 million more operations and elective admissions a year than when the Tories were last in power. Nearly 2 million more out-patients were seen last year compared with 1997. That is why out-patient and in-patient waiting lists are falling—and fast. Waiting times to see a consultant or a GP, the public's No. 1 priority, are coming down, too. All that is made possible by the extra investment and reforms we are making. All that is at risk from the cuts and policies proposed by the Conservative party.

For each of those statistics, and here I agree with the hon. Member for East Worthing and Shoreham, a real difference has been made to the lives of many of our fellow citizens and their families. They are not just figures. Deaths from coronary heart disease are falling. If one listened to the hon. Member for Woodspring, one would have thought that cancer survival rates were falling—they are rising rapidly. That has all come about because the NHS has been focused on shortening the length of time that patients have to wait before their treatment begins, on making the new drugs available more quickly and on improving cancer screening.

In truth, that is only half the story. The investment on its own is not enough if the NHS is to become the service that Labour Members wish it to be. There is, of course, still a lot to do but clear national targets and objectives have ensured that the reforms are focused on patients' priorities: reducing waiting, improving services in cancer, coronary heart disease, mental health and services for older people. Those are not arbitrary targets but real progress in crucial areas where the NHS needed to improve the service that it offered patients.

That is the course that the House should stick to. The alternatives on offer would take us precisely in the wrong direction, with no guaranteed minimum waiting times for treatment in hospital, in accident and emergency or in a GP's surgery, no commitment to recruit more doctors and more nurses, no promise even to maintain levels of spending, no national standards, unfairness built into the system at every level, with the inevitable return to the lottery of care that we saw under previous Tory Administrations.

The only sure thing is that things would get worse in the NHS if the Conservative party ever returned to office. If we took the advice of Opposition Members this evening, there would be no benchmarks against which taxpayers or patients could judge progress and that, of course, is how the Conservatives want it because they want to talk down the NHS and so pave the way for their pay-as-you-go health care market.

There is a choice before us tonight, as there will be for the British people at the next election. I am looking forward to that contest, too. We will propose the extra investment and the reforms that will help the NHS to provide faster, better-quality treatment with real choice for patients in the best possible environment. The Tory alternative is a smaller NHS, with cuts in investment and tax subsidies for those who can afford private treatment. For the Conservatives, there is no sense of direction other than backwards, no purpose—we have seen it clearly tonight—other than to undermine the NHS and the values that it stands for. The choice that they face this week is either to continue with a failing leader, or to bring back the failed leaders of the past. I think that I speak for all my right hon. and hon. Friends when I say roll on that next election.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 132, Noes 333.

Division No. 338] **[9:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew

Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prisk, Mark *(Hertford)*
Redwood, John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Mark Francois

NOES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beith, rh A. J.
Bell, Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blears, Ms Hazel
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnett, John
Burnham, Andy
Burstow, Paul
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin
Corbyn, Jeremy
Cousins, Jim
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Khabra, Piara S.
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lammy, David
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moore, Michael
Moran, Margaret

Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Nick Ainger and Paul Clark

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 290, Noes 167.

Division No. 339] **[10.14 pm**

AYES

Abbott, Ms Diane
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Bell, Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blears, Ms Hazel
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimmons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kemp, Fraser
Khabra, Piara S.
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*

Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandleson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Winnick, David
Winterton, Ms Rose *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Nick Ainger and Paul Clark

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burnett, John
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan Smith, rh Iain
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg (E Yorkshire)
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter

Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. John Randall and and Mr Mark Francois

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's record extra investment in the National Health Service; supports the Government's policy of linking investment to reform; notes that setting targets and monitoring performance against them are a vital part of the accountability process; welcomes the Government's determination to devolve power in the health service to the front line backed by three-year allocations of money to NHS organisations and clear delivery targets for the next three years; welcomes the positive effect of the right targets on staff morale, motivation and standards; welcomes the increases in capacity and workforce numbers, the greater availability of new and better drugs, the shorter waiting times and the greater choice available to all patients; notes that expenditure on NHS management as a proportion of the total NHS budget is falling; and supports the Government's commitment to a high quality NHS, responsive to the needs of patients, available to all free at the point of need.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE (ENGLAND)

That the Special Grant Report (No. 127) (HC 1049) on special grant for 2003–04 for reducing fire deaths in those areas of England suffering the highest fatality rate, dated 12th August 2003, a copy of which was laid before this House on 8th September, be approved.—*[Margaret Moran.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 30th October, the Speaker shall put the Questions necessary to dispose of proceedings on the Motions in the name of Mr Peter Hain relating to pay for chairmen of select committees not later than Six o'clock; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; the Questions may be put after the moment of interruption; and the Orders of the House of 28th June 2001 and 29th October 2002 relating to deferred Divisions shall not apply.—*[Margaret Moran.]*

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Ordered,

That Mr David Borrow be discharged from the Environment, Food and Rural Affairs Committee and Joan Ruddock be added.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Concessionary Television Licences

Motion made, and Question proposed, That this House do now adjourn.—*[Margaret Moran.]*

10.28 pm

Mr. Jimmy Hood (Clydesdale): I am pleased to have an opportunity to raise this important subject in the House this evening. The timing is opportune, as we will soon have a pre-Budget statement and I want to put down a marker not just to my right hon. Friend the Minister but to the Chancellor about considering ending the crazy anomalies that have existed with television licence concessions since the 1950s.

I want to refer to an anomaly in my constituency in the village of Stonehouse, where those in 30 houses that were built as sheltered accommodation, along with some mainstream housing in the South Lanarkshire council area, are being denied what I argue is their right to concessionary licences. That injustice should be redressed. Before I come to the McLean gardens complex, I want to broaden my appeal to seeking the Minister's views on lobbying the Treasury to end the many injustices suffered by the elderly in the autumn of their lives.

TV licence concessions originated at the beginning of the 1950s, when BBC postal services gave concessions. The scheme grew and local authorities also gave concessions. The first concessionary scheme for the elderly was put on a statutory basis in 1969 and grew out of those gestures by Post Office officials in the 1950s. Local authorities throughout the country gave pensioners and disabled people concessions to help them to pay their television licences. Indeed, when I served on a hung council in Newark and Sherwood district council, I remember that the Labour group negotiated a budget to give £25 to pensioners and disabled people. I think that £25 in 1980 would be commensurate with the cost of a TV licence today, which is £116.

I have pressed this Government and the previous one for years to end the anomalies in the system by introducing free TV licences for all pensioners. Since 1997, I have supported the Government's drive to prioritise pensioner poverty through measures such as the minimum income guarantee, the winter fuel allowance and the pension tax credit. The introduction of free television licences for the over-75s was most welcome but it is now time to go the extra mile and agree to free TV licences for all our elderly people.

We have come a long way since the Annan report in 1977, which argued the case for ending the concession altogether. It suggested that the best way to get rid of anomalies would be to make pensioners and disabled people pay, so we have come down a long road since then. During the 16 years for which I have been a Member, I and many other hon. Members have lobbied against the many anomalies associated with TV licence concessions. Every time we solve one anomaly, we seem to engage in further debate on other anomalies that are exposed. We should end the injustice now, and I invite the Minister to support me on that this evening.

I want to talk about McLean gardens in the village of Stonehouse in my constituency. The problems there have been ongoing since 1997 when the television

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licensing authority refused to grant concessionary licences to its residents. I gave my right hon. Friend the Minister a copy of a plan of McLean gardens because I was going to refer to it in my speech, but I compliment her and her staff on their research because I understand that she had already seen the plan—I am delighted about that. I am sorry, however, that other hon. Members and you, Madam Deputy Speaker, do not have a copy.

The McLean gardens complex was purpose-built to accommodate people who needed sheltered accommodation and warden care. The forward-thinking South Lanarkshire council purposely intermingled 15 units of normal mainstream housing with 30 units of purpose-built sheltered accommodation. That was the council's positive step toward being socially inclusive, rather than excluding the elderly from the community, and I am sure that that will be much applauded. However, although the measure represented progress and a way forward that we could all take, the result of the council's forward thinking was that the licensing authority has withdrawn the concession to my constituents.

I received a letter dated 8 October from the director of housing and technical resources that supports my case. He said:

"As you are aware this matter has been ongoing since 1998 when the TV Licensing Authority refused to grant a concessionary licence to the residents in McLean Gardens, Stonehouse. The Licensing Authority's primary reasons appear to relate to the fact that the warden does not provide a service to all of the units and that the properties must be seen to be contained within the common inclusive boundary."

If the Minister looks at the plan, she will see that the warden's flat is in the centre of the complex, built on to a group of four houses. Those four houses get the TV licensing concession, which proves how ridiculous the situation is for people in the rest of the complex.

The director went on to say:

"I would advise you that Housing Services contacted the Licensing Centre in March 2001 appealing the decision to exclude the residents of McLean Gardens from the scheme. In our submission we advised that McLean Gardens was purposely built as a Sheltered Housing Complex"

and that all housing services are provided. He stated:

"Additionally we advised that the complex was constructed in such a way as to intersperse sheltered homes with mainstream accommodation. The belief being that this would ensure that the elderly would have every chance to maintain their position as an integral part of the community and not face the very real possibility of social exclusion."

He then said:

"It is also true to say that I have been very disappointed in the stance of the BBC Licensing Authority to date in this matter."

I ask my right hon. Friend to press the licensing authority to reconsider its decision on McLean gardens.

Some 80 per cent. of residents in sheltered accommodation throughout the country are over 75. We are not talking about a king's ransom to end the injustice—far from it. I hope for a sympathetic response and should like the Minister to make representations to the licensing authority to address the injustice at McLean gardens.

10.38 pm

The Minister for the Arts (Estelle Morris): I congratulate my hon. Friend the Member for Clydesdale (Mr. Hood) on securing the debate. All hon. Members, irrespective of their party, will find his words familiar. We all have constituency examples of how the awarding of concessionary television licences does not make sense. Many people feel aggrieved when they think that they have a right to a concessionary TV licence and do not get one. As Members of Parliament, we have all fought cases to win concessionary licences for our constituents, and more often than not we have lost rather than won.

My hon. Friend asked me to sympathise with the position of his constituents in McLean gardens in Stonehouse, and I do. I cannot offer an explanation that would make coherent sense to his residents. I have looked at the map. The people who live in those units of accommodation know that they are elderly and that it is sheltered housing. They understand why they are there and will not see themselves as different from people who live in sheltered accommodation in other parts of my hon. Friend's constituency.

I can also see that, in its policy, the local authority was brave and, perhaps, right not to make ghettoes for elderly people but ensure that they were integrated into mainstream community life. On that level, I sympathise with my hon. Friend's constituents but, and this is the case that I want to make today, I can sympathise also with the licensing authority, which is trying to make sense of a situation that we would probably not get into if we started from scratch.

I do not want to go through the entire history of the concessionary licence, but it was originally available to people in residential accommodation. We all knew what residential accommodation was; everybody knew that it made sense. It was what, in the old days, we called old people's homes, and nobody could walk past one without knowing what it was. Time moved on and society changed, and we thought that it was right to give people their independence as far as we could. That is when sheltered accommodation came of age, and it was right that it should do so.

I thank my hon. Friend for making me learn about this because I had not understood the origin of the anomalies. When the legislation was originally drafted, local authorities sought to put into the concessionary licence scheme units of accommodation that no one in the House, not even the authority's own MP, would justify being there. For example, a rent collector was deemed to be providing a communal service. I do not think that any of us believes that a rent collector collects rent only from people over 60 or 65. If accommodation had a common room, that was deemed by some local authorities to make it a communal provision.

Twenty or 30 years ago, local authorities were, quite simply, exploiting the system. They were acting in what they thought were the best interests of their constituents, but they were exploiting the system. As my hon. Friend will know, there was a need to draw up criteria that would include those people whom we wanted to include but exclude those who ought not to be included. That proved nigh on impossible. Decade after decade, as he said, attempts have been made to define sheltered accommodation so that its characteristics are as similar

as possible to those of residential accommodation, which was the source of the concession. That is the challenge.

I shall briefly list those criteria because they need to be put on the record. Sheltered accommodation has to meet all the following tests. It must form part of a group of at least four dwellings within a common and exclusive boundary. It must be provided for occupation by disabled persons, mentally disordered persons—that is an old-fashioned phrase now—or retired persons aged 60 years or more. It must be provided or managed by a local authority, a housing association or a development, and it must have a person, such as a warden, whose function it is to care for the needs of the residents and who either lives on site or works there for at least 30 hours a week.

My hon. Friend's constituents seem to be falling foul of two of those criteria. First, as he said, they do not all have a warden. Secondly, they do not have common and exclusive boundaries.

Mr. Hood: I am sorry if I have led my right hon. Friend to believe that not all the residents have a warden; that is not the case. The warden services all 30 households on the complex equally, not just the four houses on to which her flat has been built.

Estelle Morris: My hon. Friend has not misled me at all. He made that clear. There was a lack of clarity in my phrasing of the situation, and I am glad that he has put that right.

In this case, there are 30 units of accommodation. I can see that one warden can provide a service for all those units, and do so reasonably well. But what happens if there are 50, 60 or even 156 units? What happens if the council claims that one warden, attached to one of the units, is providing a service for the other 155 units?

I know that that is not the situation in my hon. Friend's constituency, but it demonstrates the difficulty of drawing boundaries. I have looked at the plan of the complex and I deem, as he would, that any warden living there can offer a service to all his constituents living there. However, I urge him to accept that making law and regulations to include certain constituents but exclude the rest is nigh on impossible.

Mr. Hood: I know that my right hon. Friend is not looking for excuses to justify the unjustifiable, but the council did not build a complex of 45 houses, including 30 units of sheltered accommodation, to deal with the television licence issue but because it was a good and sensible thing to do. Local authorities have a legal responsibility to service people in need of sheltered accommodation and care. If my right hon. Friend does not mind my saying so, it is like chasing rainbows.

Estelle Morris: I take my hon. Friend's point, but the fact is that regulations were drawn up following abuse by local authorities that tried to include in the scheme units of accommodation that should not have been included. Our debate demonstrates the difficulty of getting a set of criteria that includes people who should have a concessionary licence and excludes people who should not.

May I draw my hon. Friend's attention, although perhaps I should not, to a group of people who would never qualify—pensioners under 75 on low incomes who do not live in sheltered accommodation? Whatever we do about concessionary allowances for people with disabilities and pensioners, we constantly come across anomalies. The problem with the present scheme is that we are trying to define a group of people with a shared need according to the houses or accommodation in which they live, which is nonsensical and illogical. If we were starting from scratch and said that we would like to give financial help to a group of people who are old or disabled and are on low incomes, have served their community and could be socially excluded if they do not have access to television, nobody in their right mind would want to define the houses that they live in before giving them a concessionary licence. Whoever responds to such a debate in the House and whoever introduces it will end up with that problem.

Mr. Hood *rose—*

Estelle Morris: I do not like not taking interventions in an Adjournment debate, but I shall give way to my hon. Friend and then deal with his solution to the problem.

Mr. Hood: Perhaps I am pre-empting my right hon. Friend's response, but my solution was to give concessionary TV licences to all the elderly.

Estelle Morris: In an ideal world in which our Treasury colleagues are even more generous than normal, I would agree. In some ways, that would be a preferable solution, because the concessionary licence fee is subsidised by other licence payers. It is paid for by the BBC from its settlement, and is administered, as my hon. Friend knows, by the licensing authority acting on behalf of the BBC, not by the Government. To make things clear for my hon. Friend's constituents, under the criteria that I set out, the licensing authority has no discretion whatsoever. If it had, it would be making up the law as it went along, resulting in appeals and judicial reviews. The matter would come back to the House, which would be difficult. The funding for concessionary licences for the over-75s introduced by the Government comes from taxpayers or Treasury money. Those of us who pay income tax on higher incomes subsidise free licences for the over-75s. I believe that that is a better and fairer way of dealing with the issue. I know how assiduous my hon. Friend has been in fighting for support for pensioners, who are usually on a lower income, and for an end to pensioner poverty. He was generous enough to recognise the work that the Government have done.

The decision to give the free licence to those over 75 may seem arbitrary. Why not give it to those over 70 or over 65? The average income of pensioners over 75 was £19 a week lower than that of pensioners under 75, so we have done right by targeting the pensioners in greatest need. The Treasury moved in the right direction by targeting that group of pensioners. As a result, 3.8 million people now get free licences. The concessionary scheme, about which my hon. Friend and I have been arguing, only ever helped 650,000 people. With one generous move from the Treasury and a huge

[Estelle Morris]

commitment from the Labour Government, 3.8 million people now get free licences, as opposed to 650,000 who paid £5.

Of course, it would be possible to extend the scheme to the over-70s, the over-65s or the over-60s. We could bring the age further and further down. It is a matter of judgment for the Treasury how it spends the money that we collect from the people whom we represent. If we extended the free licence scheme to the over-60s, the total cost would be £956 million. If it were extended to all households with someone over 65, it would cost £836 in total. If all households with someone over 70 were eligible, the cost would be £616 million in total. By giving a free licence to the over-75s, we have undertaken a huge financial commitment, which has helped more than 3.8 million people. We have made a start.

My hon. Friend made a powerful case for a system for helping our pensioners, who tend to be on lower incomes and are at risk of social exclusion. The television is often their sole companion, especially during the cold, dark nights. He knows that I am not in a position to commit the Government, but I undertake to make his views known to the Treasury. All I ask in return is that he explain as best he can that his constituents in McLean gardens are on the rough end of a fairly tricky piece of legislation. It offers them no money and no concession, but I can hope only that the debate makes them feel that somebody understands their plight, and that they have an MP who has argued robustly on their behalf.

Question put and agreed to.

Adjourned accordingly at seven minutes to Eleven o'clock.

House of Commons

Tuesday 28 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Economy

1. **Mr. David Marshall** (Glasgow, Shettleston): When he next intends to meet the Scottish Trades Union Congress to discuss the economy in Scotland. [133806]

The Secretary of State for Scotland (Mr. Alistair Darling): I met representatives of the STUC on 21 August to discuss a wide range of issues.

Mr. Marshall: In this era of the knowledge economy, does the Secretary of State agree that the proposal by British Energy to move 150 top-quality engineering graduate jobs—and possibly another 150 indirect jobs—from Scotland to England is totally unacceptable? Does he further agree that a possible consequence of that proposal is the closure of a nuclear power station with another 500 jobs at risk? Will he assure us that he will do everything that he can, along with his Cabinet colleagues, the Scottish Executive and the STUC, to keep as many of those jobs in Scotland as possible?

Mr. Darling: My hon. Friend will no doubt be aware that discussions between British Energy and its unions about those proposals are continuing. The headquarters will remain in Scotland; it is proposed that there will be about 85 redundancies, and following British Energy's taking responsibility for nuclear power stations both north and south of the border, it wants to bring together all the engineers and technicians who are responsible for the maintenance of those power stations. Hunterston and Torness power stations have a long time still to run, and, between them, they employ nearly 1,000 people in highly skilled jobs that are an essential part of the Scottish economy.

Mr. Alex Salmond (Banff and Buchan): Obviously one of the industries that will dominate such discussions is fishing, which employs 42,000 people around Scotland's coastline. Has the Secretary of State had time to look at the scientific advice published last Friday by the International Council for the Exploration of the Sea which shows North sea haddock stocks at 500,000 tonnes, the highest level since 1971? Why, in those circumstances, are fishing communities still suffering doubt and uncertainty about their prospects, instead of looking forward to a booming fishery?

Mr. Darling: The hon. Gentleman has drawn attention to one of a number of reports about fishing stocks.

Mr. Salmond: This is the official ICES report.

Mr. Darling: There have been other reports. The important point is to make sure that we put in place a regime that will ensure the sustainability of fish stocks. The fisheries strategy unit, which the Government will attend, meets tomorrow. I have never yet heard the hon. Gentleman face up to the fact that we need to take steps to ensure that fishing stocks are preserved so that the industry has a long-term future. Instead, we constantly get the impression from him that there is no reason to conserve stocks at all. That cannot be right.

Sandra Osborne (Ayr): Does the Secretary of State agree that his recent announcement giving the go-ahead to the new Scottish air traffic control centre will make an excellent contribution to the Scottish economy, contributing as it will over £25 million a year to the Ayrshire economy?

Mr. Darling: My hon. Friend is right and she deserves a great deal of credit for fighting to get the UK's second air traffic control centre at Prestwick. That centre will control air traffic movements across the north Atlantic and the northern part of the UK, right down to Amsterdam. When it is completed, it will be the sixth largest air traffic control centre in Europe and will play an important part in the single skies air traffic control system. My hon. Friend is right to say that it will play a significant part in ensuring the future success of the Ayrshire economy.

John Thurso (Caithness, Sutherland and Easter Ross): When the Secretary of State next meets the STUC to discuss the economy in Scotland, what will he say about the rapid growth of the Scottish consumer debt mountain, which now stands at £26.5 billion? What measures will the Government take to ensure that the economic recovery will be sustainable, rather than a consumer debt-led boom?

Mr. Darling: The Government have put in place a range of measures to ensure a strong, stable economy. One reason that we have the highest levels of employment and the lowest levels of unemployment for a generation is that we have that stable economy. As the Chancellor has made clear, all our economic policies are geared towards ensuring that this country has sustainable long-term growth. I hope that the hon. Gentleman accepts that it is a tribute to my right hon. Friend's stewardship that we have such a strong economy—one that is still growing when most of our major competitors have faced recession, have been in recession or, in some cases, are in recession.

Rachel Squire (Dunfermline, West): Will my right hon. Friend raise with the STUC the importance to the Scottish economy of shipbuilding, ship repair and ship refit work? Does he agree that the future aircraft carrier will, whatever its final size, be the biggest warship ever produced and holds the key to a long-term future for Rosyth dockyard? Will he work with the STUC to retain some of Scotland's top engineering skills and ensure that the aircraft carrier work begins on time?

Mr. Darling: My hon. Friend is right that the order from the Ministry of Defence for the aircraft carrier is of great significance to Scotland. Indeed, it shows the benefit of Scotland being part of the United Kingdom, as defence is a crucial part of our economy. The MOD continues to work on the specification of the new aircraft carrier, but she is right to emphasise its importance. She can rest assured that all my colleagues and I will do everything that we can to make sure that the work is carried out as quickly as possible.

Mr. Peter Duncan (Galloway and Upper Nithsdale): Behind all the spin, is the Secretary of State proud of his Government's record since Labour came to office in 1997, under which economic growth in Scotland has been lower than in the UK? In fact, Scotland's gross domestic product, as he knows, has been lower in each successive quarter since 1998. Is he proud of that record?

Mr. Darling: I should have thought that, today of all days, the hon. Gentleman would have confined his predictions of gloom and doom to the party to which he belongs. We all look forward to the publication of many political diaries, but I strongly urge him to publish his quickly because it may become time-expired in the not-too-distant future.

Britain has a very strong economy, and the Scottish economy, too, has done well. There are extremely high levels of employment and unemployment is at its lowest level for a generation—something that could never have been dreamt of under the Conservative Government. We have low interest and mortgage rates, and the prospects for the Scottish economy are good. If the hon. Gentleman takes time off from scribbling in his diary and looks at what commentators say about the Scottish economy—

Mr. Duncan: I am full-time—the right hon. Gentleman is the part-timer.

Mr. Darling: The hon. Gentleman says that he is working full-time on his diary, which speaks volumes about where the principal Opposition party is today. Its members are writing diaries about their own downfall rather than concentrating on the real issues affecting Scotland.

Fireworks Act

2. **Mr. Bill Tynan** (Hamilton, South): What discussions he has had with the Scottish Executive with regard to the use of powers granted by the Fireworks Act 2003. [133807]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): May I echo the Prime Minister's congratulations last week to my hon. Friend on his excellent work in piloting that important measure through Parliament? I recently met the Minister for Finance and Public Services in the Scottish Executive to discuss a range of issues, including the Fireworks Act 2003.

Mr. Tynan: I thank my hon. Friend for her response. Is she aware of the excellent educational drama "Toast", which South Lanarkshire community safety partnership is piloting in schools throughout Lanarkshire? Margaret Brunton, the council's home safety officer, said:

"This play is hard hitting and will hopefully make pupils think carefully before becoming involved in dangerous behaviour involving fireworks".

Will the Minister, in discussions with the Scottish Executive, make sure that funding is available so that pupils throughout Scotland can see the play so that misbehaviour involving fireworks is recognised as dangerous?

Mrs. McGuire: The issue of funding projects in Scotland is very much one for the Scottish Executive, and it would be presumptuous of me to attempt to tell them what to do. However, I am delighted to echo my hon. Friend's comments about that production's dramatic approach to firework safety, which I think is the ethic that underpins it. Not only have I heard of the company and its productions but I can tell hon. Members that it is going to Cathkin high school on 31 October, John Ogilvie high school in Hamilton on 3 and 4 November and Earnock high school in Hamilton on 5 November.

Mr. Ian Liddell-Grainger (Bridgwater): The Fireworks Act has been passed, but one of the biggest problems is controlling legislation and making sure that offenders are pursued. In today's papers there is a report of someone who launched a gerbil on the end of a rocket, which shows the mentality of some people in this country. Will the Minister assure the House that, whether they are members of the public or manufacturers, people who break the code will be pursued to the full extent of the law?

Mrs. McGuire: The Government are very much aware of the importance of making sure that firework legislation operates effectively. Like many hon. Members, I read reports of that sickening incident in today's newspapers. Legislation has been in place for a long time to deal with issues relating to the protection of animals. Indeed, as far back as 1912 it was an offence to cause unnecessary suffering to domestic or captive animals through the use of fireworks. I certainly hope that in this and other instances the authorities use the legal protection that is in place to ensure that people are not disadvantaged or discomfited and do not suffer fear or terror because of the abuse of fireworks.

Mrs. Helen Liddell (Airdrie and Shotts): My hon. Friend will be aware that there are proposals for the opening of a fireworks factory in my constituency. Yesterday that was the subject of some disturbing allegations in *The Herald.* Will she raise with the

Scottish Executive the concern of my constituents, which predates yesterday's newspaper report? They fear for public safety and public order, and I ask my hon. Friend to take such action as is available to her so that my constituents can rest easy in their beds at night.

Mrs. McGuire: I read the article in yesterday's newspaper, and I understand my right hon. Friend's concerns. Planning and health and safety issues are involved. I assure her that I will raise the matters that she highlighted with the Health and Safety Executive in Scotland.

Student Finance

3. **Annabelle Ewing** (Perth): What recent discussions he has had with the First Minister concerning student funding in Scotland. [133808]

The Secretary of State for Scotland (Mr. Alistair Darling): I have frequent discussions with the First Minister on a range of issues, including that one.

Annabelle Ewing: The Secretary of State is presumably aware that there is cross-party consensus in Scotland against top-up fees. Does he intend to lead his Scottish troops into the Division Lobby at Westminster to vote to impose top-up fees south of the border, notwithstanding their damaging impact on the university sector in Scotland, or does he intend, unusually, to vote in favour of Scotland's interests and against top-up fees?

Mr. Darling: I am surprised, first, that the hon. Lady raised the question, because if she had her way, England would be a foreign country and she would have no influence whatsoever on the education system, and secondly, that she does not recognise the logic of what she is saying. Of course, Scotland's education system and the education system of the rest of the United Kingdom are inextricably linked. Both those facts make nonsense of her basic philosophy of independence.

In relation to student support and tuition fees, it has long been the case that the regimes have been different north and south of the border. The argument that we should have is about how we can best fund student support in the long term. The objective of my right hon. Friend the Secretary of State for Education and Skills to increase the number of students in higher education must be paid for. The suggestions currently being debated will mean that we can put higher education in the whole of the United Kingdom on a proper footing. Yes, the regimes may be different north and south of the border, but that is not necessarily a bad thing.

Mr. Iain Luke (Dundee, East): Is my right hon. Friend aware of the concerns of many university principals in Scotland about the financial disadvantage that their universities, higher education institutes and research programmes will face with the selective introduction of top-up fees south of the border? Will he undertake to convey those fears, which were expressed to him at a recent meeting in Dundee, to the Minister for Lifelong Learning, Further and Higher Education at the earliest opportunity?

Mr. Darling: Indeed, we had that discussion. I remember it well and my hon. Friend was present, which is why he recalls it so vividly. The First Minister has made it clear that, depending on the final shape and form of the proposals put forward by my right hon. Friend the Secretary of State for Education and Skills, the Scottish Executive will have to consider the implications. They are reviewing the matter at present. On higher education and university education in Scotland, I point out that funding per head in Scotland is significantly higher than it is in England. Moreover, the Scottish Executive have made additional funds available to Scottish universities, so the issue is not as simple as some people make out. Of course, we must ensure that, whatever the funding regime north and south of the border, we take account of the implications. Our overall objective must be, first, to make sure that more young people get into higher education—the Tories' policy would mean that fewer went to university—and secondly, we should put funding on a sustainable basis for the long term. None of the Opposition parties has any coherent plan for doing that.

Mrs. Jacqui Lait (Beckenham): As the right hon. Gentleman and the hon. Member for Dundee, East (Mr. Luke) have had a meeting to discuss this subject, will the right hon. Gentleman give us his assessment of the effect on Scottish universities and their students of the introduction of tuition fees in England?

Mr. Darling: As I have indicated, the system of support for universities and higher education in Scotland is a matter for the Scottish Executive. The First Minister has said that he will want to consider the implications of the proposals once they are finally published. The point that I was making is that, in considering these matters, we must look at every aspect of funding. At the moment, Scottish universities are better funded than their counterparts south of the border—something on which principals will no doubt want to reflect. Of course, legitimate points will need to be raised and discussed, and the First Minister has already said that that is precisely what he intends to do.

Mrs. Lait: May I take it that the right hon. Gentleman's assessment is that Scottish university funding will be cut because it is greater than in England? What discussions has he had or does he plan to have with his Scottish colleagues in this House who signed early-day motion 799 in opposition to the introduction of tuition fees?

Mr. Darling: The only proposal to cut funding for universities comes from the party for which the hon. Lady speaks. It proposes that fewer students will go to university. That is how it intends to pay for higher education in this country. Under the Conservatives,

there would be fewer students, so there would be less money for all universities. That may be her policy, but it is not ours.

Mr. Eric Joyce (Falkirk, West): Does my right hon. Friend agree that it is enormously important that we encourage more young working-class Scots to take part in higher education?

Mr. Darling: Yes. One reason why the Scottish Executive looked at the funding of university students was to ensure that more young people came forward—especially those without a family tradition of going to university and those from disadvantaged families. It is very important that everyone who can possibly benefit from higher education does so. That is why I find the Conservative policy of paying for student finance by cutting the number of students going to university so difficult to understand.

Ferry Services

4. **Mr. Alan Reid** (Argyll and Bute): What discussions he has had with *(a)* the Scottish Executive and *(b)* the European Commission regarding the implications for subsidised ferry services sailing from ports in Scotland of the recent European Court ruling in the Altmark case; and if he will make a statement. [133809]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): In line with normal practice on European Commission issues, there have been discussions between officials of the Scottish Executive and the Department for Transport. However, the subsidy for ferry services in Scotland is devolved and tendering is a decision for the Scottish Executive.

Mr. Reid: Negotiations with Europe are the responsibility of the Secretary of State. The European Court ruling made it perfectly clear that subsidised bus services no longer need to go out to tender, so it would be an anomaly if subsidised ferry services such as CalMac still had to do so. If the legal advice given to the Secretary of State is that the current rules mean that CalMac services would still have to go out to tender, will he go to Brussels and renegotiate the maritime regulations so that the tendering process can be abandoned? The process is expensive, time-wasting and diverts resources from the real job of improving ferry services in Scotland.

Mrs. McGuire: I reiterate that Scottish Ministers are responsible for all aspects of tendering of CalMac services. May I also alert the hon. Gentleman to the fact that his Liberal Democrat colleague Nicol Stephen, Minister for Transport in the Scottish Executive, is at odds with his interpretation of the judgment? Yesterday, in a parliamentary answer, he said:

"The consequences of the Altmark case for ferry services are far from clear."

However, he also stated:

"As a matter of urgency, we will seek clarification of the legal position and raise the issue with the European Commission".

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Is my hon. Friend aware of the sterling work done by her predecessor and his predecessor in trying to get the Campbeltown to Ballycastle ferry up and running again? Will she discuss with Nicol Stephen whether there is now a prospect of getting that ferry going at least for the summer season? If she is successful, will she invite all her predecessors to the first sailing?

Mrs. McGuire: My mother used to say that self-praise is no praise, but in the case of my right hon. Friend, such praise is truly justified, as he fought a doughty battle to ensure that the Campbeltown-Ballycastle ferry came on line. As he and the House are aware, there have been some difficulties in ensuring that a tender is allocated for the service. The matter has been totally devolved to the Scottish Parliament, but we keep a close interest in developments. I assure him that when the new line is open, I shall ensure that his name is at the top of the list for any invitation.

Manufacturing Investment

5. **Sir Nicholas Winterton** (Macclesfield): If he will make a statement on prospects for inward manufacturing investment in Scotland. [133810]

The Secretary of State for Scotland (Mr. Alistair Darling): Inward investment continues to make an important contribution to the Scottish economy. The Government, through the Department of Trade and Industry, provide support for the Scottish Executive's economic strategy and for the work of its inward investment agency, Scottish Development International.

Sir Nicholas Winterton: I am grateful to the Secretary of State for that reply. Like all hon. Members, he will be aware that the Scottish work force has very high skill levels and a fine reputation for its work ethic. Is he concerned about the most recent quarterly trends survey by CBI Scotland, which reports that manufacturing orders are falling and that declining output is putting pressure on prices and jobs? I would not want the Scottish work force to suffer as a result of regulation and a lack of flexibility in the work force.

Mr. Darling: The hon. Gentleman is right that Scotland has very high skill levels. Although many industries have gone through a transitional period in which they faced difficulties, many people are buoyant about the prospects for Scotland's economy, not only because of its high skill levels, but because of the support that is provided in terms of the economy by the Government at Westminster and the Scottish Executive. For example, I noticed yesterday that Edinburgh university has set up a new £40 million science facility that could in time lead to many new jobs in an extremely skilled area where people are optimistic about the future. Of course we will take into account the CBI report, but generally the prospects for the Scottish economy are good, just as are the prospects for the UK economy, provided that we stick to our policy of providing a strong and stable economic environment. If we do that, everyone has good reason to be optimistic.

ADVOCATE-GENERAL FOR SCOTLAND

The Advocate-General was asked—

Devolution

15. **Miss Anne McIntosh** (Vale of York): What devolution issues she has considered since 9 September. [133821]

16. **Annabelle Ewing** (Perth): What devolution issues have been raised with her since 9 September. [133822]

The Advocate-General for Scotland (Dr. Lynda Clark): Since 9 September, 66 devolution issues have been intimated to me. The majority related to criminal law matters such as delay in bringing cases to trial, confiscation action under the proceeds of crime legislation, and the scope of the offences of breach of the peace and shameless indecency. In the civil arena, there were devolution minutes concerning prison conditions at Barlinnie and a significant number on the regime for recovering fixed penalty traffic fines.

Miss McIntosh: Does the hon. and learned Lady agree that it would be in the public interest to make available to Lord Fraser the Wark Clements tapes on the true cost of the Scottish Parliament? What representations has she made or received in that regard and does she agree that it would be in the public interest to release that information, given that the Scottish Parliament paid for the making of those tapes?

The Advocate-General: I am sure that we are all very interested in the tapes. Fortunately, it is not my job to advise the BBC or the inquiry, but I shall certainly bring the hon. Lady's representations to the attention of the appropriate quarters.

Annabelle Ewing: None the less, can the Advocate-General say whether, given that broadcasting is reserved to Westminster, she is of the view that the BBC is acting in accordance with the Nolan principles of openness, honesty and leadership? Surely, she must agree that if it was it would make the evidence available forthwith.

The Advocate-General: It is a Scottish Executive inquiry and therefore not a matter for the UK Government. So far as the BBC's responsibilities are concerned, it has to be advised about contractual matters and any other matters that it thinks relevant. No doubt its legal advisers will take all such representations into account.

Mr. Ian Davidson (Glasgow, Pollok): Has anyone raised with the Advocate-General the devolution implications of the fact that a majority of parties active in Scotland are in favour of a referendum on the European constitution?

The Advocate-General: No.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Will the Advocate-General discuss with the Lord Advocate whether Lord Fraser might be given additional powers to require the BBC to give the Holyrood tapes to the inquiry, given that that is in the public interest?

The Advocate-General: I am sure that the Lord Advocate has sufficient lateral thinking ability to consider those matters himself.

Ferry Services

17. **Mr. Alan Reid** (Argyll and Bute): What assessment she has made of the implications for subsidised ferry services sailing to and from ports in Scotland of the recent European Court ruling in the Altmark case. [133823]

The Advocate-General: The operation of subsidised ferry services in Scotland is devolved. It is therefore for the Scottish Executive to consider what implications, if any, the Altmark case may have for ferry services in Scotland. In the event of a challenge in the Scottish courts, I would of course have to consider whether I wished to intervene if a devolution issue were raised.

Mr. Reid: Negotiations with Europe are the Government's responsibility, but if it were ruled that the subsidised ferry services did not need to go out to tender, the Scottish Executive could give the Campbeltown-Ballycastle route straight to CalMac without having to go through the long and involved tendering process. Could the Advocate-General please look at her law books and reach a conclusion? The present unfair situation helps no one.

The Advocate-General: The matter is complex, as I am sure the hon. Gentleman understands. It is not as simple as he suggests for me to look at my law books and to come up with a solution, much as I should like to do so. As I have explained, a process is available that is similar in some ways to the process used in the Altmark case. A challenge was made in the German courts in that instance, and a reference was made to the European Court for clarification. Although there are parallels, the issues involved are not identical; but if the matter cannot be resolved by agreement, there is always the process whereby a challenge can be made and an authoritative ruling from the European Court of Justice can be obtained following an application by the Scottish courts to Europe.

CONSTITUTIONAL AFFAIRS

The Parliamentary Under-Secretary of State was asked—

Immigration and Asylum

18. **Mr. Michael Jabez Foster** (Hastings and Rye): If he will make a statement on limiting lawyers' fees in immigration and asylum cases funded by the Legal Services Commission. [134513]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): I believe that my hon. Friend is referring to the proposals in our recent consultation paper on publicly funded immigration and asylum work. We have now collated and analysed all 260 responses received. The Select Committee on Constitutional Affairs has also undertaken an inquiry, and is due to report shortly. We will consider its report along with other responses before any decisions on future policy are made.

Mr. Foster: As my hon. Friend knows, it is proposed that advice and assistance in such cases should be limited to five hours. Is he aware that expert lawyers have suggested to the Committee that that is insufficient time for the proper preparation of a case? More specifically, what proposals are there for extending the time in more complex cases?

Mr. Lammy: We referred to possible exceptions on pages 8 and 9 of the consultation paper. We asked lawyers what they should be. The five-hour cap was based on a typical, average case. I have heard representations on more complex cases. I know that the Select Committee will be considering the issue, and we hope to present detailed proposals once it has reported.

Mr. William Cash (Stone): I hear what the Minister has to say, but the Law Society has expressed its determination to root out those who overcharge from the legal aid system. As the Minister may know, I have already called for reform of the system, and I welcome the accreditation system that the Government have come up with, but how can the Government believe that it will help legal aid, asylum seekers or the public interest if—as we have just heard—they try to cap the amount by imposing impossible targets for the amount of time that a case must take? I hear what the Minister says about pages 8 and 9 of the paper, but the plain fact is that trying to impose impossible targets is neither in the interest of legal aid or of the asylum seeker nor in the public interest.

Mr. Lammy: I welcome the hon. Gentleman's support for the accreditation system. He will know that in the consultation document we referred to the establishment of a unique file number, and there was support for that as well.

As I have said, the capping was based on a typical, average case. Many Members will be familiar with that. We are listening to suppliers, many of them quality suppliers at the top end of the market, who have told us about complex cases involving complex medical issues, mental health issues, unaccompanied minors and so forth. That is what we must consider in deciding whether there should be a cap or threshold, or some indication of flexibility.

Mr. Andrew Dismore (Hendon): Has my hon. Friend made any assessment of the likely impact of the additional work on hon. Members' advice surgeries when asylum seekers who may previously have qualified for legal advice suddenly find that they no longer do so and expect us to do the work that the lawyers once did? That applies especially to diverse constituencies such as mine and, perhaps, my hon. Friend's.

Mr. Lammy: I am glad that my hon. Friend referred to my constituency, which probably has the largest number of new arrivals in the country. Of course, we have listened carefully to parliamentarians on the matter. We spoke to the all-party group on refugees and I gave testimony to the Constitutional Affairs Committee. We are listening to Members of Parliament, lawyers and broader stakeholders. However, it is right to place some focus on the system because we know that there are lawyers who unscrupulously run through it asylum cases that should not gain support. Hon. Members have had much to say about that. Indeed, the Speaker wrote to the Lord Chancellor about the matter.

Mr. Speaker: Order. The Minister should not give away secrets about the Speaker.

Mr. David Heath (Somerton and Frome): New policies on the issue appear to tumble from the Government at an extraordinary rate. That has led to the current shambolic position. Given that there are undoubtedly some vexatious and ill-founded appeals, and also some shysters who give unprincipled and incompetent advice, why, instead of dealing with them, must the Minister make it impossible for good, conscientious practitioners to do an adequate job for their clients? Will not that cost more in the long run in ill-prepared cases?

Mr. Lammy: No, is the simple answer. The system is not a shambles. The Prime Minister said in September that he wanted the number of those arriving in this country to decrease from 9,000 to half that figure. The number is now under 4,000, which is a tremendous improvement. However, the budget has increased from £80 million to £174 million in three years and we must ensure value for money. Labour Members want to do that and I had hoped that our Liberal Democrat colleagues would support us in the enterprise.

Keith Vaz (Leicester, East): Does my hon. Friend agree that part of the problem lies with the decision-making process in the Home Office and that the real shambles occurs at the immigration and nationality directorate? If the decisions were made in a more appropriate way that was much more easily understandable, the amount of money spent on legal aid would be reduced. What discussions has he held with his colleagues in the Home Office to ensure that the flow of cases is streamlined and that decision making improves?

Mr. Lammy: My hon. Friend knows that we have a single asylum fund and a joint ministerial board on which I sit with the Minister for Citizenship and Immigration. I went to Croydon to talk to caseworkers and ascertain what they are doing. Standards have improved; caseworkers now sample cases, they are supported by senior caseworkers and Treasury solicitors review a random selection of cases. That constitutes improvement and they want to do more. However, the Department for Constitutional Affairs must consider our contribution on legal aid.

European Parliamentary Elections

19. **John Barrett** (Edinburgh, West): What plans the Department has to hold an all-postal ballot in Scotland for the 2004 European parliamentary elections. [134514]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The European and Local Elections (Pilots) Bill, which is currently in Committee, allows innovative voting methods to be piloted in one or more regions or nations of the United Kingdom in the 2004 European parliamentary elections. The Government have not yet decided where any pilot should be held. That decision will be made following advice from the independent Electoral Commission, which is currently considering the matter.

John Barrett: If the Government decided to proceed with an all-postal ballot in Scotland, it would be the largest of its kind ever undertaken. What measures would be taken to improve security, which has been a cause for real concern in the smaller pilot schemes?

Mr. Leslie: Postal voting has been a feature of our electoral system for quite some time, and I am not convinced by the argument that it is any more prone to fraud or malpractice than conventional voting systems. Nevertheless, the Bill contains provisions to extend the time limit for prosecutions for electoral offences and to allow arrests for personation to be made outside polling stations as well as inside them. I hope that the hon. Gentleman will accept that those measures represent positive steps forward.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): May I urge the Minister to hold this pilot in Scotland? There will be no local authority elections there next year, which would make it much simpler. Would he also care to hazard a guess as to why the Liberals, the nationalists and the Tories in Scotland do not want to make it easier for people to vote in the election?

Mr. Speaker: Order. The Minister does not have to guess that; he just has to answer the first question.

Mr. Leslie: Far be it from me to engage in party political banter; I would not want to go that far. Suffice it to say that I get a feeling that there is a keenness in certain regions and nations to have all-postal voting. Some of my hon. Friends have already made representations to me on this matter, and I am sure that Opposition Members will do so in due course.

Mr. Nick Hawkins (Surrey Heath): The House and the world outside will no doubt be fascinated to know that, despite the Government's theoretical majority, the Bill that the Minister mentioned suffered a catastrophic defeat in Committee this morning because the Government were attempting to guillotine it and ram it through with indecent haste. Does the Minister recognise that the Government's attempt to introduce the Bill before the Electoral Commission has even finished its consultation, and to start the Committee stage only a bare week after the Second Reading—in which many hon. Members on the Government Back Benches signally failed to support the Government's own policy—shows that the Government are gerrymandering the constitution? Does he acknowledge that this is not the way in which important matters to do with elections should be dealt with in the House?

Mr. Leslie: The hon. Gentleman was in Committee with me this morning, when there was a minor disagreement about timing and about when we should conduct some of the debates. [HON. MEMBERS: "You lost."] I can assure the hon. Gentleman that we will debate the Bill in Committee. It will proceed and we will ensure that innovative mechanisms, such as all-postal piloting and electronic voting, will take place. I am sure that the hon. Gentleman will make more substantive points on policy issues in the future.

Community Legal Service

20. **Dr. Doug Naysmith** (Bristol, North-West): When the Secretary of State intends to complete the review of the not-for-profit contract issued to organisations offering legal services as part of the community legal service in order to incorporate retail prices index increases in salary scales; and if he will make a statement. [134515]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): The Government are committed to the increasing contribution of the not-for-profit sector to legal aid work. The Legal Services Commission is currently reviewing the cost to the not-for-profit sector of providing publicly funded advice. A questionnaire will go out to suppliers in mid-November, and I hope to announce the outcome of the review early in the new year.

Dr. Naysmith: I thank my hon. Friend for that reply. It indicates that some progress has been made, which is a good thing. Does he agree that if we are to have a high-quality community legal service, it is essential that we should treat those who choose to operate in that area fairly? Will he guarantee that what happened this year will not happen again?

Mr. Lammy: I know that my hon. Friend has been active in the north Bristol area, where the not-for-profit sector provides advice. He will know that there is an historic difference between the way in which we contract for advice with solicitors and the way in which we do so with the not-for-profit sector. Notwithstanding that, we want to see a greater contribution from the not-for-profit sector. The amount of money that we are contributing to it has increased from £35 million in 2001 to £51 million this year. There have been problems—that is why we are conducting the review—but I hope that we shall be able to come back in the new year and make some positive progress in this area.

Mr. A. J. Beith (Berwick-upon-Tweed): Considering the overall cost of legal services, including the important not-for-profit sector, will the Minister keep his diary clear for Friday, by which time he will have in his hands the report on immigration and asylum cases to which he

referred earlier? In the meantime, can he provide any guidance on whether there will be any savings, which could help the particular sector that we are talking about, arising from the Home Secretary's statement last Friday that 15,000 cases will not now go through the appeals system?

Mr. Lammy: The right hon. Gentleman will know that many of those cases are old ones going back to the end of the 1990s. Many of the people involved have completed and gone through the appeals procedure. Nevertheless, we estimate that there will be a saving of about £13 million.

Mr. David Kidney (Stafford): Will my hon. Friend require those who work for the community legal service to identify areas where local people have no access to legally aided advice and assistance—the so-called advice deserts? When they are identified, what will my hon. Friend do to fill the gaps?

Mr. Lammy: We are conducting an entire review of legal aid, examining the supply, the purchase and the demand. We know, of course, that there are some rural areas where we have to keep a close eye on supply. However, I shall tell my hon. Friend about last year's figures. There were 2,909 providers on the criminal side and this year there are still 2,909 providers. On the civil side, there were just under 5,000 providers last year, and that number has dropped by 200 this year. So, talking about deserts is a bit strong. We want to guarantee that the great Attlee invention of legal aid will continue into the next century.

House of Lords

21. **Ann Winterton** (Congleton): If he will make a further statement on reform of the House of Lords. [134516]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Government published the consultation paper, "Next steps for the House of Lords" on 18 September, and the consultation period ends on 12 December. The Government intend to introduce legislation to reform the second Chamber as soon as parliamentary time allows.

Ann Winterton: Have not the Government been thoroughly irresponsible in beginning the reform of the House of Lords without having a clear idea of how it could be completed without detracting from the Lords' effectiveness as an amending Chamber? Will the Government now learn from their mistakes and opt for the status quo, leaving in place the 92 hereditary peers who exhibit integrity and independence and could never be accused of being the placemen for any Government?

Mr. Leslie: No, I do not think that it is right to allow the hereditary system to continue. I believe that it is wrong for people to sit in Parliament by virtue of their birth and it is time that we moved forward on that. Yet again, I detect a split or division of view among Conservative Members—one of so many that it is difficult to see for the cracks.

Mr. Stephen McCabe (Birmingham, Hall Green): May I seek an assurance from my hon. Friend that any future opportunity to determine the reform of the House of Lords will include a clear-cut opportunity for hon. Members to comment on how the regions and nations of the United Kingdom can properly have a voice in a second Chamber?

Mr. Leslie: While appointments will continue to be a feature of the second Chamber, we have said in our consultation paper that it is right to look to tasking any future statutory appointments commission to reflect the need for regional and national diversity. My hon. Friend makes an important point. We need to take steps towards reform, but the door is not closed for the future and we shall continue a dialogue with the Joint Committee on House of Lords Reform on those next steps.

Sir George Young (North-West Hampshire): When the Government introduce legislation, will they ensure that the long title is sufficiently broad to permit the House to consider amendments that would allow a more democratic solution?

Mr. Leslie: I would not wish to pre-empt the Queen's Speech on the nature or timing of any future legislation. Suffice it to say that I understand that there remain differences of opinion on both sides of the House about the composition of the reformed upper House. I believe, however, that the status quo—the option of doing nothing—should not be taken. We are pressing forward where we can, and I believe that removing the hereditary peers will be a positive step forward.

Crown Prerogative

22. **Kevin Brennan** (Cardiff, West): What steps the Secretary of State will take to improve parliamentary scrutiny of the use of the Crown prerogative. [134517]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): As my hon. Friend knows, the Select Committee on Public Administration is currently conducting an inquiry into the exercise of prerogative powers. The Government will respond to any recommendations it makes in the usual way.

Kevin Brennan: I thank my hon. Friend for that answer, but does he agree that what we actually have in this country is not an unwritten constitution, but a constitution written in invisible ink? That includes the power to make war—perhaps my hon. Friend can tell us whether the vote in this Parliament has changed that by precedent. Does he agree that it is time to hold a candle to that paper, so that the citizens of this country, and also this Parliament, can know the rules under which we are governed?

Mr. Leslie: I hope that my hon. Friend will give the Government a chance. We are already undertaking an

enormous programme of major constitutional reform: making a proper separation of powers between the Executive, the judiciary and the legislature; creating a supreme court; creating an independent judicial appointments commission; and reforming the House of Lords. I am sure that all matters are possible for review, but at this point in time I would like to see the Select Committee's report.

LEADER OF THE HOUSE AND HOUSE OF COMMONS COMMISSION

The Leader of the House was asked—

Sitting Hours

32. **Mr. Andrew Dismore** (Hendon): To ask the Leader of the House if he will bring forward proposals to revert to the previous sitting hours for the House on Tuesdays and Wednesdays. [134528]

34. **Bob Spink** (Castle Point): To ask the Leader of the House if he will take steps to reintroduce the sitting hours of the House for Tuesdays as they were before October 2002. [134530]

The Leader of the House of Commons (Mr. Peter Hain): No. In October last year, a majority of Members voted to alter the sitting hours so that the House now sits from 11.30 am on Tuesdays and Wednesdays. The Standing Orders were changed for the rest of this Parliament, which will allow us a sufficient period to make a considered judgment on the effect of the changes.

Mr. Dismore: The new hours really are not working as they were originally intended to. On a personal level, I find that I cannot do anything like as many constituency visits to schools and community groups as I used to do. In my Select Committee, we find that our evidence sessions are badly squeezed so that we cannot properly scrutinise experts or Ministers. Even the public cannot visit the Chamber as frequently as they could before. Hon. Members are very good at being in two places at once, but now we find on Tuesdays and Wednesdays that we have to be in three, four or five at once, and we simply cannot do it. Many of those who voted—

Mr. Speaker: Order. The hon. Gentleman has made the point.

Mr. Hain: My hon. Friend has made the point to me as well, in forceful terms. I understand the issues that he raises. There is a problem with constituency visits. Some Members have complained that the Chamber is locked in the evening, so they cannot bring visitors who may be dining with them into the Chamber. Such teething problems should be sorted out.

I am following the instructions of the House, which voted very clearly on what it wanted to do. The hours were decided for the rest of this Parliament. The priority now is to make these hours work effectively and we can deal with some of the problems that have arisen, but obviously we shall have to review them in due course.

Bob Spink: My concern is not constituency visits but the House properly holding the Government to account, and the Tuesday hours simply prevent us from doing that. They inhibit Back-Bench contributions in debate in particular. Given that the mood of the House has changed since that very tight vote on Tuesday hours, is it not time to revisit this question—or are the Government running scared of increased scrutiny?

Mr. Hain: We know who is running scared at this particular time, do we not? All the Conservative Members are chasing each other, running scared around the place. On the point that the hon. Gentleman raises—I respect his point of view on this and he is right to raise it—the fact is that there is now more scrutiny of the Executive and the Government than ever before. [HON. MEMBERS: "Rubbish."] Oh, indeed there is. We have the Prime Minister answering questions at the Liaison Committee, topical questions are now allowed in the Chamber, and we have cross-cutting questions in Westminster Hall. The truth is that the number of hours that we sit now is exactly the same as before, so there is the same opportunity to hold the Government to account and to question Ministers. The hon. Gentleman may wish to make a point about the hours—fair enough—but he cannot defend his position by saying there is less scrutiny; there is not.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is it not clear that the change in hours is bringing the House of Commons into disrepute? It is very important that we are aware of how the general public regard a House that has so little respect for itself. The House is now prepared to sit only in the middle of the week and to ignore the views of its own Members. If the Leader of the House is following the interests of elected Members, he should bring to the House a simple device to get another vote to make clear what we really think.

Mr. Hain: My hon. Friend is one of the most doughty defenders of the House's independence and of its vital role in our constitution. I acknowledge that very freely, but this is not a question of how the public relate to the Chamber. The House sits for exactly the same number of days as before. We do not sit only in the middle of the week. We sit on Monday and Thursday, and on some Fridays—*[Interruption.]* Yes, sometimes we do sit on a Friday. However, the real issue is whether the public understand why it is that when the rest of the population work normal hours, we do not. Another element is how the public regard an institution that was almost unique in the world in sitting the hours that it used to sit. Other legislative bodies across the world sit more normal hours.

Mr. Edward Leigh (Gainsborough): I congratulate the Leader of the House on what he has said today. There is clearly a difference of view on this matter. We should take stock as we would make ourselves look ridiculous if, having made a decision, we were to change our minds just a year later. We should let the House consider these matters at the beginning of the next

Parliament, and in that way come to a considered view. The arguments about timetabling, for instance, may well be valid, but we should let the reforms settle down and make up our minds at the beginning of the next Parliament.

Mr. Hain: I very much endorse the hon. Gentleman's sentiments, in the sense that the House made a decision for the rest of this Parliament. There are strong views on either side of the argument, and I am listening to them. Specific points have been made about constituency visits, about the Chamber being locked too early in the evening, and about the timing of Standing Committees and Select Committees. We should try to resolve all such matters and see how things work out. If hon. Members feel that the new hours have not worked and there is an overwhelming desire to reverse the change, we will have a chance to do so when we have had time to judge the experience.

House of Lords

33. **Mr. Chris Bryant** (Rhondda): To ask the Leader of the House if he will bring forward proposals to allow Ministers from the House of Lords to answer questions in the Commons. [134529]

The Deputy Leader of the House of Commons (Mr. Phil Woolas): That is an interesting question. Of course, there is provision already for Ministers who are Members of the House of Lords to be questioned in the Grand Committees and in the new Standing Committee on the Inter-Governmental Conference, and Lords Ministers frequently appear before Commons Select Committees.

Mr. Bryant: I thank my hon. Friend the Minister for that answer, but "Erskine May" makes it clear that there is no reason why any Member of either House of Parliament should not speak on the Floor of either House, provided that permission were granted by both Houses. In the interim period before we have a wholly elected Second Chamber, would not it make more sense for Ministers from the House of Lords—and this applies especially to the Secretary of State for Constitutional Affairs, who is about to bring forward very important legislation—to be able to be put to the test in this Chamber, in front of elected politicians?

Mr. Woolas: Again, my hon. Friend makes another interesting point. He is right to say that Standing Orders in both the Commons and the Lords would need to be changed for what he describes to come about. However, the House may be interested to learn that precedents do exist. Commons *Journal* No. 99 records that in 1572 and 1604 Ministers who were Members of the House of Lords did answer questions. The Earl of Hertford and his brother, Mr. Seymour, were both ordered to the Bar and to sit on stools with their heads covered. I do not think that my noble Friend the Secretary of State would look forward to that.

Mr. Paul Tyler (North Cornwall): I suggest to the Deputy Leader of the House that it is not necessary to go back five centuries in this matter. Is not it time to take up the suggestion, made by hon. Members of all parties, that all Ministers should be elected Members of this House? I suppose an alternative would be to wait until the other House is elected, but it will be difficult to pursue the problem and make matters more acceptable democratically until all Ministers are accountable to the electorate by some means or other.

Mr. Woolas: I understand the hon. Gentleman's point, but custom and practice is that the Government are held to account collectively and Ministers answer questions in both Houses to their respective Houses. Westminster Hall may offer an opportunity for an examination of the issue and the hon. Gentleman may want to put forward that suggestion.

September Recall

35. **Mr. Henry Bellingham** (North-West Norfolk): To ask the Leader of the House what recent representations he has received regarding the arrangements for the parliamentary term in November. [134531]

The Leader of the House of Commons (Mr. Peter Hain): I have received one letter from an hon. Member about Parliament's autumn calendar.

Mr. Bellingham: My question was meant to be about September, not November; the Table Office could not read my writing.

Will the Leader of the House be very kind and tell the House what was the cost of the recall of Parliament for the September term? What extra costs were involved when all the on-site contractors had to stop operations?

Mr. Hain: I will happily supply the hon. Gentleman with the costs and will put a copy of my reply in the Library.

It was important that we sat in September and it worked well. Nobody demanded the by now ritual recall of Parliament in August or late July, which occurred year after year after year, because we had an opportunity to come back in September. What happened during that time? We had two opportunities to question the Prime Minister; there were oral questions to Ministers from 10 Departments; there were five oral statements covering important subjects, including Iraq; there were three Second Readings and considerations of Lords amendments and there were three Opposition day debates. After the Hutton inquiry and the developments in Iraq—all big issues—we had the opportunity to hold the Government to account. That was done effectively in September and I think that the public were pleased that we came back.

Railway Maintenance

12.31 pm

The Secretary of State for Scotland (Mr. Alistair Darling): With permission, Mr. Speaker, I should like to make a short statement about the changes to the way in which railway maintenance is carried out, following Network Rail's announcement last Friday. This is the first available opportunity to keep the House informed of those developments.

The Government are investing very considerable amounts of money to renew Britain's railway, making up for decades of under-investment. Indeed, we are doubling investment over four years. However, as I have said before, for every £1 spent we must ensure that there is £1-worth of benefit to the railway and to its passengers. Controlling cost and improving performance, as well as ensuring a safer railway, are therefore essential.

Following the collapse of Railtrack, Network Rail was set up last October to maintain, renew and operate the rail infrastructure in the best interests of the travelling public. It was set up to bring robust management to the problems inherited from Railtrack.

Network Rail has reviewed its business and identified two key issues that need to be addressed: cost and performance. To help to achieve both, Network Rail is convinced that it needs to establish clear lines of responsibility and accountability for maintenance work, including repairs and upkeep of the track, signals and other infrastructure. It was also concerned to establish consistent high standards of rail maintenance across the rail network, alongside continued improvement in trackside safety standards.

The company has carried out a thorough review of the rail maintenance arrangements set up when Railtrack was privatised. It concluded that the maintenance contract structure created unnecessary cost. Contractors carrying out routine maintenance operate on what is known as a cost-plus basis, which gives them little incentive to cut costs or to respond to problems quickly.

The system has also resulted in enormous variation between different contract areas. Network Rail found that there was a substantial difference between unit costs for maintenance work carried out by different companies in the same part of the country. Different ways of doing things between contractors made it hard to standardise processes and achieve much-needed efficiencies. Current contracts also provide little incentive to respond to incidents quickly and get the network back up and running.

Throughout, Network Rail found considerable management duplication, and complex reporting lines and inspection procedures. In the light of its analysis, Network Rail decided last week to take direct control of all core maintenance.

By next summer, Network Rail expects to have complete control of all maintenance. It will be able to assess its assets and determine what work is carried out and when it is carried out—and it can focus on achieving high standards and cost control, as well as having clear lines of accountability. Maintenance will be carried out by a permanent work force, with more than 18,000 staff transferring to Network Rail over the next year.

Network Rail has said that it expects to cut costs substantially through more efficient working, contributing to a saving of up to £300 million a year within three years.

Network Rail will continue to use contractors to carry out renewals, upgrading lines or, for example, installing a new signalling system—areas where there is a competitive supply market. That work is typically carried out on a project basis, making use of a specialist work force. As with major roads projects such as motorway construction, it is suited to competitive tendering.

The issue is not about private companies working on the railway; rather, the issue was the nature of the contracts set up by the then Government at the time of privatisation. Network Rail is determined to control costs, to improve performance and to ensure that the very large sums invested in the railways are used to the best possible effect—something that Railtrack conspicuously failed to do.

Those changes by Network Rail to take rail maintenance in-house, coupled with the new franchise arrangements for train operating companies that the Strategic Rail Authority is putting in place, establish a strong basis for the rail industry to control costs and improve performance. The challenge now is for Network Rail, the SRA and the whole rail industry to work together, with the structures that are now in place, to deliver the improvements that passengers rightly demand.

The House will also want me to say a brief word about the problems in relation to renewal work on the west coast main line last week, carried out by Jarvis plc. Network Rail informs me that Jarvis had been carrying out work on new track in the Cheadle Hulme area when it became concerned that the work had not been carried out fully. That is a very serious matter. Network Rail is getting the work redone, and it has launched an investigation into what happened. It has said that, when it has the full facts, it will decide what further action needs to be taken.

We paid a heavy price in every sense for a botched privatisation. We are putting that right. The Government, through the SRA, are providing strategic direction. Network Rail is getting a grip on the problems that it inherited. The Government are spending substantial sums to tackle the legacy of under-investment in the railway. The steps announced by Network Rail last week are designed to bear down on cost and to ensure that money is properly and effectively spent, as well as to improve performance.

I commend this statement to the House.

Mr. Tim Collins (Westmorland and Lonsdale): I commend the Secretary of State on his statement and thank him for his characteristic courtesy in letting me have a copy in advance.

The Opposition are also hugely concerned for the long-suffering UK taxpayer, who has been paying so much for so little across the board since 1997. So if the announcements really amount to a much better bargain for the taxpayer, no one will be more pleased than us, but simply asserting that those changes will save money is not good enough. Will the Secretary of State confirm that the Government's record is that every single act of

[Mr. Tim Collins]

interference, reorganisation or new structure that they have created has generated more cost, more bureaucracy and much lower value?

The Secretary of State says today that those changes will save £300 million a year, but we have heard all this before. When his predecessor announced the creation of Network Rail in the first place, he said that his creation would produce

"a railway system that is united and not fragmented".

Above all, he said that Network Rail was

"designed to be more efficient than Railtrack, with lower ... costs."—[*Official Report*, 24 March 2002; Vol. 382, c. 582.]

The result, however, has been very different. In the words of *The Times*, Network Rail cost the taxpayer twice as much as Railtrack and yet has delivered an 80 per cent. poorer performance. Will the Secretary of State concede that he cannot blame the contractors for that? They are the same people, doing the same work for Network Rail as they did for Railtrack. It is his Government's creation that has utterly lost control of its costs and is now lashing out to find someone else to blame. The only prediction made by the previous Secretary of State that has come true is the prediction that Network Rail would be a not-for-profit company. Will the Secretary of State confirm that, with losses running into the billions, there is no chance of Network Rail defying its instructions to avoid a profit?

A few months ago, as the Secretary of State will recall, the Opposition did not criticise Network Rail when it chose to take a few of the rail maintenance contracts in-house. It said then that it wanted to be able to compare private and in-house capabilities. We agreed that that was sensible. So why, just months later, are there to be no private sector comparators at all? Why has it broken its word, given categorically in private and public, that it absolutely would not take all contracts in-house? Why, for the second time in two years, has a Secretary of State come to this House to announce an act of expropriation, planned at dead of night, acted on without consultation and forced through without regard for previous arrangements and understandings? Why, once again, are shareholders seeing their assets confiscated, their business destroyed and their investments sharply reduced in value, all without much, if any, compensation? Last time round, the Secretary of State at the time was forced by City pressure to provide compensation in the end to Railtrack shareholders at a cost of hundreds of millions of pounds to the taxpayer. Will the taxpayer end up paying extra compensation to the shareholders of the rail maintenance companies this time? Given that his predecessor was proven categorically wrong when he repeatedly ruled out compensation, why should anyone believe any assurances that the present Secretary of State makes on that point today?

Is not the truth that in 1997 our rail system was very far from perfect, but it was self-financing? It had the largest amount of new rolling stock on order for a generation; it was expanding rapidly; and it ran many more trains on time then than now. Under this Government, the rail industry is set to consume over £5 billion a year of taxpayer's money; has the smallest number of forward rolling stock orders in more than 20 years; has had to scrap the majority of its expansion plans; and does not plan to get back to 1997 levels of punctuality until 2010 at the earliest? Is not today's announcement absolute proof that this Government do not have a clue how to deliver value for money, and are simply taxing and spending and failing? On the railways, as in so many other areas, Labour isn't working—again.

Mr. Darling: I find it curious that the hon. Gentleman started by welcoming the statement, but as he went on and on, he told us more and more why it might be better to go back to the old days of Railtrack and the botched privatisation that his party left us.

In relation to railway costs, over the last few years, especially since the time of Hatfield, it has become glaringly apparent that successive Governments have not invested enough in the railway infrastructure in this country. If I may illustrate that to the House, in the late 1980s and early 1990s, before the previous Government started the privatisation, British Rail used to reckon on having to upgrade or replace about 500 miles of track a year. In the run-up to privatisation, because investment dried up, that renewal figure dropped to about 300 miles a year. After privatisation, it dropped to 200 miles a year. It is therefore not surprising that trains and track operators are now encountering the difficulties of lines that were not maintained properly.

Unfortunately, this country must meet those bills, and must ensure that the railway network operates efficiently. What is equally clear, however, is that we need to do that at a cost that can be justified. I have made it clear on many occasions that the railway industry must cut its costs—that is the central point of the Network Rail decision. The contracts that were set up—not even by Network Rail, as they were imposed by the last Tory Government—provided that maintenance work was to be farmed out to companies on the basis that they decided what to do, when to do it, and that it was done on a cost-plus basis. Those companies could therefore decide what they did and send the bill to Railtrack, as it then was, and it would then have to be met. That is not an efficient way to run the railways. Therefore, in relation to the hon. Gentleman's complaint about getting costs under control, the whole structure that was set up in relation to Railtrack and rail maintenance following privatisation did not work. That is why Network Rail was right to change it.

The hon. Gentleman went on to say that the proposal was an idea that had been planned overnight. Network Rail took over in October last year. For the last few months, it has publicly been looking at the nature of these maintenance contracts. The hon. Gentleman rightly refers to the fact that three contracts were taken back in-house because Network Rail wanted to find out what was going on. It found out that the unit costs of doing work could vary dramatically—by up to 60 per cent., I am told—in similar parts of the country, and that work was not being done in the way that it would expect. In other words, the company—Railtrack—was not being well run. Of course it makes sense to change that.

It is interesting that when the hon. Gentleman was listing all the people for whom he felt sorry, not once did the word "passenger" cross his lips. That speaks volumes about the Tories' attitude to the railway.

[HON. MEMBERS: "He did."] We all listened to what he said. He seemed more concerned about the fate of Railtrack than about passengers who use the railway.

In relation to the hon. Gentleman's criticisms of the railways, we are replacing more track than has been replaced for many years. For example, the west coast main line is being completely—*[Interruption.]* It is being redone because it has not been properly maintained since the 1960s. Yes, the Labour party was in power for part of that time, but the Tory Government did nothing about it for 18 years.

The hon. Gentleman had the gall to say that forward railway orders were the lowest they have been for some time. We are replacing nearly 40 per cent. of all rolling stock within a five-year period, which never happened under the Tory Government.

Mr. Collins: Tory orders.

Mr. Darling: Tory orders indeed! The work that is being done on the railways is only possible because this Government have agreed to spend public and private money amounting to £180 billion over ten years. Money is going into the railways and we are confident for the future of the railways. The announcement is designed to ensure that money is spent to give the best possible benefit to passengers and taxpayers generally. The measure will put in place proper management for the railways to replace the mess with which the last Tory Government left us.

Mr. Dennis Skinner (Bolsover): I must say to my right hon. Friend that his statement is very good news. It is the kind of news, which happens every once in a while, that you do not have to spin. It is so self-evident that it is a good idea—so much so that the RMT chief, Bob Crow, is on board, Transport 2000 is acclaiming it and every passenger who was interviewed said that it was great news. My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) will probably say the same thing. If my right hon. Friend needs any help to accelerate the process, may I tell him that since he stood up, I have gathered 25 signed letters to ask him to keep the momentum going? Well done.

Mr. Darling: I am grateful for my hon. Friend's support, although I shall resist the temptation to say much more in case we fall out. I very much appreciate what he says. I can only assume that the Conservative Benches are so thinly attended because Conservative Members are away writing their own letters.

John Thurso (Caithness, Sutherland and Easter Ross): I thank the Secretary of State for his courtesy in sending me a copy of the statement. It has been patently obvious that the arrangements that were put in place for the maintenance of the railways since privatisation were wholly botched and completely inadequate. Contractorisation has been a failure. I therefore welcome the statement, and Network Rail and the Government's recognition of a need for change. Does the Secretary of State agree that there is no doubt that the recent spate of incidents on both the railway and the tube have not only proved that point but, critically, severely damaged the public's confidence in the rail network?

Although I welcome the statement and its implications, I have several serious concerns. Given the nature and speed of the decision, can the Secretary of State assure us that the threat of legal action by contractors will not lead to bloated pay-offs to contractors for shoddy work? Does he agree that it is imperative that a culture of safety first be restored to the railways? Given that Network Rail's deputy chief executive conceded that culture change was a serious problem, what can the Secretary of State do to ensure that the change takes place? How will the Government help to restore the public's confidence because we still have the safest railways in Europe and it is vital for that confidence to be restored? The Secretary of State stated that a saving of £300 million will flow from the changes, so will he assure the House that that saving will be spent on tackling the maintenance backlog to which he rightly referred, and not lost on other cost rises? Finally, to paraphrase 1 Corinthians 13, the travelling public deserve a safe, reliable and affordable transport system, but the greatest of these must be safety.

Mr. Darling: No one would doubt that safety is paramount. Safety, and the culture of safety, ought to be in with the bricks. It is not an added extra and should be taken as a given, as it is in the airline industry. I agree with the hon. Gentleman on that.

In relation to the hon. Gentleman's more general points, our overground and underground railways suffer from the same problem of decades of under-investment. Many, although not all, of the problems that we encounter are rooted in the lack of money for the railways, which meant that they were not properly maintained and renewed. I am not making a party political point. Successive Governments have been at fault. No doubt Gladstone was a bit remiss as well. However, the public have every right to have confidence in the railway system. It is a safe form of transport—safer than cars and some other modes of travel. We are renewing and improving it. There are no quick fixes, but it will get better year on year provided that we keep up the investment and, crucially, provided that the industry gets a grip of costs. Costs got out of control under Railtrack. They need to be got back under control so that for every £1 we spend we get a £1-worth of benefit.

On confidence, it is worth reflecting on the fact that Britain's railways carry more people today than at any time since 1947, despite a tenfold increase in car ownership. So the railways can be popular. People expect the Government to ensure that the system is in place to deliver better railways.

On two minor points, first, it is for Network Rail to sort out legal action with its contractors. Secondly, on savings, the hon. Gentleman will have seen that Network Rail has produced a range of proposals, all designed to reduce significantly the costs of maintaining the railway. People do not begrudge the money going to the railway system, but they want to ensure that it is properly spent.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The Secretary of State will realise that passengers and the general public will be highly delighted by this announcement. It is long overdue. People have found it difficult to understand why the enormous sums of money that the Government committed were wasted by

[Mrs. Gwyneth Dunwoody]

being poured into contracts that were demonstrably not doing the job. Will my right hon. Friend confirm that the new organisation, Network Rail, will not only maintain high standards, but be used as a benchmark for other parts of the railway industry where it is clear that contractors have been taking on the taxpayer in the most outrageous way and need to be curbed?

Mr. Darling: My hon. Friend is right. I said in my statement that this is not about whether contractors should be used, because many of them are involved in the railways and other parts of the transport industry. What is crucial, however, is to get the nature of the agreement right so that we are very clear about what is supposed to be delivered and what we are supposed to be paying for it. We need to ensure that for every £1 we spend on the railways we get £1-worth of benefit. That is what the announcement is all about. Having decided to take the maintenance in-house, it is up to Network Rail to ensure that it runs a tight, efficient and disciplined organisation that shows that we are getting a better deal out of the railways. If it can do that, it will continue to enjoy our support.

Mr. John Wilkinson (Ruislip-Northwood): Why did the Secretary of State deal with only part of the problem of railway maintenance? Is he not aware that the travelling public are gravely concerned by the deterioration of railway maintenance standards on the London underground system? He mentioned the failure of Jarvis to carry out track-laying work in the Cheadle area. Why is it that Network Rail has to take over that obligation from Jarvis on the west coast main line, yet Jarvis remains, as far as the Government are concerned, happily part of the infrastructure companies that are responsible for maintaining the London underground system? Is it not the case that the railway system run by London Underground is full of contractual complexities and unclear reporting procedures as a result of the public-private partnership, which is clearly not working?

Mr. Darling: I see that since I last replied to a Conservative Member, even more of them have gone off to write their letters. There is only a handful left.

Perhaps I misunderstand the hon. Gentleman, but I am surprised to hear him speak out so strongly against the use of contractors and the private sector. I should have thought, sitting as he does on the Conservative Benches, that he would not be so dismissive. The position with London Underground is different because the nature of the contracts is different. Its contracts with the infrastructure companies specify what has to be delivered. Contractors are paid according to outcomes rather than on a cost-plus basis, which is the basis of the overland contracts let by Railtrack. The only similarity is the lack of investment in both the overground and underground systems. Some £16 billion-worth of investment is going in over the next 15 years. It is just a great pity that that work was not started years ago, perhaps even when the hon. Gentleman's party was in government.

Lawrie Quinn (Scarborough and Whitby): My right hon. Friend will recall that I spent 19 years working in the railway industry before arriving in the House. I commend him on his analysis and correct interpretation of the industry's history. That stands in stark contrast to the strange view of Opposition Front-Bench spokesmen, who should probably get out a bit more to see the legacy left by earlier policies. Under privatisation, the railway was designed for failure rather than the success towards which my right hon. Friend is working. Will he commend early-day motion 1808, which I tabled, because it supports the substance of his statement?

Mr. Darling: I shall break my daily habit and read the early-day motion to see what it has to say. My hon. Friend has a great deal of experience in the railway industry and he devotes a considerable amount of time to promoting the railways in his work in the House. He is right, of course: the key to a successful railway is money and management. Both must be right. In relation to money, the Opposition's problem is that their tax-and-spend policies do not add up, as they well know. That is why they cannot give commitments on investment in the railways.

Mrs. Patsy Calton (Cheadle): I agree with the Secretary of State's analysis and direction of travel. I am concerned, however, that my constituents' experience of Network Rail has been less than encouraging. I refer in particular to its management of the erection of masts and track-side clearance programmes in my constituency, which contains Cheadle Hulme. Is Network Rail up to the job? Will the Government take a clear lead in ensuring that future work by Network Rail is up to the standard that the public expect? So far, the public's experience in my constituency is that Network Rail is not managed well. It needs to be managed considerably better.

Mr. Darling: As there has been a lot of talk about letter writing, may I suggest that the hon. Lady raises specific concerns about track-side clearance and radio masts with the management of Network Rail—if not locally, then nationally. I am sure that the chief executive will be happy to co-operate. On her central question, most people have been greatly encouraged by the way in which the new management team at Network Rail is getting to grips with the problems it inherited.

Angela Eagle (Wallasey): Does my right hon. Friend agree that it is a pleasure to hear that a service can be provided at a lower price, and more efficiently and effectively, in the public sector? Does he also agree that the move away from contractorisation is good in the circumstances? Will he say something to the long-suffering passengers on the west coast main line who take four and sometimes five hours at weekends to do a journey that 30 years ago took two and a half?

Mr. Darling: Network Rail is a private company. I am not sure whether my hon. Friend is still a member of the Public Accounts Committee, but, if she is, she will know that it conducted an examination of Network Rail.

I fully understand the frustration of people who travel on the west coast main line at the moment. Unfortunately, the very act of maintaining it, improving

it and renewing large sections of it can be disruptive. I travelled on that line only a couple of weeks ago, and I understand that frustration full well. However, when the first phase of the work is completed at the end of next year, it will cut the running time between Manchester and London to just over two hours and allow four trains an hour to run to Birmingham. When the work is fully completed at the end of 2007, it will take almost an hour off the running time from Glasgow to London. It will make for a far better, more efficient railway. Unfortunately, just as with roads, when one starts maintaining or improving, there is inevitably disruption while the work is carried out.

The other thing is that, as my hon. Friend will know, on large parts of the west coast main line there is new, improved rolling stock, and when the work is completed people will say that it ought to have been done years ago and they are glad that it has been done.

Bob Spink (Castle Point): The right hon. Gentleman may know that reliability on the London-Tilbury-Southend line has been increasing recently, and although that is welcome there are still major problems due to maintenance difficulties on overhead cables, signals and track. Can he guarantee that the reliability on that line will continue to improve, and, if it does not, will he return the maintenance contract to the private sector? Can some of the £300 million savings be spent on providing a new terminus for Canvey Island?

Mr. Darling: I can assure the hon. Gentleman that the amount being spent on the railway network is increasing. Some years ago, the London-Tilbury line was having real problems and was a source of constant frustration. It was mentioned on just about every radio programme that I can remember. It is an example of what happens when two things, money and management, are put in. That is what makes a difference to the railways.

As far as the future is concerned, the whole point of Network Rail's announcement is to try to improve maintenance and management so that we can drive up reliability. Make no mistake about this: reliability is improving but it still has a long way to go before people will say that it is satisfactory. Nobody in the industry should be in any doubt that increasing reliability and controlling costs are the two major priorities.

Mr. George Stevenson (Stoke-on-Trent, South): Has my right hon. Friend noted that Network Rail's decision has been widely welcomed by everyone except, it seems, the Tories? Given the decision, is there not now a compelling logic that renewals should be treated in the same fashion, for two reasons? First, maintenance and renewals are vital sides of the same coin, and the effectiveness of one activity has a profound effect on the other. Secondly, those companies involved in renewals are the same private companies that have let us down so badly on maintenance.

Mr. Darling: No, I do not agree with my hon. Friend, for the reasons that I made clear in my statement. The problem here was not private contractors working on the railway. I am not against that; I do not know my hon. Friend's view on that but I know that some people find it difficult to accept. The problem was the maintenance contract. It was cost-plus, which is almost an invitation for a company to say, "Well, I'll go off and do what I want, and I'll send you the bill." It is the sort of arrangement that contractors in other industries can only dream of. Contracts for renewal work are similar to those for building a new motorway. The job is specified, tendered for and contracted for, and the contract sets out what is to be done and what the price is. There is a distinction there.

I made it clear last Friday, when I was asked about these matters, that the partnership on the railways between the public and private sectors is generally a good thing, not least because it brings in substantial investment. If that investment was not available, the Government would have to make up the difference. In addition, I think that having contractors for renewals can work perfectly well, provided that we get the contracts right.

Mr. Simon Thomas (Ceredigion): Network Rail's announcement has been widely welcomed in Wales and Scotland, as I am sure the Secretary of State knows. However, there will be some disappointment about what he has just said about upgrading and renewal work, because several projects in Wales, including the Cambrian mid-Wales line, have been on hold for some two years, not because the private contractors or the required sums are not available but because Network Rail does not have the engineering capacity to deal with those developments. What assurances can the Secretary of State give the House and rail passengers that Network Rail's capacity to deal not only with maintenance but with renewals will be sufficient in the forthcoming years?

Mr. Darling: I am aware that the announcement was welcomed in Scotland and Wales. It is curious that nationalists always have a problem with mentioning England, but the announcement was welcomed there as well. The hon. Gentleman and those who sit alongside him find that when they mention England, something happens to them. It is rather like what happens when Europe is mentioned by Tory Members: they come over all queer.

The hon. Gentleman's central point was a good one. It is necessary for the industry to grow its capacity to do the amount of work that is now being commissioned, and that is true of other industries. After many years of chronic under-investment, we are now putting in money to get improvements on the railway network, and of course that has led to pressures in capacity. I know that Network Rail is reflecting on how it might deal with that.

Mr. Kelvin Hopkins (Luton, North): I have said to my right hon. Friend in the past that cost increases for renewals since privatisation have been slightly higher than those for maintenance, so I wonder whether he will be revisiting the matter in a few months to tell us about renewals. I also ask him to consider whether this might be a staging post on the way to recreating a publicly owned state railway, comparable to those on the continent, which work so well and put us to shame.

Mr. Darling: No, I do not agree with my hon. Friend on that point. As I said on Friday, the idea that if we went back to British Rail we would sort out all the problems that we face is not right. Many people in the House, including, and I am not being rude, my hon. Friend, will remember the days of British Rail and the fact that it was deficient in a number of respects.

Mr. Hopkins: That was under-investment.

Mr. Darling: It was not just under-investment; it was its management and, sometimes, its conspicuous lack of innovation for which British Rail could also be criticised.

I do not expect Network Rail to revisit long-term contracts, for the reasons that I stated earlier. Costs have gone up, and I suspect that the point comes back to what the hon. Member for Ceredigion (Mr. Thomas) said a moment ago: as capacity in the industry becomes tighter, it is not surprising that the price for which it is willing to do the work will increase. However, we have made it clear to the contractors—I made this point in relation to light rail at the last Transport questions—that the Government's view is not that we will pay whatever it takes, at any price; what matters is that we get the best possible price. In the case of this announcement, we need to be concerned with the nature of the contracts, and Network Rail made it clear that maintenance contracts were inefficient and needed to be changed, and that is why they are to be changed.

Mr. Henry Bellingham (North-West Norfolk): Will the Secretary of State focus on the tragic Potters Bar rail crash of May 2002? The train, as he knows, was en route to my constituency; a number of people were killed and many others were injured. Does he agree that the Health and Safety Executive report was inconclusive, so much so that the contractor is still saying that there may have been an element of sabotage? Surely the only way to move forward and clear everything up is to hold a full public inquiry. Why has the right hon. Gentleman turned down that suggestion up to now?

Mr. Darling: The HSE said that it can find no evidence of sabotage in the Potters Bar accident, and so far as I am aware nobody has found any evidence of sabotage. The last HSE report was pretty clear about the cause of the accident, and in the absence of any evidence the question of sabotage does not really arise.

Mr. Michael Clapham (Barnsley, West and Penistone): My right hon. Friend's statement will be welcomed throughout the country. Does he agree that the way in which the contracts were imposed on the industry fragmented the old safety culture, which is an important ingredient for efficiency in any industry? Does he further agree that the example of the railways would indicate that the country can no longer afford the outsourcing of public maintenance?

Mr. Darling: My hon. Friend will have heard what I said about maintenance and the fact that Network Rail is going to deal with it, but I will say a couple of things about safety. Understandably, concern has been expressed about safety following recent accidents. In each case, it is important to look at the cause of accident and then decide what needs to be done, but a general point should be made arising from the points made by the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso). The railways are generally a safe form of transport, and we should remember that they are a lot safer now than they were 30 years ago. If we look, for example, at the number of people killed on the railways, particularly trackside workers, who are sometimes overlooked by commentators, we see that safety has been getting better year on year. There are still things that need to be addressed—they are being addressed by the industry—but it is important that we send a clear message to the public. Notwithstanding the fact that there have been some serious accidents—we must look at their cause and learn the lessons—the industry is generally getting safer.

Lembit Öpik (Montgomeryshire): It has been exceedingly hard to secure investment in rural rail networks in mid-Wales. A farmer called Mal Phillips has been waiting seven years for bridge improvements, and the local rail user group has been waiting many years for track improvements to achieve a more frequent service. I have heard rumours that the Government might be willing to compromise rural services further to get major investment in other parts of the network, so will the right hon. Gentleman confirm that there will be measurable improvement in investment in rural services, such as the one in mid-Wales, and that we will not have to suffer further decline as the Government seek to improve other services?

Mr. Darling: The hon. Gentleman does not have to bother himself with rumours. The proposal is for a more sensible approach to maintenance, such as the one for roads. Motorways, for example, are built and maintained to a different standard from B roads. The Strategic Rail Authority, Network Rail and the regulator have been considering whether it is necessary to specify the same standard for rural lines as the one used for lines carrying 125 mph trains and freight every five minutes or so. It is far more sensible to look realistically at rural lines, which are often more likely to be used but do not carry such heavy trains. That brings me back to the central point of Network Rail's announcement last week: we need to manage our railways properly. Unfortunately, after privatisation that did not happen. The Conservatives were sometimes not sure what on earth they were trying to do, so it is not surprising that the solution on which they eventually alighted left us in the mess that we are in.

Mrs. Louise Ellman (Liverpool, Riverside): I welcome the Secretary of State's willingness to intervene in the public interest when the private sector fails to deliver an important public service, but is he satisfied that Jarvis remains the preferred bidder for renewals on the London north-eastern division, given its record of work on our railways?

Mr. Darling: I hate to fall out with my hon. Friend over her first point—as this statement goes on, I note that the glowing praise is fading somewhat—but the

decision announced by Network Rail last week was its decision alone: it was not one urged on it by Government. Of course, it kept us informed, but it was its decision—there was no intervention on my part. As for Jarvis, Network Rail will have to decide whom it will contract with, and it will no doubt want to take a range of matters into account. However, Ministers will intervene in that at all.

Simon Hughes (Southwark, North and Bermondsey): Like others, I believe that Network Rail's bringing together of maintenance will be as welcome for users of overground services in London as for people who travel in and out of the capital. However, to pursue the question asked by the hon. Member for Ruislip-Northwood (Mr. Wilkinson), may we have further reassurance that inspection of maintenance will be well and truly independent from those who do the maintenance? The best technology in the world can provide ultrasound checking of track, so may we have an assurance that it will be available, perhaps through the Government facilitating a joint purchase by London Underground and Network Rail? May we also have a minimum passenger guarantee about the frequency of safety inspections on the overground and the underground?

Mr. Darling: I shall give a brief answer. I presume that the hon. Gentleman is aware that London Underground is the Mayor's responsibility—he must have contemplated that when he decided to stand for the office of Mayor. London Underground also holds the safety case, and its management and, ultimately, the Mayor will decide what is appropriate.

John Cryer (Hornchurch): The statement is the best news that the railways have had in many years, but will my right hon. Friend look again at bringing the train operating companies back into the public sector? The split between operators and infrastructure that the Tories gave the country is without precedent and is the root of a lot of problems on Britain's railways. Earlier, my right hon. Friend mentioned Gladstone. Is he aware that Gladstone was, in fact, in favour of a publicly owned railway system? In 1844, he tried to nationalise the railways, but could not get away with it because of the reactionaries of the time, whose heirs are now sitting on the Opposition Benches.

Mr. Darling: Gladstone's tax-and-spend policy was at least coherent, which is more than can be said for today's Liberal party.

I do not agree with my hon. Friend. The train operating companies will continue to operate as they do at present. However, my hon. Friend does have a point—this was in Network Rail's announcement last week, but it was not picked up very much—about the railway being managed as a railway. It must be recognised that track and train are intimately related. That does not mean that private companies and train operating companies cannot work alongside Network Rail, but a better system of management is being put in place. At the moment, when something goes wrong, there is sometimes an argument between the train operating companies and the network operator about what ought to be done. That will change and there will be a single point of accountability so that if something goes wrong someone can decide how best to put it right.

The railways are receiving a high sustainable level of investment—£73 million a week from the Government, which is attracting a similar sum from the private sector. That is one reason why it would be a big mistake to remove private sector involvement.

Kevin Brennan (Cardiff, West): Does my right hon. Friend concur that the announcement should not have come as a surprise to anyone, least of all Opposition Front Benchers? Presumably, they attended Transport questions last week, when I asked my right hon. Friend:

> "Is it not now time for Network Rail to take all maintenance in-house?"—[*Official Report*, 21 October 2003; Vol. 411, c. 503.]

I have great confidence in my right hon. Friend, but I did not expect such a rapid response. He has denied responsibility for the decision but, if he did have any influence over it, will he accept the congratulations of the House on restoring common sense to rail maintenance and getting rid of market imperfection at its most barmy and dangerous?

Mr. Darling: I was acutely aware when my hon. Friend asked his question that I had to give an answer consistent with my duty to be straightforward with Parliament. The fact that nobody drew anything from my answer is a source of comfort to me. The credit should go to the management of Network Rail, who made the decision. The company is charged with running the railway network properly, and maintenance is, I believe, exactly the sort of thing that it ought to be doing. It is just a shame that we had to endure years of Railtrack before we reached that point.

Points of Order

1.18 pm

Mr. Stephen O'Brien (Eddisbury): On a point of order, Mr. Speaker. I should like to raise an issue of which I gave you notice. This morning, the Treasury published details of long-postponed proposals on its child trust fund in a written statement. Notice of the statement, however, does not appear on today's Order Paper. In the Library, it was inserted in the list in manuscript form. Hon. Members were not notified of that additional statement, and noticed it only when they turned up at the Library to collect other statements.

The statement is an important publication, and Members will wish to be aware of it. Whatever the reason for its omission from the list, may I ask you, Mr. Speaker, to take it up with the Department responsible, and ask why it sought neither to delay the statement nor to alert Members of its existence by other means?

The new procedures for written statements were introduced by the Government, despite the reservations of many in the House, yet the Government seem unable to comply with their own procedures, which were designed to alert Members to statements being made. Is this incident not further evidence of the contempt in which the Government hold the House of Commons?

Mr. Speaker: I thank the hon. Gentleman for giving me notice of the point of order. I am advised that the Treasury gave notice of the written ministerial statement yesterday, in the usual way. Unfortunately, due to an administrative mistake, the notice was not printed in the Order Paper this morning. I understand that the statement and the related documents are now available to Members in the Library and the Vote Office.

Mr. Paul Tyler (North Cornwall): On a point of order, Mr. Speaker. May I ask you to draw to the attention of the Editor of *Hansard*, and to instigate an investigation of, a curious, bald but unattributed statement that appears at column 1122 in *Hansard* for 18 September under the heading "Royal Assent"? The statement reads:

"Anyone would think that the constitution of this country was the personal chattel of the Prime Minister and his cronies."—[*Official Report*, 18 September 2003; Vol. 410, c. 1122.]

There is no apparent attribution of the statement. It appears there in all its bald significance. It might be an illicit entry. It could have been hacked into the system. It certainly does not look as though it has come from Buckingham palace.

Mr. Speaker: The statement was brought to my attention at the time and I made arrangements to have the matter corrected. It has been corrected.

BILL PRESENTED

Freedom of Information Act 2000 (Commencement)

Paul Flynn presented a Bill to amend the date of commencement of the Freedom of Information Act 2000: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed. [Bill 169].

Non-Prescription Contact Lenses

1.21 pm

John Robertson (Glasgow, Anniesland): I beg to move,

That leave be given to bring in a Bill to reclassify non-prescription contact lenses as medical devices; and to restrict their sale so that they can only be sold by, or under the supervision of, a registered doctor or optician.

The fad for coloured or patterned contact lenses, which alter the colour of the wearer's eyes, is a relatively new one, especially among young people, and that may be why we have yet to introduce legislation that adequately regulates their sale. As Plano—or cosmetic—lenses retail for about £25, they are a relatively affordable fashion accessory, and it is estimated that 90,000 people in the UK have used them. Such lenses have been popularised by sports stars who have worn Union jack lenses while representing their country, and by rock stars such as Marilyn Manson, whose scary white eye has become a popular style to emulate. In addition to patterned lenses, there are coloured lenses that intensify the natural colour of the eye or change it entirely.

The law as it stands allows people of all ages to buy fashion or cosmetic lenses over the internet, by mail order or in fashion accessory stores, without any consultation to establish whether the wearer is suitable for contact lens use. There is no requirement for regular check-ups and ongoing after-care, nor is there practical advice or proper guidance on inserting, removing, cleaning, storing and caring for the lenses.

The risks of infection for all wearers of contact lenses, both corrective and cosmetic, are high because lenses stop the cornea getting enough oxygen, thereby allowing the water layer on top to stagnate. That can lead to deposits of bacteria and dirt on the lens surface. Of course, there are guidelines for the use and care of lenses that, if followed accurately, can minimise the chances of infection. That is very important.

Failure to adhere to the guidelines can result in a range of infections and conditions such as microbial keratitis, a condition in which the cornea becomes inflamed after infection by bacteria, fungi or amoebae; interference with colour perception and binocular vision; and acanthamoeba, which can lead to ulceration of the cornea, and ultimately to blindness. Contact lens wearers who do not follow the care instructions are up to 80 times more likely to develop eye disease.

I am not for a moment suggesting that we stop young people wearing such lenses, but rather that they should have to buy them face to face with someone who knows what they are talking about. We need to emphasise the fact that although cosmetic lenses are fashion accessories, they are still intended for personal use, in the same way as corrective lenses. Ultimately, we need to stress that the overwhelming risks of non-adherence to hygiene instructions are very real for all types of lenses.

Although care instructions are issued with cosmetic lenses, they are no substitute for a qualified eye-care professional conducting a proper fitting and explaining how to use and care for lenses. Research suggests that many people pay little attention to written instructions and may give them only a cursory glance in their haste

to try the new lenses. I do not believe that men have a special gene or something in their biological make-up that gives them an aversion to following instructions, but I cannot think of many people whose first instinct, when faced with a new and exciting purchase, is to dive straight for instruction booklet before they have a go at figuring out how their new purchase works, particularly when small pictures are shown on the instruction leaflet.

Pre-sale assessment needs to be made a requirement for the initial supply of fashion lenses, and regular check-ups should take place before additional lenses can be supplied, in the same way as is required for corrective lenses. Why? First, a wearer needs to be assessed to ensure that they are suitable for contact lens use, and that the lenses that they seek to buy fit properly. According to the Royal National Institute of the Blind, more than 17 million people in the UK do not have regular eye tests, and the problem of irreparable damage is exacerbated if people harm their eyes by using lenses incorrectly without supervision and assessment.

If people buy lenses over the counter from a shop or through mail order, their suitability for wearing them will not be assessed. If the lenses do not fit properly, they can damage the surface of the cornea. If they are not inserted or removed properly, the risk of transfer of infection is greatly increased. Inserting and removing lenses for the first time is tricky and takes practice to get right. It needs a specialist to show new wearers how to do it, to encourage them when, at first, they get it wrong, and to answer any questions they may have.

There are different techniques for removing contact lenses. The traditional way of removing the lens between one's thumb and forefinger is hopeless if one has long fingernails, but there are alternatives to get around the problem, and these can easily be demonstrated. Having an eye-care professional instructing and supervising makes the world of difference.

If lenses are not cleaned and stored properly, the risk of infection is increased. I have heard of cases where people washed their lenses with water, or kept them in while swimming, which is not quite as grotesque as some of the risks that I have described. However, lenses are affected by the differences in water hardness throughout the country, which can lead to AK—acanthamoeba keratitis—a rare condition that initially causes irritation, but can lead to loss of sight in serious cases. The General Optical Council cited instances where lenses were stored in cases that were full of mould. If people are not required to attend a check-up before more lenses can be issued, infection may not be detected until permanent damage has been done.

More worryingly, I uncovered disturbing incidents of teenagers swapping lenses with friends—often at parties, among a group of friends—which obviously greatly increases the risk of cross-infection. The dangers need to be stressed and stressed again at the point of sale. Worse still, I have received reports of untrained shop assistants demonstrating how to wear the lenses on themselves, before selling them on.

It is unsurprising that the call to regulate the sale of cosmetic lenses has been backed by professional bodies such as the General Optical Council, the RNIB, the Eyecare Trust, the Association of British Dispensing Opticians, the Association of Optometrists, the Federation of Ophthalmic and Dispensing Opticians, the College of Optometrists, and the Royal College of Ophthalmologists, as well as by a number of opticians who have treated people with infections caused by using novelty lenses, and by individuals who contacted me after being adversely affected.

I realise that it is rare for ten-minute Bills to advance much further than First Reading, but there is a real need for legislation on the issue. I understand that the Department of Health is planning to start a consultation this year and I hope that it will act soon. If my Bill fails to complete its passage, amendment of the Opticians Act 1989 would be a good place for the Department to start. Section 4 of the 1989 Act, which deals with sale of lenses, is wholly inadequate and is ripe for amendment. Under the terms of the Act, the sale and supply of contact lenses

"must be undertaken by, or under the supervision of, registered medical practitioners or registered optometrists".

The key issue is how the courts define the word "supervision". My Bill or any other that is introduced to amend legislation on these matters would apply throughout the United Kingdom. The Bill would cover Scotland, as health professionals are a reserved matter.

Is it not time to introduce legislation to protect those who, through no fault of their own, do not know any better?

Question put and agreed to.

Bill ordered to be brought in by John Robertson, Dr. Brian Iddon, Mr. Bill Tynan, Mr. David Heath, Mr. Peter Duncan, Mr. Jimmy Hood, Mr. Parmjit Dhanda, Ms Candy Atherton, Mr. David Drew, John Mann, Syd Rapson and Dr. Ian Gibson.

Non-Prescription Contact Lenses

John Robertson accordingly presented a Bill to reclassify non-prescription contact lenses as medical devices; and to restrict their sale so that they can only be sold by, or under the supervision of, a registered doctor or optician: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 170].

Orders of the Day

Waste and Emissions Trading Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 18

JOINT MUNICIPAL WASTE MANAGEMENT STRATEGIES: ENGLAND

'(1) The waste authorities for a two-tier area must, at all times after the end of the period of 18 months beginning with the day on which this Act is passed, have for the area a joint strategy for the management of—

(a) waste from households, and

(b) other waste that, because of its nature or composition, is similar to waste from households.

(2) The waste authorities for a two-tier area must keep under review the policies formulated by them for the purposes of subsection (1).

(3) The waste authorities for a two-tier area must, before formulating policy for the purposes of subsection (1), carry out such consultation as they consider appropriate.

(4) The waste authorities for a two-tier area must set out in a statement any policy formulated by them for the purposes of subsection (1).

(5) The waste authorities for a two-tier area must—

(a) when formulating policy for the purposes of subsection (1), and

(b) when preparing a statement under subsection (4),

have regard to any guidance given by the Secretary of State.

(6) The waste authorities for a two-tier area in Greater London must, when formulating policy for the purposes of subsection (1), have regard to the Mayor of London's municipal waste management strategy or, where that strategy has been revised, to that strategy as revised.

(7) Where the waste authorities for a two-tier area prepare a statement under subsection (4)—

(a) they must take such steps as in their opinion will give adequate publicity in the area to the statement;

(b) they must send a copy of the statement—

(i) to each of the Secretary of State and the Environment Agency, and

(ii) if the area is in Greater London, to the Mayor of London;

(c) each of the authorities must keep a copy of the statement available at all reasonable times at one of its offices for inspection by the public free of charge; and

(d) each of the authorities must supply a copy of the statement to any person who requests one, on payment by the person of such reasonable charge as the authority requires.

(8) Where subsection (1) is satisfied in relation to a two-tier area by policies set out in a statement prepared before the coming into force of that subsection—

(a) it does not matter that the policies were not formulated for the purposes of subsection (1), but

(b) subsection (2) shall apply as though the policies were formulated for the purposes of subsection (1).

(9) Subsection (3) may be satisfied by consultation before, as well as by consultation after, the coming into force of that subsection.

(10) The Secretary of State may by regulations make provision for subsection (1) to apply, in relation to a two-tier area specified or described in the regulations, with the substitution for "18 months" of some longer period.

(11) A statutory instrument that contains regulations under subsection (10) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(12) In section 353 of the Greater London Authority Act 1999 (c. 29) (Mayor's duty to prepare municipal waste management strategy), after subsection (3) there is inserted—

"(3A) In revising the municipal waste management strategy the Mayor is to have regard to any strategies which authorities in Greater London have for the purposes of section (Joint municipal waste management strategies: England) of the Waste and Emissions Trading Act 2003 (joint waste management strategies for areas where disposal authority is not also collection authority).".'.—*[Mr. Morley.]*

Brought up, and read the First time.

1.32 pm

The Minister for the Environment (Mr. Elliot Morley): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: Government new clause 19—*Power to disapply duties under section (Joint municipal waste management strategies: England).*

Government new clause 20—*Interpretation of Chapter 3.*

Government new clause 21—*Repeal of duty to prepare recycling plans in England and Wales.*

Amendment No. 16, in clause 4, page 3, line 32, after 'authority', insert

'taking into account that there can be no separation of responsibilities between district, or county council,'.

Amendment No. 31, in clause 10, page 8, line 3, after 'authority', insert

'taking into account that there can be no separation of responsibilities between district, or county council'.

Government amendments Nos. 44 to 46 and 48 to 58.

Mr. Morley: I shall speak to the new clauses and to the Government amendments, but I am also happy to give the Government's views on amendments Nos. 16 and 31.

The new clauses and amendments deal with joint working between waste collection and disposal authorities in two-tier areas. I know that that issue was discussed in Committee. I did not have the opportunity to serve on the Committee, but I followed its proceedings with interest. There was constructive discussion among all those involved on the important issues before us. For the convenience of the House, I shall set out some of the background.

The White Paper "Waste Strategy 2000" makes it clear that, to tackle waste management effectively, we need to develop constructive working relationships between the different tiers of waste authorities. That is not an unreasonable or controversial point. The strategy unit's 2002 report "Waste not, Want not" made the same point and recommended that the Government consider putting joint municipal waste management strategies on to a statutory footing. In our response to that report, we accepted that recommendation in principle, although in line with our wish to reduce burdens on local authorities, we have also sought to explore other incentives, short of legislation, to encourage joint working.

In speaking to the new clauses and amendments, I am fulfilling the promises made by Lord Whitty in another place and by the previous Minister for the Environment, my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher), that the Government would bring before the House their proposals to effect a statutory requirement for joint municipal waste management strategies. New clause 18 introduces a new requirement for all waste authorities in a two-tier area to consult on and prepare a statement on a joint strategy for the management of household waste and other similar waste within 18 months of the day on which Royal Assent is received. That strategy must be adequately publicised and kept under review. Again, that is not an unreasonable requirement. There are special features for London involving amendments to the Greater London Authority Act 1999 requiring the Mayor of London, in revising his waste management strategy, to have regard to any joint municipal waste strategies produced by authorities in Greater London.

In accordance with the Government's wider approach to performance management, including the provision of freedoms and flexibilities for higher performers, we have tailored the new clause to ensure that it targets the authorities and areas that most need to improve their performance on waste.

Mr. Bill Wiggin (Leominster): Will the Minister tell us a little more about high performers and the sort of freedoms and liberties that will apply to them?

Mr. Morley: I am happy to do so. New clause 19 gives the Secretary of State power to exempt through regulations an authority whose performance is satisfactory. In accordance with the Government's wider undertaking to remove planning requirements on excellent authorities, we will exempt all authorities that are categorised as excellent under the comprehensive performance assessment, as well as those whose performance on waste is satisfactory with regard to defined targets.

New clause 19 also enables the Secretary of State to provide for the exemption of two-tier areas. We plainly wish to implement the provisions in a way that avoids placing unnecessary burdens on authorities, while ensuring that, where authorities need to work together more effectively in planning for the exercise of their functions, there is an obligation for them to do so.

Norman Baker (Lewes): Surely, there will be most difficulties in agreeing a strategy where there is a need to work together more closely, perhaps because of division between a county and boroughs and districts. What mechanisms will deal with circumstances in which forward-looking districts such as Lewes and Wealden, and Rother for all I know, want to formulate a good strategy, while an antediluvian county council such as East Sussex does not?

Mr. Morley: I cannot comment on individual councils, and I am sure that the hon. Gentleman's knowledge of his local area is greater than mine. None the less, I can say that there will be a duty for co-operation in relation to a joint strategy. He will be aware that, on top of that, the waste collection authorities are set a number of targets and responsibilities in relation to the waste strategy. Of course, the Bill also places obligations on the disposal authorities.

All those involved have their own responsibilities. The disposal authority can also make directions to the collection authorities, and they will be binding. Thus, a range of measures provides a strong incentive for agreeing the joint strategy. The thrust of the new clauses is not to provoke division among local authorities or different tiers, but to bring about co-operation between them. Surely that is better than division.

Gregory Barker (Bexhill and Battle): Let me pick up on the valid points made by the hon. Member for Lewes (Norman Baker). Where the collection authority has a clear strategy to increase the amount of waste that is recycled, but the disposal authority has entered into long-term contracts to provide waste to an incinerator, there will be not only philosophical differences between their interests, but economic ones. I do not see in the proposals a sufficiently robust legal strategy to enable such bodies to work together where there are genuine differences.

Mr. Morley: The hon. Gentleman is leading us on to other amendments and new clauses dealing with issues such as incineration. Of course, different circumstances will apply where a waste authority has an existing incineration strategy as part of its policies. Such a strategy will involve a considerable capital investment, and the collection authorities will have to work with the waste authority on a joint strategy that takes that into account. There may be other cases in which the disposal authority wishes to consider incineration. In those cases, we would expect them jointly to consider with the collection authorities the most appropriate way forward in relation to disposal policies, which may include incineration. We want discussion and consultation to take place between all those involved in developing the joint strategy.

Mr. John Bercow (Buckingham): My inquiry is altogether more prosaic than that of my hon. Friend the Member for Bexhill and Battle (Gregory Barker). Under subsection (11) of new clause 18 and subsection (6) of new clause 19, the Government apparently propose that regulations should be subject to the negative procedure of the House rather than to its affirmative counterpart. If that is so, can the Minister enlighten me as to how there will be an opportunity to debate the contents of those regulations?

Mr. Morley: As the hon. Gentleman will be aware, that issue has already been independently scrutinised. As far as I know, the use of negative or affirmative procedures was not queried. He will also be aware that negative procedures are fairly common. Personally, I am fairly relaxed about which procedure is used. There are reasons why legislation is sometimes implemented by negative rather than affirmative procedure; those reasons are separately scrutinised by the various Committees.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Can the Minister direct me to any part of the Bill or the amendments that deals with dispute resolution? Where

[Mr. Jonathan Sayeed]

two elected authorities are both concerned with the collection and disposal of waste, that gives rise to a problem if one authority pursues one strategy while the other pursues a different one. Furthermore, the Bill contains penalties. How are those to be divided up between the two authorities; and what system is there to resolve any dispute between them?

Mr. Morley: That is a rather complex series of questions. I am happy to deal with them, but it might be better to do so as I outline the meaning and implications of the amendments. If the hon. Gentleman thinks that I have missed a point, he must feel free to intervene.

Norman Baker *rose—*

Mr. Morley: I shall give way, but I should like to make some progress.

Norman Baker: I understand that the Minister wants to make progress, but this is an important issue. No one can deny that the joint strategy is right in concept, but the final decision—the whip hand—is given to disposal authorities, which can issue a direction. It is therefore possible—in fact, likely—that a scenario will arise whereby a waste collection authority wants to perform in a way that is more akin to the Government's waste strategy than that of the waste disposal authority. That could create a ludicrous situation in which the waste disposal authority issues a direction to require the waste collection authority to behave in a way that is further away from the Government's intentions. That cannot be right.

Mr. Morley: If I may say so, the hon. Gentleman seems to be assuming that all waste collection and disposal authorities will be at each other's throats. That is not so. It is true that disagreements may arise and that directions can be given by the disposal authority to the collection authority. That is why there has to be a system: the amendments address that.

The hon. Gentleman argues that one authority might be trying to implement strategies that are much more in line than those of others with what the Government want. The answer to that is that all waste collection authorities will work to a series of targets, especially on recycling and re-use. That is sometimes forgotten. Some of the discussion that took place in Committee, particularly on incineration, seemed to overlook the fact that waste authorities cannot simply do exactly what they like: they have obligations in relation to recycling, re-use and reducing the amount of biological waste. In that sense, they operate within a framework that provides certain disciplines—it is not a complete free-for-all.

The hon. Gentleman must also recognise that we are committed to giving as much freedom as we can to local authorities in coming together to determine the most effective strategy for their area by taking into account their local circumstances and needs. We do not want to be too prescriptive in terms of taking tight, centralised control, but we do want a framework for delivering targets in relation to fulfilling our commitment to sustainability and to meeting our obligations in line with various directives. The amendments strike that balance: I shall outline some of the reasoning behind them.

1.45 pm

On the point that the hon. Member for Bexhill and Battle (Gregory Barker) raised about exempting local authorities, we plan to give some exemptions in the form of freedoms to those that hit the excellence targets. That is not unreasonable. We have to take into account the possibility that some authorities might go backwards at a later stage, so there must be a facility whereby exemptions granted to authorities whose performance drops below the levels that we would expect are withdrawn. Even then, we would expect them to have a period in which they could improve their performance before being required to produce the strategy. We are trying to be flexible in dealing with that by tailoring the requirements to enable us to target those areas that need to improve their waste performance, while refraining from placing unnecessary burdens on authorities that are performing well.

New clause 20 defines what is meant by a two-tier area. New clause 21 repeals the requirement for waste collection authorities in England and Wales to prepare and publish a waste recycling plan in accordance with section 49 of the Environmental Protection Act 1990. It also provides certain consequential repeals in relation to the Greater London Authority Act 1999. That is a clear example of our desire to remove unnecessary and ineffective burdens on local authorities while expecting them to have in place appropriate arrangements for strategic planning of their waste management functions. That strategic planning is vital in moving towards more sustainable forms and in helping us to meet our ambitious targets for composting and recycling.

Amendments Nos. 44 to 46 remove certain powers to make regulations, and certain references to the duty under section 49 of the 1990 Act to produce a waste recycling plan, from clause 29, which concerns municipal waste management strategies for Wales. The repeal of section 49 of the 1990 Act through new clause 21 negates the need for those references.

The remaining amendments relate to the commencement and extent of new clauses 18 to 21.

The Government believe that these provisions, together with clause 31, give waste disposal authorities the power to direct waste collection authorities about the separation of waste and address the concerns that influenced Opposition amendments Nos. 16 and 31, the purpose of which is to require allocating authorities to take into account that there can be

"no separation of responsibilities between district, or county councils"

when making an allocation of allowances authorising the sending of biodegradable municipal waste to landfills under clause 4(1) and appointing a person to be the monitoring authority for its area under clause 10(1). There is clearly a genuine functional division of responsibilities in two-tier areas, because waste collection is carried out at district level and waste disposal is carried out by the county council. If the Bill is to succeed in its aim of ensuring that the UK meets its targets under the landfill directive, it is important that we have a clear ownership of responsibility. To that end,

obligations to reduce the amount of biodegradable municipal waste sent to landfill are imposed on the disposal authorities, whether unitary or county, as those authorities are responsible for the final disposal of waste, and therefore for sending waste to landfill. That touches on the point that was raised about who is responsible for any financial penalties.

I understand the reasoning behind the amendments in relation to where responsibilities and potential financial penalties fall. The Bill, however, necessarily works by imposing duties on the disposal authorities. As I have explained, we have already catered for the consequences in two-tier areas, and I do not think amendments Nos. 16 and 31 will help in that regard. I hope that in the light of my explanation they will not be pressed to a vote.

The Government's preferred approach, as I have stressed, is to encourage waste collection and disposal authorities to tackle waste management together, while taking account of the distinct role that each tier plays.

Mr. Sayeed: If, as we all assume, the Bill's purpose is to reduce the amount of waste going to landfill, why does the strategy not encompass waste minimisation? Moreover, the Bill makes no mention of a duty to consult local businesses. Why not? After all, supermarkets and other businesses could be extremely useful in reducing the amount of waste that is produced in the first place.

Mr. Morley: The Bill does do that. We presented our waste strategy in 2000, and it has been followed by "Waste not, Want not" and the 2002 strategy unit report. What we have established is a clear waste hierarchy, at the top of which is waste minimisation. That is our No. 1 policy. Next come recycling, the reuse of waste as compost, incineration and, finally, landfill. We expect local authorities to adhere to our strategy, and indeed they are doing so.

I agree that businesses have an important role to play in waste minimisation. We are involving them in, for instance, the Advisory Committee on Packaging, which is focused very much on industry, although not hitherto on the industry that we are discussing. We are also involving them in the waste implementation programme and the waste and resources action plan, which means not just encouraging small and medium-sized enterprises to take advantage of new opportunities and technologies in recycling and minimisation, but giving financial support for the establishment of new businesses and enabling them to explore new markets. We have a sophisticated range of measures to encourage waste minimisation, which includes industry along with other stakeholders.

Gregory Barker: I am pleased to hear about the waste hierarchy and the emphasis on minimisation, but what troubles me and many others is that little in the Bill will stop waste that currently goes to landfill being booted up to the next level of the hierarchy, namely incineration. There is nothing to prevent a considerable increase in incineration as a result of the clampdown on landfill. One bad thing is being replaced by another.

Mr. Morley: I do not accept that. We shall be able to discuss this in more detail later, but I will say now that I do not see the Bill in itself as a driver for more incineration. The Government have set clear targets for recycling and re-use, and the Bill does not remove the obligation that local authorities will have. This year's target is 17 per cent., and all the indications are that we will meet it. That is a considerable improvement on the beginning of the year, when I feared that we might not.

There has been an enormous increase in recycling and re-use, for which authorities deserve much credit. Some poor performers have improved dramatically in the last 18 months to two years. The target for 2005–06 will be 25 per cent., and the targets will be driven up to about 33 per cent. Furthermore, there will be a review. It should not be thought that 33 per cent. is necessarily the highest figure for which we are aiming.

Local authorities are constantly having to address their strategies to meet the waste and recycling targets. That is removing a great deal of material from the waste streams and reducing the amount of biological waste, thereby reducing the need for both landfill and incineration. Nevertheless, we should all be honest about the fact that there may well be a case for incineration in certain circumstances. It is neither true nor reasonable to say that it can never be part of the waste hierarchy. We have a lower level of incineration than any European country of similar size. Denmark, often cited as a country with a good recycling record, has a 55 per cent. level. We need not go that far, but it would be wrong to mislead people by saying that there is no case for incineration—although nothing in the Bill impels further incineration.

Norman Baker: I have just been to Copenhagen and looked around an incinerator. I was told that Denmark was placing a cap on incineration, and that the instruction was to move towards recycling. The difference between this country and countries such as Denmark is our huge reliance on landfill, which must be got rid of if the landfill directive is to be met. Without real measures to encourage minimisation, re-use and recycling, beyond those already introduced by the Government, the landfill that is removed will simply be replaced by incineration. That is the point that Members are making, and, with respect, I think that the Minister has failed to grasp it.

Mr. Morley: I do not think that the hon. Gentleman has produced evidence to support his statement, although he will have an opportunity to do so later, and we shall all have further opportunities to discuss the issue. It does not surprise me, however, that any country whose incineration rate is about 50 per cent. should want a cap. It would want to increase the amount of recycling and re-use, as we are doing.

Let me say something about potential disputes. New clauses 18 and 19 set a regulatory framework for the development of the joint strategy that we have discussed. It is for authorities in each area to decide together how to develop the strategy on the basis of local conditions, working towards targets that they all need and are required to meet.

My Department can help all authorities to meet their objectives. Members of the Department have spent a lot of time going around the country and talking to authorities about the strategies they need to adopt in

[Mr. Morley]

order to minimise waste and increase recycling and reuse. They have done a good job, which I think is one reason for the surge in the number of authorities meeting our requirements in a comparatively short time.

The Government's new clauses and amendments will, I believe, give sufficient encouragement to joint working without imposing further requirements on authorities that already discharge their responsibilities satisfactorily. Along with clause 31, they provide the right framework for a positive relationship between authorities in two-tier areas working towards a common goal. I do not feel that amendments Nos. 16 and 31 are consistent with that approach.

We believe that our new clauses and amendments offer an appropriate balance between the desire for an integrated approach to waste management and the rights and needs of different authorities at local, regional and national level. I hope that Members will recognise that and support the Government's proposals.

2 pm

Mr. Wiggin: We do not wholly disagree with the gist of the Minister's comments. The amendments that my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) and I tabled try to ensure that different sorts of local authority and waste disposal and collection authorities are held together. We want top quality co-operation between both sides of waste management at unitary, district and country level. We therefore need to ensure that they have every incentive to work as a team and that, if one half lets the side down, it is not only in its interest but in that of the other half to bring it up to the required standard. That is important because the Bill provides for fines and a range of penalties culminating in imprisonment to ensure that waste management is done properly. We must therefore make sure that it contains no loopholes that would allow a waste disposer to play off against a waste collector.

Any fine should relate to both bodies. There is probably a weakness in the amendment because there could be a case in which one authority was clearly out of line and it was not the fault of another. My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) was right to ask the reason for the lack of a proper process to identify those responsible for a breakdown in the system. That is one of many glaring omissions from the Bill.

My first question to the Minister is about the term "statement" in new clause 18. How legally binding are such statements? In the worst case, one waste authority could sue another to try to apportion blame. I agree with the Minister that waste collection and disposal authorities will not be at each other's throats. However, if we are legislating to ensure that that does not happen, we must cover every eventuality.

Earlier, I asked the Minister to define the differences and he referred to new clause 19 and exemptions. As I understand it, an excellent council that performs in the way in which the Government wish no longer has to have a plan. However, to get to that stage, such a council would first have to have a good plan to which it stuck. It is especially bizarre that once a council has a good plan that works, it is allowed to ignore it. Surely there is a lack of logic in that.

Mr. Morley: The concept of the excellent authority means removing some of the directions from it on the basis that it has demonstrated that it delivers excellent standards, including in waste strategies. Those authorities probably have their plans, strategies and joint working, and that is fine. The difference between them and other authorities is that they will no longer be under direction, because we acknowledge that high-quality authorities will continue to act without it.

Mr. Wiggin: The Minister is right to want greater freedom and flexibility for top councils and to remove the cold, dead hand of Whitehall from them.

Mr. Sayeed: The Minister's answer is fair, but it misses the point that although a local authority might start out with the best intentions and the best plan, and put it into effect, it is judged by the past. If there is a budgetary constraint or change in council leadership, the future may not be as rosy as the past. Perhaps it would therefore be better for a local authority that wants to move away from the plan on which it has operated to be required to report that.

Mr. Wiggin: My hon. Friend makes a valid and useful point. *[Interruption.]* The Minister says that the Bill covers it. However, my hon. Friend is right that if we judge everything with hindsight, as time goes on and people are allowed to move away from their effective plans, the potential for disaster is obvious. That aspect of the Bill is especially bizarre, and I am grateful for my hon. Friend's intervention. We are united in acknowledging the Government's good intentions, but they have added a bizarre twist to the measure that may run counter to what they want to achieve.

My hon. Friends' most important points in interventions related to the quantity of recycling. The United Kingdom recycled 13.5 per cent. of its household waste last year, incinerated 9 per cent. of household waste and 3 per cent. of hazardous waste. It is hardly surprising that some authorities are expected to increase their performance dramatically, especially given their political colour. Eight out of 10 of the best councils at recycling are run by the Conservative party and seven out of 10 of the worst are run by the Labour party. I am therefore delighted that the party of Government is improving its act, but it is easy to do that from a low base.

We must ensure that the Bill makes a proper distinction between the responsibilities of the disposal and collection authorities so that we get the best possible co-operation. We want money to go into recycling and the re-use and recovery process rather than taken out in fines. Later, we shall perhaps debate whether the fines should go to the Chancellor or back into the process to continue the positive activity that hon. Members support.

Norman Baker: I am the only Front-Bench spokesman to survive the Committee proceedings. The Minister for the Environment has replaced the Minister for Rural Affairs and Environmental Quality and the

hon. Member for Leominster (Mr. Wiggin) is the latest in a bewildering succession of Conservative environment spokesmen. I hope that the hon. Member for Leominster—and, indeed, all Conservative spokesmen—will remain in position for a long time.

I am sure that the Minister has read details of our Committee proceedings in *Hansard* as part of his preparation. The subject of our discussion was considered at length in Committee by all members, including the hon. Member for Mid-Bedfordshire (Mr. Sayeed). There was agreement, which the Government acknowledged, that we needed a guarantee that waste collection and disposal authorities would work together. It was also agreed that we should not place too many burdens on local authorities and that it was right to deal with recalcitrant authorities, not those that perform well. The Government try to do that in the new clause. So far, so good. My residual worries relate to cases of disagreement between waste collection and disposal authorities, and their resolution. The hon. Members for Bexhill and Battle (Gregory Barker) and for Mid-Bedfordshire also asked about that.

I want to refer to East Sussex—I am not obsessed by it but I know it best. Waste collection authorities there, both Conservative and Liberal Democrat, pursue high recycling levels. Indeed, parts of Wealden district council, which is run by the Conservatives, are recycling more than 50 per cent. as a consequence of doorstep collection. There is also a phenomenal uptake in Liberal Democrat Lewes district in my constituency. Those collection authorities will achieve recycling levels that exceed the Government's targets. That is important, because the waste disposal authority will calculate on a lower recycling rate. That means that it will agree an incinerator contract—which has not yet been drawn up, by the way—for a guaranteed throughput of waste to be delivered to the incinerator company, which in this case is Onyx. I hope that the Minister is taking in this complicated argument.

If the waste disposal authority then wished to have a guaranteed throughput, that would necessarily depress the amount of material available for recycling, particularly if the Government are successful in reducing the overall amount of waste. In those circumstances, the only guaranteed set figure would be the amount required for the incinerator, and everything else would have to go in order for that target to be met. There is therefore a real danger that, in these two-tier areas—I think that this could arise in East Sussex—the waste disposal authority could issue an instruction to the waste collection authority effectively to cap or even reduce its recycling capacity.

Mr. Morley *indicated dissent.*

Norman Baker: The Minister is shaking his head, but that could happen if the authority were recycling an amount in excess of the Government target, and had to reduce its recycling capacity so as to ensure that there was a sufficient amount for the incinerator throughput.

Mr. Morley: I understand the case that the hon. Gentleman is making in relation to those who exceed the Government's recycling targets. If there is incineration—particularly if it involves a heat-from-waste recovery system—a contract might be needed in relation to the throughput. I do not know the details of the particular case that he is describing, but this situation should not stop the collection authorities reducing the biodegradable waste. There is always an element of waste that is not biodegradable, and there may be a case for incineration in those circumstances. The authority could simply extend the area to include some of those factors, rather than reducing recycling. Is the hon. Gentleman trying to argue that there should never be incineration in any circumstances?

Norman Baker: We shall debate incineration in due course. I am arguing that incineration has a role in specific circumstances, such as the destruction of medical or other special waste, so I accept the Minister's point on that. I was talking about mass-burn household waste, but we will come to that later.

It is conceivable that a waste disposal authority could issue an instruction to a waste collection authority, to which the latter did not want to agree but to which it would be obliged to agree. Carrying out the instruction would involve decreasing the amount of material recycled. That is a real possibility that is not being addressed, and there is no dispute resolution system in place to deal with such situations. Because the penalties relate to landfilling as well, the only objective of the waste disposal authorities, in terms of avoiding fines, will be to meet the landfill targets. They can do that either by incinerating or by recycling, and they will not be particularly bothered about which way they achieve that target. They will simply want to meet the target. The primary goal of the waste disposal authorities will be to avoid paying a fine, and they will say, "It doesn't matter how we get there. We'll incinerate, we'll do anything that we have to do, provided that we can avoid a fine."

The Minister is effectively creating a system in which waste disposal authorities will seek to avoid landfill at any cost, but he is not putting in place the waste hierarchy that he advocates to achieve the solutions that we all wish to see. I said in Committee—I repeat the point for the Minister, who I hope has now finished his conversation with his Parliamentary Private Secretary—that this is not a waste hierarchy implementation Bill, but an EU landfill directive implementation Bill. It has been brought before us solely to achieve the EU landfill reduction target. That is all that it is about.

Mr. Wiggin: The hon. Gentleman is making a good case, but it is worse than that. This is actually a fine-avoiding Bill, and not even a very good one, because I believe that we are going to be in line to receive fines of £180 million a year for failing to minimise waste.

2.15 pm

Norman Baker: The hon. Gentleman makes a valid point. This is about money, and the paucity of the Government's forward planning is illustrated by the fact that they are continually running after EU directives, rather than anticipating them and putting in place structures to deal with them. We should be in the lead in these circumstances, rather than having to chase after Europe to catch up.

There will be cases—a minority of cases, I accept—in which waste disposal and collection authorities will be at each other's throats and disagreeing on the best way

[Norman Baker]

forward, and it is in those situations that the Minister wants to apply new clause 18. He does not want to apply it when there is agreement between the authorities and the recycling levels are good. He wants to apply it when there are problems, and those problems will predominantly be caused by disagreements between waste collection and disposal authorities.

The Minister is saying that the disposal authority will always have the decision-making powers when push comes to shove, but I do not think that that is right, for the reasons that I have given. I hope that he will be able to deal with this point when he replies. If a waste collection authority believes that the direction from the disposal authority is unreasonable, either because it runs counter to the Government's waste hierarchy or because it could undermine the collection authority's targets, what redress will it have? What power of appeal exists? What could the authority do in those circumstances? As I read the strategy, that arrangement is open-ended. It is not clear what powers apply to the waste collection authority in those circumstances. It seems to me that it would have to comply, whatever the environmental and financial consequences. We could be faced with a situation in which a disposal authority required a course of action to be followed which would cost the collection authority an unreasonable amount because it would have to dismantle certain things that had been put in place. What would the consequences be in those circumstances?

Has the Minister considered whether the continuation of the arrangement whereby responsibility is split between the collection and disposal authorities is actually sensible? There is a case for merging the two into one authority. One answer might be to have a regional light-touch waste plan, and to have the collection authorities dealing with the bulk of the work. Although the Minister has done his best to get the balance right in the new clause—I accept that he has listened, and that his colleagues have listened in Committee—there will be a minority of cases in which there will be a dispute between collection and disposal authorities and in which they are following entirely different paths, as some are at the moment. There is going to be trouble as a result of this.

Mr. Sayeed: It is a pleasure to follow the hon. Member for Lewes (Norman Baker), and I would disagree with very little that he has said. The Minister is competent and courteous, but he was not in Committee with the hon. Member for Lewes and me. Those sittings were very time-consuming, and one of the problems that the hon. Member for Lewes, my hon. Friend the Member for Leominster (Mr. Wiggin) and I talked about all the way through was that the Bill is extremely narrowly drawn. It fails to provide a comprehensive strategy for all forms of waste, because its prime aim is to save the Government money.

We have here a Bill whose scope is narrow, whose vision is extremely small-minded and whose provisions are inadequate. I have always believed that legislation is best formulated when it is a vehicle that is used to drive forward a long-term, holistic and sustainable vision. Bad legislation is nearly always reactive, singular and isolated, and a panic-stricken reaction to a European demand. That is what we have here. Although I support the Bill's overall environmental objectives, it is still a legislative response, rather than a driver designed to send out policy signals to local government and industry for the purposes of long-term security and investment.

Legislation about the environment should be driven by the overriding objective of carbon emission reduction, and the development of a market that rewards sustainable consumption of primary resources and recycled materials. We need a Bill that encourages environmentally sensitive forms of product design and that frowns on unnecessary waste, but the present Bill does none of that.

I asked the Minister whether he believes that there is an adequate system of dispute resolution, and I have to tell him that he has not answered that question adequately. I realise that the issue applies to provisions that we shall debate later, but one of my main concerns is where long-term contracts have been entered into by one authority—for an incineration plant, for instance—and another authority wants to reduce the amount going for incineration and has a better, more environmentally sensible proposal, which is in greater accord with the waste hierarchy. If that authority tried to implement that plan, it could be penalised for the losses of the other authority. There is a potentially profound dislocation between the two authorities and unless an appeal procedure that permits a Minister to make a judgment is in place, the Bill may cause as many problems as it solves.

Another concern is that the Bill is so narrowly drawn that it does not allow all the other interested parties to share in its implementation. Much household waste is produced in supermarkets—we all know that—yet there is no incentive for local authorities to involve supermarkets and other producers of waste packaging in the process. There is an incentive not to send material to landfill, which is good, but there is an almost equal incentive to send it to the next cheapest option of incineration. We shall deal more fully with incineration in a later group of amendments, but unless the Minister can demonstrate that the Bill will fulfil the Government's objectives on waste hierarchy, it will amount to a lost opportunity.

Mr. Morley: I shall attempt to deal with some of the points that have been raised.

The hon. Member for Lewes (Norman Baker) asked what was meant by the term "statements", and the answer is statements of policy. Those amount to guidance to the authorities and joint committees that determine the strategy. It is guidance by its very nature, because we are trying to avoid a too rigid or straitjacket approach in respect of what can and cannot be done. We want to give local authorities some flexibility. There may well be different solutions in different areas, and local authorities are probably best placed to determine what they should be. Where there are two-tier collection agencies, we want a joint strategy so that agreement can be reached. Hon. Members have referred to problems that might potentially arise in that regard, and I shall attempt to deal with those.

On the subject of scrutiny and whether there should be positive or negative resolution, I want to make it clear that the procedure that I outlined earlier was correct.

However, these new clauses have, of course, just been tabled, so they will have to go through that scrutiny. The Lords Committee will have an opportunity to scrutinise the provisions and a supplementary memorandum will be prepared to deal with the question of these powers and other matters raised during this stage of the Bill. The process will be put in place as I have outlined.

Mr. Wiggin: Before the Minister moves on from his point about flexibility, will he clarify for the record whether the same flexibility will apply to authorities that are being fined? There are good and excellent authorities, but we also need to take account of the ones that begin to fail. When a fine begins to be apportioned, will it be the authority that decides on the most appropriate way of dividing the fine, or will there be a more rigid process? There could be a significant danger here and I would appreciate the Minister's guidance.

Mr. Morley: The fines in the Bill apply to the disposal authority. I understand the difficulties that hon. Members have mentioned, but in the end it is necessary to have a line of accountability. I have some sympathy with the argument that a disposal authority could find itself in trouble because of the failures of a collection authority, but taking responsibility away from the disposal authority also means removing some of the incentives and controls. There are pros and cons to the issue, but I believe that it is right to concentrate on the disposal authority.

Norman Baker: Before the Minister moves on from that point, will he consider the mechanism that the hon. Member for Mid-Bedfordshire (Mr. Sayeed) and I suggested—an appeal to a Minister in extreme circumstances where the two authorities cannot agree?

Mr. Morley: I was going to deal with that point later, because it was mentioned by the hon. Member for Mid-Bedfordshire (Mr. Sayeed). I do not want to have to go over the issue in my hand-written notes again. Ministers are sometimes asked to intervene on a range of issues, and we debated that matter in the Committee considering the Water Bill, on which several Members present served. The formal process is appeal to the Secretary of State, but, in reality, the Secretary of State sets up a mechanism for dealing with the appeal. In the case of major disagreement between the collection authority and the disposal authority—we are talking extremes here—the collection authority could refuse the direction from the disposal authority. That would mean going to court for the matter to be resolved. If the collection authority believed that it had a genuine case, it could put its case through the legal process. Due process exists for those extreme circumstances.

Norman Baker: With respect to the Minister, that is no solution at all. The waste disposal authority would simply point to legislation saying that it had the right to issue a direction—end of case.

Mr. Morley: No, the hon. Gentleman misunderstands the legislation. He has completely disrupted my nice linear flow as I have to jump around from note to note. If I am completely confused by the end, he will understand why.

Hon. Members' main concern in respect of clause 31 seems to be a dispute over incineration. That is the most frequently mentioned example. The hon. Member for Lewes mentioned the specific example of a collection authority that believed that it had better solutions for waste minimisation—the object of the Bill—than incineration. However, clause 31 does not give the waste disposal authority powers of direction for incineration. Directions can relate only to legal obligations on the waste disposal authority and there are none specifically for incineration. The waste disposal authority therefore has to consult the waste collection authority before it issues a direction, and the waste disposal authority must have regard to any guidance issued by the Secretary of State.

That brings us back to the waste hierarchy and the fact that waste minimisation, re-use and recycling are at the top of the hierarchy. Those are the Secretary of State's directions and I do not go along with the argument that the Bill necessarily gives an impetus to incineration. I simply do not accept that, because in no way does it cut across the policy framework. The authorities must work within the hierarchy of disposal and take into account the various regulations.

2.30 pm

With respect to the hon. Member for Lewes, who does not normally duck the question, I did ask him whether he was arguing that incineration could not be used in any circumstances. *[Interruption.]* No. The hon. Gentleman said that he accepted incineration for clinical waste, but that is a bit of a cop-out, because clinical waste must be incinerated. However, in every area there will be an element of waste that is not biodegradable, so the choice for that waste residue will be landfill or incineration. In some circumstances, it may be decided that incineration—particularly where there is heat recovery, energy recovery or combined heat and power—may be the best option. That is for local authorities, through their joint strategies, to decide. I should like to know whether Liberal Democrat Members believe that we should never have that facility in any circumstances.

Sue Doughty (Guildford): Yes, we are very strong supporters of a zero waste policy. Within that, however, there may be circumstances where it is possible to take opportunities, such as in the construction industry with cement kilns. Certain products that do not easily degrade, such as tyres, can provide good materials for other processes, so we are taking an ideal opportunity to use those materials to support another industry.

Mr. Morley: Forgive me, but that sounds as though the Liberal Democrats are really saying "Let us incinerate by sticking material in cement kilns". It is still incineration. The salient fact may be that the incineration would take place in an existing facility. I do not know why the Liberal Democrats, in particular, continue to be so evasive about this. I am simply asking whether they are saying that in no circumstances whatever could there be incineration.

Norman Baker: I shall try to tell the Minister again. I have given him one example of where incineration

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would be appropriate: special waste. If he reads the Committee reports, he will see that we suggested that there should be a moratorium, and that therefore existing incinerators that have been practically shut down might be used, although we want greater monitoring of the dioxins—as we have said in a new clause that we shall discuss later—and we want a life-cycle analysis of incineration. We do not want more Bills at present, because we do not believe them to be necessary, and we think that it is possible to deal with the country's waste without recourse to further incineration. That is the policy we espoused in Committee and which we shall espouse again shortly, when we discuss incineration in a few minutes.

Mr. Morley: I had noticed the hon. Gentleman's comment that there should be a moratorium on incineration, although I am not aware that there is a lack of business in incineration —rather the opposite, in my experience. However, at this stage I do not want to focus too much on incineration, because there will be an opportunity to discuss it later.

Mr. Sayeed: I am grateful to the Minister for his courtesy in giving way. The answer to his question from the Conservatives, as far as I can remember, was that, provided the most environmentally friendly activity had been undertaken and found not to be cost-effective, one could then go to a lower level of the hierarchy. But one had at least to check that the most environmentally friendly system of disposal was used first.

Mr. Morley: That strikes me as a perfectly reasonable position to take. Incineration should be a resort, because it is down the waste hierarchy. As the hon. Gentleman fairly states, it should not be first choice. There are a lot of caveats: there are issues in relation to standards and safety, whether other options are available and whether it is the best practical measure. That is a perfectly reasonable and, I might say, honest position to take on incineration.

Mr. Wiggin: Although the Minister's initial comments were about the hierarchy and how the Bill would bring it about, they quickly descended into how the authorities would avoid being labelled failures and being fined. Immediately, the hon. Member for Lewes (Norman Baker) gave an example, which the Minister pursued, quite keenly, towards incineration. Does the Minister not think that that parallels exactly what the Bill is all about, and that as soon as it becomes law everyone will run to the lowest common denominator, which is incineration?

Mr. Morley: No; absolutely not. I do not believe that. I was pursuing the point because the hon. Member for Lewes raised it and I was trying to tease out where he stands on this matter; I am still not absolutely certain. *[Interruption.]* The hon. Member for Lewes will have the opportunity to explain as we progress through the Bill, so I do not wish to be distracted at present. I have all these bits and pieces of notes and I have to try to reach a conclusion on this.

The hon. Member for Mid-Befordshire repeatedly raised the issue of supermarkets. We do not ignore the role of supermarkets. In fact, most local authorities, including my own, find that supermarkets are a very convenient centre for recycling because many people buy a lot of material there, and it is a convenient place to take the material back to. I see supermarkets playing a very important role in relation to waste minimisation, which is a legitimate part of the joint strategies that should be developed by the local authorities through the collection and disposal authorities. That is dealt with by these amendments.

We have had a fairly broad run around on this issue, but judging by what I have heard, hon. Members accept the desirability of joint strategies. We have tried to make allowances in relation to authorities that are rated excellent, and to deal with matters that may give rise to disputes. I have tried to give some reassurances that I do not believe that the joint strategies are necessarily driven by incineration alone in relation to the waste hierarchy. The strategies and guidance from the Secretary of State will prevail and the local authorities will have to work within those in terms in formulating their strategies.

These sensible new clauses reflect the desire expressed on both sides of the Committee, and I very much hope that they are supported. I believe that the amendments tabled by Opposition Members are not relevant, although I understand the reasoning that prompted them, and I hope that I have answered hon. Members' questions.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 19

POWER TO DISAPPLY DUTIES UNDER SECTION (JOINT MUNICIPAL WASTE MANAGEMENT STRATEGIES: ENGLAND)

'(1) The Secretary of State may by regulations make provision for a duty under section (Joint municipal waste management strategies: England)(1) to (7)—

(a) not to apply to an authority if conditions specified in the regulations are met;

(b) not to apply to an authority if, on an application made in accordance with the regulations, the Secretary of State is satisfied that conditions specified in the regulations are met;

(c) not to apply to the waste authorities for a twotier area if, by reason of provision under paragraphs (a) and (b), it applies to one or more, but not all, of them;

(d) not to apply to the waste authorities for a twotier area if, on an application made in accordance with the regulations, the Secretary of State is satisfied that conditions specified in the regulations are met.

(2) The power under paragraph (a) or (b) of subsection (1) must be exercised so that provision under that paragraph will cause a duty under section (Joint municipal waste management strategies: England)(1) to (7) not to apply to an authority only if—

(a) the standard of the authority's performance in carrying out functions of its has been at, or above, a particular level, and

(b) that level is—

(i) the level that, in the Secretary of State's opinion, counts as satisfactory performance, or

(ii) a level that, in his opinion, is higher than that level.

(3) The power under paragraph (d) of subsection (1) must be exercised so that provision under that paragraph will cause a duty under section (Joint municipal waste management strategies: England)(1) to (7) not to apply to the waste authorities for a twotier area only if—

(a) as respects at least one of the authorities, the standard of its performance in carrying out functions of its has been at, or above, a particular level, or

(b) as respects at least two of the authorities, each has so carried out functions of its that the overall standard of their performance in carrying out those functions has been at, or above, a particular level,

and (in either case) that level is one mentioned in subsection (2)(b).

(4) Subject to subsection (2), the conditions that may be specified under subsection (1)(a) include (in particular) conditions that may be met only in the case of authorities that from time to time are, by reason of provision made by or under an enactment, of a particular category.

(5) Regulations under subsection (1) may include—

(a) provision about the duration of any disapplication under that subsection of a duty;

(b) provision postponing the application of a duty on the coming to an end of a disapplication under that subsection of the duty;

(c) provision modifying the application of subsections (1) to (7) of section (Joint municipal waste management strategies: England) in relation to a twotier area where a duty under those subsections applies to one or more, but not all, of the waste authorities for the area.

(6) A statutory instrument that contains regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(7) A reference in subsection (2)(a) or (3)(a) or (b) to functions of an authority is to functions of the authority in any capacity (and not only to functions of its in its capacity as a waste disposal authority or waste collection authority).'.—*[Mr. Morley.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 20

INTERPRETATION OF CHAPTER 3

In this Chapter—

(a) "twotier area" means the area of a waste disposal authority in England which is not also a waste collection authority;

(b) "the waste authorities" for a twotier area are—
(i) the waste disposal authority for the area, and
(ii) the waste collection authorities within the area; and

(c) "waste disposal authority" and "waste collection authority" have the same meaning as in Part 2 of the Environmental Protection Act 1990 (c. 43).'.—*[Mr. Morley.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 21

REPEAL OF DUTY TO PREPARE RECYCLING PLANS IN ENGLAND AND WALES

'The following provisions are repealed—

(a) section 49 of the Environmental Protection Act 1990 (c. 43) (collection authorities' waste recycling plans),

(b) sections 353(3) and 361 of the Greater London Authority Act 1999 (c. 29) (which refer to section 49 of the 1990 Act), and

(c) paragraph (a) of section 7(2) of the Local Government Act 2000 (c. 22) (power to amend etc.section 49(1)(c) of the 1990 Act).'.—*[Mr. Morley.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

STRATEGIES FOR WASTE MINIMISATION: ENGLAND

'(1) The Secretary of State must have a strategy for waste prevention and minimisation, containing quantitative targets for overall waste reduction and for specific waste streams.

(2) The Secretary of State will set out in regulations requirements for local authorities and business relating to waste prevention and minimisation including—

(a) taking a lifecycle approach;

(b) reducing packaging.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Secretary of State must—

(a) consult the Scottish Ministers, the National Assembly for Wales, the Department of the Environment, the Secretary of State for the Home Office, the Environment Agency and the Mayor of London,

(b) consult such bodies or persons appearing to him to be representative of the interests of local government as he considers appropriate, and

(c) consult such bodies or persons appearing to him to be representative of the interests of industry as he considers appropriate, and

(d) carry out such public consultation as he considers appropriate.

(4) The Secretary of State must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Secretary of State must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Scottish Ministers,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.—*[Norman Baker.]*

Brought up, and read the First time.

Norman Baker: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following:

New clause 2—*Strategies for waste minimisation: Scotland*—

'(1) The Scottish Ministers must develop a strategy for waste prevention and minimisation containing quantitative targets for overall waste reduction and for specific waste streams.

(2) The Scottish Ministers will set out in regulations requirements for local authorities and business relating to waste prevention and minimisation, including—

(a) taking a lifecycle approach;

(b) reducing packaging.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Scottish Ministers must—

(a) consult the Secretary of State, the National Assembly for Wales, the Department of the Environment and the Scottish Environment Protection Agency,

(b) consult such bodies or persons appearing to them to be representative of the interests of local government as they consider appropriate,

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(c) consult such bodies or persons appearing to them to be representative of the interests of industry as they consider appropriate, and

(d) carry out such public consultation as they consider appropriate.

(4) The Scottish Ministers must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Scottish Ministers must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.

New clause 3—*Strategies for waste minimisation: Wales*—

'(1) The National Assembly for Wales must develop a strategy for waste prevention and minimisation containing quantitative targets for overall waste reduction and for specific waste streams.

(2) The National Assembly for Wales will set out in regulations requirements for local authorities and business relating to waste prevention and minimisation, including—

(a) taking a lifecycle approach;

(b) reducing packaging.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Assembly must—

(a) consult the Secretary of State, the Scottish Ministers, the Department of the Environment and the Environment Agency,

(b) consult such bodies or persons appearing to it to be representative of the interests of local government as it considers appropriate,

(c) consult such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and

(d) carry out such public consultation as it considers appropriate.

(4) The Assembly must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Assembly must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the Scottish Ministers, and

(c) the Department of the Environment.'.

New clause 4—*Strategies for waste minimisation: Northern Ireland*—

'(1) The Department of the Environment must develop a strategy for waste prevention and minimisation containing quantitative targets for overall waste reduction and for specific waste streams.

(2) The Department of the Environment will set out in regulations requirements for local government and business relating to waste prevention and minimisation, including—

(a) taking a lifecycle approach;

(b) reducing packaging.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Department must—

(a) consult the Secretary of State, the Scottish Ministers and the National Assembly for Wales,

(b) consult such bodies or persons appearing to it to be representative of the interests of local government as it considers appropriate,

(c) consult such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and

(d) carry out such public consultation as it considers appropriate.

(3) The Department must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(4) The Department must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the Scottish Ministers, and

(c) the National Assembly for Wales.'.

New clause 8—*Minimising Arisings from Nuclear Waste*—

'(1) The Secretary of State must develop a strategy for—

(a) minimising the arisings of nuclear waste;

(b) minimising the discharge of liquid radioactive waste into the marine environment;

(c) ending the production of plutonium;

(d) implementing best available techniques for the management of spent nuclear fuel.

(2) Before formulating policy for the purposes of subsection (1), the Secretary of State must—

(a) consult the governments of all neighbouring countries around the North East Atlantic, including those countries bordering the Irish and North Seas;

(b) consult Scottish Ministers, the National Assembly for Wales, the Department of the Environment;

(c) consult such bodies or persons appearing to it to be representative of the interests of local government as he considers appropriate;

(d) consult such bodies or persons appearing to him to be representative of the interests of industry as it considers appropriate; and

(e) carry out such public consultation as he considers appropriate.'.

New clause 9—*Strategies for meeting the Waste Electric and Electronic Equipment Directive: England*—

'(1) The Secretary of State must have a strategy to meet Directive 2002/96/EC on Waste Electric And Electronic Equipment.

(2) The Secretary of State will establish by regulation that the original electrical equipment manufacturers, distributors and importers are held responsible for the cost of recycling the electrical equipment at the end of its life.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Secretary of State must—

(a) consult with the relevant EU bodies, the Scottish Ministers, the National Assembly for Wales, the Department of the Environment, the Secretary of State for the Home Office, the Environment Agency and the Mayor of London,

(b) consult such bodies or persons appearing to him to be representative of the interests of local government as he considers appropriate,

(c) consult such bodies or persons appearing to him to be representative of the interests of industry as he considers appropriate, and

(d) carry out such public consultation as he considers appropriate.

(4) The Secretary of State must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Secretary of State must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Scottish Ministers,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.

New clause 10—*Strategies for meeting the Waste Electric and Electronic Equipment Directive: Scotland*—

'(1) The Scottish Ministers must have a strategy to meet Directive 2002/96/EC on Waste Electric And Electronic Equipment.

(2) The Scottish Ministers will establish by regulation that the electrical equipment manufacturers, distributors and importers are held responsible for the cost of recycling the electrical equipment at the end of its life.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Scottish Ministers must—

(a) consult with the relevant EU bodies, the Secretary of State, the National Assembly for Wales, the Department of the Environment and the Scottish Environment Protection Agency,

(b) consult such bodies or persons appearing to them to be representative of the interests of local government as they consider appropriate,

(c) consult such bodies or persons appearing to them to be representative of the interests of industry as they consider appropriate, and

(d) carry out such public consultation as they consider appropriate.

(4) The Scottish Ministers must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Scottish Ministers must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.

New clause 11—*Strategies for meeting the Waste Electric and Electronic Equipment Directive: Wales*—

'(1) The National Assembly for Wales must have a strategy to meet Directive 2002/96/EC on Waste Electric And Electronic Equipment.

(2) The National Assembly for Wales will establish by regulation that the electrical equipment manufacturers, distributors and importers are held responsible for the cost of recycling the electrical equipment at the end of its life.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Assembly must—

(a) consult with the relevant EU bodies, the Secretary of State, the Scottish Ministers, the Department of the Environment and the Environment Agency,

(b) consult such bodies or persons appearing to it to be representative of the interests of local government as it considers appropriate,

(c) consult such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and

(d) carry out such public consultation as it considers appropriate.

(4) The Assembly must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Assembly must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the Scottish Ministers, and

(c) the Department of the Environment.'.

New clause 12—*Strategies for meeting the Waste Electric and Electronic Equipment Directive: Northern Ireland*—

'(1) The Department of the Environment must have a strategy to meet Directive 2002/96/EC on Waste Electric And Electronic Equipment.

(2) The Department of the Environment will establish by regulation that the electrical equipment manufacturers, distributors and importers are held responsible for the cost of recycling the electrical equipment at the end of its life.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Department must—

(a) consult with the relevant EU bodies, the Secretary of State, the Scottish Ministers and the National Assembly for Wales,

(b) consult such bodies or persons appearing to it to be representative of the interests of local government as it considers appropriate,

(c) consult such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and

(d) carry out such public consultation as it considers appropriate.

(4) The Department must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Department must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the Scottish Ministers, and

(c) the National Assembly for Wales.'.

New clause 13—*Strategies for meeting the Directive on Packaging and Packaging Waste: England*—

'(1) The Secretary of State must have a strategy to meet Directive 94/62/EC on Packaging and Packaging Waste.

(2) The Secretary of State will establish by regulation that the original producers have mechanisms in place to facilitate the recovery and reuse of their packaging, and the recycling and recovery of packaging waste.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Secretary of State must—

(a) consult with the relevant EU bodies, the Scottish Ministers, the National Assembly for Wales, the Department of the Environment, the Secretary of State for the Home Office, the Environment Agency and the Mayor of London,

(b) consult such bodies or persons appearing to him to be representative of the interests of local government as he considers appropriate,

(c) consult such bodies or persons appearing to him to be representative of the interests of industry as he considers appropriate, and

(d) carry out such public consultation as he considers appropriate.

(4) The Secretary of State must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Secretary of State must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Scottish Ministers,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.

New clause 14—*Strategies for meeting the Directive on Packaging and Packaging Waste: Scotland*—

'(1) The Scottish Ministers must have a strategy to meet Directive 94/62/EC on Packaging and Packaging Waste.

(2) The Scottish Ministers will establish by regulation that the original producers have mechanisms in place to facilitate the recovery and reuse of their packaging, and the recycling and recovery of packaging waste.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Scottish Ministers must—

[Mr. Deputy Speaker]

(a) consult with the relevant EU bodies, the Secretary of State, the National Assembly for Wales, the Department of the Environment and Scottish Environment Protection Agency,

(b) consult such bodies or persons appearing to them to be representative of the interests of local government as they consider appropriate,

(c) consult such bodies or persons appearing to them to be representative of the interests of industry as they consider appropriate, and

(d) carry out such public consultation as they consider appropriate.

(4) The Scottish Ministers must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Scottish Ministers must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.

New clause 15—*Strategies for meeting the Directive on Packaging and Packaging Waste: Wales*—

'(1) The National Assembly for Wales must have a strategy to meet Directive 94/62/EC on Packaging and Packaging Waste.

(2) The National Assembly for Wales will establish by regulation that the original producers have mechanisms in place to facilitate the recovery and reuse of their packaging, and the recycling and recovery of packaging waste.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Assembly must—

(a) consult with the relevant EU bodies, the Secretary of State, the Scottish Ministers, the Department of the Environment and the Environment Agency,

(b) consult such bodies or persons appearing to it to be representative of the interests of local government as it considers appropriate,

(c) consult such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and

(d) carry out such public consultation as it considers appropriate.

(4) The Assembly must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Assembly must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the Scottish Ministers, and

(c) the Department of the Environment.'.

New clause 16—*Strategies for meeting the Directive on Packaging and Packaging Waste: Northern Ireland*—

'(1) The Department of the Environment must have a strategy to meet Directive 94/62/EC on Packaging and Packaging Waste.

(2) The Department of the Environment will establish by regulation that the original producers have mechanisms in place to facilitate the recovery and reuse of their packaging, and the recycling and recovery of packaging waste.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Department must—

(a) consult with the relevant EU bodies, the Secretary of State, the Scottish Ministers and the National Assembly for Wales,

(b) consult such bodies or persons appearing to it to be representative of the interests of local government as it considers appropriate,

(c) consult such bodies or persons appearing to it to be representative of the interests of industry as it considers appropriate, and

(d) carry out such public consultation as it considers appropriate.

(4) The Department must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Department must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Secretary of State,

(b) the Scottish Ministers, and

(c) the National Assembly for Wales.'.

Norman Baker: We have had a broad run around the houses and we have mentioned waste minimisation. I have no wish to distract the Minister further and wander off the point, so I shall stick to waste minimisation as far as I can.

The Minister referred to the waste hierarchy. One of the points of agreement between hon. Members on both sides of the House and the population at large is that the waste hierarchy is right—the order of process is right. However, incineration is further down the hierarchy, than landfill. It has been reclassified as a disposal technique rather than a recovery technique following a recent Luxembourg judgment, which I hope the Government are aware of and will now take account of in their strategy. However, the hierarchy is right and at the top, as the Minister says, is waste minimisation. Yet that is the least developed part of the hierarchy: we know least about it, and have discussed it the fewest times. I suggest that there are fewer measures in the Bill to deliver waste minimisation than there are for other elements of the hierarchy.

In fact, delivery of the hierarchy is almost like an upside-down pyramid in reverse. Landfill remains the most attractive option in many ways, even though the EU landfill directive will no doubt have an effect. The landfill tax has not increased to the optimum level. The Chancellor of the Exchequer has proposed a rate of £35 a tonne, but getting there is taking a long time and we are not there yet. After landfill, incineration is the next most attractive option, followed by recycling, re-use and waste minimisation. In terms of incentives, that is the waste hierarchy in reverse. It contrasts with Government statements about what should be happening in theory.

Our intention with the new clause is to help the Government and the Minister, by encouraging waste minimisation. I want to help the Minister to deliver his strategy, as he is not doing so at the moment.

Waste is not being reduced but is growing by 3 per cent. a year. That is the key measure of the Government's success in protecting the environment, which is what we are talking about, not EU directives or avoiding fines. The best way to help the environment is to minimise the creation of waste in the first place.

Waste minimisation is not happening, for a number of reasons. One is that the levers to pull in respect of waste minimisation are more difficult to find. I am happy to accept that that is the case. Another reason is that EU measures cannot, by their nature, be fiscal measures, as countries have not agreed unanimously to introduce such measures. The packaging directive, for example, requires that a certain amount of waste is recycled but

does not reduce the amount of packaging used in the first place. The directive helps recycling, therefore, but not waste reduction and minimisation.

Another factor is that the Government's waste minimisation strategy, to the extent that it exists, is not communicated effectively to local authorities, which do not consider that they have a waste minimisation function. They see themselves as having a waste recycling, incineration or disposal function.

I recently gave evidence at the public inquiry into the East Sussex waste local plan, covering Brighton and Hove. I attempted to suggest that we should broaden the waste minimisation plan, but the barrister representing the county council told me that I had no business to try to introduce waste minimisation into the local plan. He said that that was inappropriate because waste minimisation was a national measure. The clear message from the councils is that waste minimisation is a matter for Government, but the Minister has said that it should be delivered by local councils. The reality is that no one is doing it properly, which is why nothing is happening and why waste is continuing to grow.

A number of measures could help, and I shall set them out later. First, however, we should remind ourselves of the scale of the problem and of the amounts disposed of last year in this country: they include 24 million car tyres, 972 million plastic water bottles, and 94,000 fridges. There were 226,000 old cars abandoned, as opposed to their being disposed of. In addition, 2 million mobile phones and 32 million printer cartridges were thrown away.

Printer cartridges provide a good example of where the waste minimisation strategy proposed in new clause 1 could be helpful. Twenty per cent. of the printer cartridge market is taken up by re-usable products that can be refilled and reclaimed. That minimises the throw-away culture and the amount of landfill taken up by printer cartridges.

I am sure that the Minister will agree that re-using printer cartridges is a better solution in environmental terms than buying new cartridges and throwing them away at the end of their useful lives. However, the waste electrical and electronic equipment directive discussions were led by the Department of Trade and Industry, and not by the Department for Environment, Food and Rural Affairs, as I think should have been the case. Britain has taken the lead in resisting the inclusion in the WEEE directive of printer cartridges. The DTI does not want cartridges to be classified as electrical wastes. Under pressure from Hewlett Packard and other manufacturers, the DTI wants the disposable culture to continue. That is an example of how the Government are simply not implementing their waste minimisation strategy.

Mr. Robert Syms (Poole): The hon. Gentleman makes a good point. A number of companies in this country want to get into the business of recycling printer cartridges and other items, but they feel that they will be at a disadvantage if such cartridges are not included in the WEEE directive. Does he agree, therefore, that it is also a matter of allowing small businesses to grow in this sector?

2.45 pm

Norman Baker: The hon. Gentleman is right—

Mr. Morley: No, the hon. Member for Poole (Mr. Syms) is not quite right on that matter. It is true that printer cartridges and other such items are not included in the WEEE directive, but there is nothing to preclude their re-use and refilling. The hon. Member for Lewes (Mr. Baker) was right to say that the DTI took the lead in the negotiations, but the basis of the directive is that the electrical equipment that it covers should go back to the original manufacturers. The same logic would apply to printer cartridges: if covered by WEEE, they would go back to the manufacturers, even though many are refilled and reused. That will not be affected by the WEEE directive.

Norman Baker: The Minister is either being slightly disingenuous, or ill informed. The point is that we think that the WEEE directive should cover printer cartridges. The requirement should be that they are dealt with on a comprehensive, life-cycle basis, but the Government are resisting that.

Mr. Wiggin: Does not the hon. Gentleman think it extraordinary that the Minister did not say in his intervention that the real problem with printer cartridges is that they are being put in landfill? By including them in the WEEE directive, we would achieve what the whole Bill seeks to achieve.

Norman Baker: That is exactly right. In respect of the Minister's intervention, I should point out that many small businesses would benefit from the inclusion of printer cartridges and such items in the WEEE directive. All printer cartridges used in this country are imported, and some are recycled and re-used by British companies. So every time the Government stand up in Brussels—or sit down in smoke-filled rooms—and say that they cannot allow the WEEE directive to include printer cartridges, they are disarming small businesses in this country, and damaging the environment.

That is what the DTI is doing. It has created the mess, and DEFRA is left to pick up the pieces afterwards. That is how the Government are constructed. We need more effort on waste minimisation, and I have given the Minister one concrete example of something that he could do to help.

The Minister also needs to clarify the Government's position on variable charging. My party believes that the proposition has considerable merit, and that it at least deserves to be tried in pilot projects around the country.

The Minister referred to the strategy unit report entitled "Waste not, Want not", which grasped that nettle. However, I do not know the Government's intentions in the matter. I think that they have concluded that variable charging is too difficult in political terms, and that they will sweep it under the carpet, at least until after the next election. Will the Minister say what he intends to do in connection with variable charging for local authorities? Perhaps another system could be used, but there has to be some incentive for householders in particular to reduce the amount of

[Norman Baker]

waste that they create, and thereby to ensure that waste minimisation strategies work. So far, I have seen no evidence that that is happening.

Where are the Government strategies to encourage businesses to minimise waste? I used to be chair of economic development in East Sussex county council, before it adopted antediluvian incineration policies. We looked at a business estate in Newhaven and discovered that some businesses were paying to dispose of stuff that other companies on the same estate needed as virgin products. We not only saved some businesses' disposal costs, which was good for them, but produced virgin material—or, at least, ersatz virgin material—for other companies to use, in place of what they would have had to buy on the open market. Waste minimisation can therefore help business as well as the environment, but there is no evidence that the Government are helping British businesses in that regard.

Why do the Government not sign up to the concept of zero waste? No one pretends that it can be delivered overnight, or even in 20 years, but it must remain the ultimate aim. A zero-waste culture would not consider waste as something to be disposed of, but rather as something whose creation should be avoided. If waste were created, it would be regarded as a material with a potential use, rather than as a problem to be got rid of. That may not always be possible, but we should move in that direction. I have heard no encouragement from the Government for the concept of zero waste, although the Liberal Democrat party conference in Brighton this year officially adopted the zero-waste policy.

A number of councils around the country—Liberal Democrat councils and others—have adopted the zero-waste strategy. They include Lewes district council and Bath and North East Somerset unitary authority. Other councils of different political persuasions have also adopted the concept. Why are the Government not doing so? They pay lip service to the concept of waste minimisation but do nothing about it.

We have heard one or two examples of what the Government were, theoretically, doing but I have seen no evidence of it. The key point is that the waste stream is growing. It is rather like the Government's road traffic reduction policy. In 1997, the Deputy Prime Minister promised that there would be fewer vehicles on our roads and said that we should hold the Government to that promise. However, there are far more vehicles on our roads and road transport is increasing. We are told that the Government want waste minimisation, but a growing amount of waste is being produced. They cannot deliver their own rhetoric. That is part of the problem that we face.

We need a zero-waste strategy and key to that is the extension of producer responsibility. Yet again, the lead is coming from the EU, which is introducing measures such as the end of life vehicles directive. Such initiatives will ensure producer responsibility, which we all want, but they are not coming from the Government, who plan to implement the directive in such a slipshod manner that its effects will, in the short term, be the opposite of what is intended. The polluter must pay, but currently that is not happening.

We have little evidence that the Government take these matters seriously. I refer the Minister to the comments of the Select Committee on Environment, Transport and Regional Affairs. It stated:

"Measures to encourage waste minimisation in the UK remain very weak."

If the Minister does not like that, he could try looking at the report of the Select Committee on Environmental Audit, which stated:

"No target has been set for waste minimisation. The resources available under the National Waste Minimisation and Recycling Fund have been largely directed at recycling projects rather than waste minimisation efforts. Few other levers to stimulate waste minimisation exist to compensate for this."

The Committee further noted that it agreed with the assessment of the Organisation for Economic Co-operation and Development that UK measures to encourage waste minimisation were very weak.

That is interesting. Two Select Committees both used the phrase "very weak" to describe waste minimisation measures. Two cross-party Committees, specialists in their field, heavily criticised the Government—*[Interruption.]* The Minister mutters "Out of date". In that case, ""Waste Strategy 2000"" is out of date. He cannot claim that some documents are state of the art just because he happens to like them and dismiss others as out of date. Those Select Committee reports postdate "Waste Strategy 2000", so they are less out of date than the Government's strategy.

The Government have done nothing seriously to address the need to minimise waste, but have instead allowed it to grow. They recognised the need to deal with landfill, with consequences for incineration that we have already discussed. To be fair, they have also recognised the need to increase recycling and have introduced measures to encourage it. However, they have not dealt with the first two items in the waste hierarchy: waste minimisation and re-use. Until they do so, their waste strategy will not be worth the paper it is written on.

Will the Minister set out what the Government plan to do to minimise waste? A sensible way forward would be to accept new clauses 1 to 4.

Hywel Williams (Caernarfon): I have a problem with the hon. Gentleman's proposals, as would my hon. Friends in the Scottish National party and his hon. Friends with Welsh constituencies. The proposals state that the devolved Administrations must develop strategies and describe the regulations that should be included, but is not that inconsistent with the whole idea of devolution?

Norman Baker: That is a far better point than any of those made by the Minister—*[Interruption.]* I am sorry; that was a bit harsh. The Minister is a very nice chap and I apologise for being unduly rude to him—but it is still true.

Our new clauses are an attempt to deal with the Bill as it has been constructed by the Government. We have tried to be consistent with the existing terms of the Bill. The measure applies to the whole United Kingdom, so that is how we tried to deal with our proposals. If the hon. Member for Caernarfon (Hywel Williams) is suggesting that there should be more devolution to

Scotland and Wales, I should not oppose that—*[Interruption.]* I have tried to explain that it is a UK Bill and that is why we took that approach.

Sue Doughty: Perhaps I can help my hon. Friend on that point. The measures are based on the European directive, which would penalise the UK as a whole, so the legislation has to deal with that fact. Where a European directive applies to the whole of the United Kingdom, we need a mechanism so that the problem can be divided up between the various UK nations. That is why we drew up our proposals as we did, but it would be up to the Welsh Assembly and the Scottish Parliament to make such representations as they can. The matter was considered in the Standing Committee, as we were concerned about the devolved aspects of the Bill.

Norman Baker: I am grateful to my hon. Friend for making the argument more eloquently than I did in my response to the intervention.

New clause 8 would minimise arisings from nuclear waste. We have not really touched on that subject during the passage of the Bill, but it is a serious environmental issue that relates to the waste stream. I do not entirely understand why successive Governments treat nuclear waste as something other than waste. I realise that it has to be dealt with differently, but why is it subject to separate consideration and not included in the waste strategy? It should not be put to one side; it can be dealt with under waste minimisation programmes and we should have a strategy for doing so.

Our new clause encourages the Secretary of State to develop a strategy for

"minimising the arisings of nuclear waste . . . minimising the discharge of liquid radioactive waste into the marine environment . . . ending the production of plutonium—

and—

implementing best . . . techniques for the management of spent . . . fuel".

The Minister is extremely well informed so I am sure that he is aware that the amount of radioactive waste stored in Britain has more than doubled over the past 15 years. The Government have released figures showing that stocks of nuclear waste, including high-level waste, which will, in some cases, remain hazardous for tens of thousands of years, increased to 92,000 cu m last year. The Minister will also be aware that, according to his predecessor, there is no information about the amount of waste stored before 1984, so there is uncertainty about what happened then.

I do not want to take up too much time on this matter, but a waste strategy that fails to recognise the doubling of nuclear waste—with all the implications of that—can hardly be complete. I encourage the Government to find a way of including nuclear waste in their strategy.

That should not be a DTI-DEFRA issue. I do not want a situation to arise in which the Department of Trade and Industry lets the nuclear industry off the hook, as it may do in relation to the nuclear liabilities Bill, and then asks DEFRA to clear up the mess. I am trying to help DEFRA by encouraging the Minister and his colleagues to be rather more vocal about the nuclear industry than they sometimes are.

I endorse new clause 1 and unless the Minister gives us a good response I shall divide the House on it.

Mr. Wiggin: The hon. Member for Lewes (Norman Baker) made an extremely good and accurate speech about the state of the Government's approach to waste. I thoroughly agree with him and if he puts the new clause to a vote I shall support him in the Lobby. Similarly, I hope that he will support me when I move new clauses 9 and 13.

The Bill treats landfill in complete isolation, whereas we need a comprehensive approach to waste policy. The waste electrical and electronic equipment and the packaging directive must be incorporated in the Bill. We need a strategy to reach those targets. The Government have missed the opportunity of using the Bill to connect the targets in a single, co-ordinated strategy.

The WEEE directive applies to the European concept of producer responsibility, whereby the producer or supplier must carry the cost of the overall environmental impact of the product when it becomes waste, through recycling and recovery rather than landfill disposal of all electronic and electrical equipment. Targets are required for collection and recovery to be met by the end of 2005, and a strategy to meet those targets is vital. The WEEE directive was published on 13 February and the UK now has 18 months to transpose it into national law. It states that systems for separate collection of waste must be set up, and it places obligations on producers and consumers, but not on local authorities.

3 pm

In 1997–98, the packaging waste directive was implemented in the UK, obliging Britain to increase the recovery and recycling of packaging materials. The Government's packaging recovery target for 2001 was 52 per cent. However, needless to say, it was not met and still only 48 per cent. of packaging is recycled. The European Commission proposes higher targets of 60 to 85 per cent. for recycling and recovery in 2006 to 2008. To meet its targets and avoid heavy fines, the UK must recover an extra 1.2 million to 2.7 million tonnes of packaging from the municipal waste stream. A great increase in separate household waste collections could aid the recovery of packaging if households were focused on it. We need a proper national strategy to reach that target, and new clauses 9 to 16 seek to achieve such a strategy. I recognise that the Government will not wish to accept those new clauses, but if we are to avoid enormous fines, we need a proper co-ordinated policy.

The hon. Member for Lewes told the House that official Liberal Democrat policy is to have zero waste. I recognise the benefit of zero waste. Waste involves resources, and it is a shame that landfill is the Government's preferred choice, followed by incineration. The hon. Gentleman said that achieving zero waste could take 10 or 20 years and that it may never happen. Perhaps he will tell us what is his party's policy on that time scale during the afternoon.

Norman Baker: It so happens that I have with me the Liberal Democrat policy motion, which was accepted at the Liberal Democrat conference, and I can formally tell the House that the conference agreed that there should be a target of zero for all municipal waste by 2020; 60 per cent. by 2010; and 70 per cent. by 2015.

Mr. Wiggin: That is very helpful.

My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) talked about supermarkets and the volume of waste packaging generated by people who shop. That is another excellent point and another very important reason why the packaging waste directive needs to be included in the Bill.

I am warned by my Whip that we may only get one vote on this subject, but all hon. Members can see that the Government have been seriously remiss in not including both those European directives, which they have signed up to and which they will be paying fines for if we do not achieve those targets. I should like to see both directives included in the Bill.

Mr. Sayeed: Last November, the Government's own strategy unit produced a very good report entitled "Waste not, Want not", and one of its central recommendations was that all Government thinking on waste should be coherent and holistic. Instead, we have a Bill that is exactly the opposite. Rather than starting at the front line of the battle and dealing with waste minimisation, we are starting at the rearguard and the final disposal of waste—not particularly holistic and certainly not particularly coherent.

The Bill penalises and affects local authorities in their disposal of waste, but it does not help them to minimise waste at source. It fails to provide incentives for individual citizens to act in a more environmentally friendly manner. The Bill is piecemeal, in direct contravention of what "Waste not, Want not" was all about. That is one of the reasons why it will fail.

I will not rehearse the arguments adduced by my hon. Friend the Member for Leominster (Mr. Wiggin) about the WEEE directive and the end-of-life vehicle directive, but it is absolutely clear that a Bill that deals with only 30 per cent. of waste misses a very considerable opportunity. The Bill should encompass strategies that deal with the WEEE directive, the packaging waste directive and the end-of-life vehicles directive.

The Bill should also make it clear how local authorities can deal with some of the most pernicious scourges in rural and urban Britain: abandoned cars and fly-tipped waste. The Bill says a lot about penalties on local authorities, but it does not demonstrate, and give clear guidance on, how local authorities can use the law to prosecute and penalise those who cause such antisocial and anti-environmental crime.

This is a bit of a Bill. In Committee, we tried to make it a much better Bill. We tried to shift its emphasis, so that it would do what the Government said that it was meant to do: deal with a waste hierarchy and encourage local authorities to do the most environmentally friendly thing. All it will actually do is penalise local authorities for doing one of the least environmentally friendly things. It is an opportunity missed.

Mr. Morley: I do not accept the hon. Gentleman's last comment at all. Hon. Members have spoken as though the Bill is the be-all and end-all of our waste strategy. It most certainly is not, and I shall come to some of the other issues. There is a range of work streams in progress and enormous acceleration in policy formulation, actions taken, changes in delivery, changes in targets and changes in achievements. Those are all important issues.

I am not going to say that we did not start at a low level—it is absolutely true that we did—but we have doubled the rate of recycling in this country since 1997. That is not enough, and we have to do more. I am very glad to say that we are making progress, and I shall refer to the work streams that we have in progress in a moment. Before I do so, I shall deal head on with the point about the variable charging made by the hon. Member for Lewes (Norman Baker).

There may well be a case for variable charging, and we are considering how it could possibly be applied. We are talking to the Local Government Association about how that could be done. However, there are downsides to variable charging, as the hon. Gentleman will be only too aware, and we must address the possible disadvantages as well because, if we introduce variable charging, we want the policy to be successful. My personal concept of variable charging is not to impose additional charges on people who are already paying for waste disposal through their council tax, but there could be discounts for people who change their behaviour. We have to consider how that could be put in place, but we are interested and we are trying to address the issue.

New clauses 1 to 4 would require the Secretary of State and each of the devolved Administrations to develop a strategy for waste prevention and waste minimisation, but that presumes that that is not being done in England and by the devolved Administrations, who are developing their own strategies. That is right and proper, as it is the principle of the devolved approach. We have to put in place more sustainable waste management arrangements. The hon. Gentleman is right to say that waste is still increasing at about 3 per cent. a year—we are well aware of that—but that makes the fact that we have increased recycling and re-use so significantly a greater achievement, although that is no ground for complacency when waste is still increasing.

The growth in municipal waste has slowed to about 2.4 per cent. a year. Again, that is no cause for doing cartwheels down the street. All I am saying is that we are making a bit of progress. We have an awful long way to go, but we are committed to making progress. Waste prevention cuts across a number of disciplines, and there are several Government programmes that I have not mentioned, such as waste minimisation, which is already covered in "Waste Strategy 2000". Incidentally, that waste strategy approach is very different from what is in the Select Committee reports that have been published. I have the utmost regard for both the Environment, Food and Rural Affairs Committee and the Environmental Audit Committee, which DEFRA takes seriously. If Members look at DEFRA's record, they will find that we try to implement the recommendations that Select Committees make to us, because we respect their views and the detail in their reports.

Paddy Tipping (Sherwood): I am of course grateful for the Minister's comments. He made a point earlier about variable charging and his desire to make progress. One of the ways to make progress is to have pilots. Will he reinforce his efforts to look at experimentation in this area? No one wants a full scheme at present, but there is a need to play around with some of these issues.

Mr. Morley: That is a sensible suggestion. When dealing with a new approach, it makes sense to pilot it in several areas, to gain experience and establish what are the advantages and disadvantages. Those are among the issues that we are currently discussing with the Local Government Association. As I said, it is a complex issue, and we need to consider a range of issues, but we are talking those through, and I will certainly take seriously the pilot area approach.

Mr. Wiggin: I am grateful for the comments of the hon. Member for Sherwood (Paddy Tipping) who, like me, sits on the Select Committee. In addition to variable charging, will the Minister consider incentives, because I believe that 90 per cent. of people in this country would recycle voluntarily if they were given the opportunity?

Mr. Morley: That is a possibility. My local authority, under the brown bin scheme, which involves composting by the local council—I live in one of the villages that does not benefit from the scheme, so I do not know whether it still goes on—used to give every household that took part in the scheme a bag of compost, which it could use on the garden or do with as it liked. I accept that that is a small incentive, but it is an incentive nevertheless, and it makes people feel that they are part of something meaningful and useful, and I like that idea. A range of incentives is possible, and I do not rule out that kind of approach.

Mr. Wiggin: The Minister will appreciate that a bag of compost is not necessarily the sort of incentive that sends out the clearest signal about what exactly he wants to achieve.

Mr. Morley: The hon. Gentleman may be surprised about how much enjoyment some people can get from a bag of compost in relation to their pastimes, so I would not rule out that incentive.

We are taking forward the waste resources action programme, which involves promoting waste minimisation and the recommendation of the Prime Minister's strategy unit to consider developing proposals for indicators for local authorities that incorporate success in reducing waste volumes. That will include consideration of the case for setting quantitative targets for waste reduction. The second phase of the 1994 packaging waste directive review will also look at re-use, minimisation and producer responsibility, and I intend to be fully engaged in that process. As a first step, I have already asked the Government's Advisory Committee on Packaging to provide me with advice on the issue to feed into the work of DEFRA, and it is already looking at ways of achieving more minimisation and reuse of packaging. The idea that the whole Government strategy hinges on this one Bill alone is therefore entirely untrue.

It is all very well for the hon. Member for Lewes to talk about zero waste and targets, but those must be delivered. I will watch with interest what Liberal Democrat authorities do in relation to those targets, but a clear strategy is necessary, which involves making decisions, not copping out on incinerators by talking about a moratorium and refusing to give a straight answer as to whether there is a role for them. The whole range of issues must be addressed, and there must be a hierarchy, which I do not believe is upside down. I accept that we have not got the hierarchy right in relation to the percentage of waste streams that we want, but we are addressing those issues. We have strategies in place, which we are pursuing, and I hope that I have addressed that point.

3.15 pm

In relation to new clause 8, the hon. Gentleman invites us to develop a strategy for, among other things,

"arisings of nuclear waste . . . the discharge of liquid radioactive waste into the marine environment . . . ending the production of plutonium . . . implementing best available techniques for the management of spent nuclear fuel."

Again, all those policies are currently being put in place. We are currently putting in place the nuclear waste committee and the various strategies that we would apply, such as new strategies in relation to minimising liquid radioactive waste, which I believe have great potential. Those issues need to be addressed differently. The way that the hon. Gentleman was speaking—I am sure that he did not mean to present it in this way—it sounded as though the local council would send a bin lorry round to Sellafield to pick up today's nuclear waste and take it away for composting and recycling. Dealing with those issues is a bit more complicated than that. In that respect, a separate strategy is required, which we are putting in place.

This Government's policy has always been to minimise arisings of radioactive waste. The hon. Gentleman will be aware, however, that a number of power stations are coming to the end of their working life. Those have to be decommissioned, and as a result, there will be an increase in radioactive waste, which is inevitable. Robust strategies will be necessary to deal with that.

Mr. Alan Meale (Mansfield): I am grateful for the answer that the Minister has just given. What he is saying to the hon. Member for Lewes (Norman Baker) is that if we go full speed ahead and close our nuclear power plants, what will occur is not minimisation of waste but maximisation of waste. I know that my hon. Friend is aware of UN talks that are going on at the moment, whereby we will try to have a worldwide approach to this enormous problem. For instance, he is aware that only two places on the planet are geographically safe to store nuclear waste underground—Australia and parts of Africa. The reality is that until we have a worldwide strategy, not only in relation to storage but in relation to transportation, we should be very careful about how we handle this whole issue.

Mr. Morley: I absolutely agree with my hon. Friend. The UK is recognised as one of the world leaders in relation to the expertise that we have in nuclear waste handling, but I acknowledge that it is a global issue, which we need to address. In fact, in September 2001, my Department and the devolved Administrations published a consultation document entitled "Managing Radioactive Waste Safely", which was about developing a policy for managing solid radioactive waste in the United Kingdom, and we are currently in the process of appointing the new committee that I

[Mr. Morley]

mentioned on management of such waste. In July 2002, my Department published a UK strategy for radioactive discharges, which set out proposals for reducing radioactive discharges to the marine environment in the period to 2020. That strategy is in compliance with targets agreed at a ministerial meeting of the OSPAR commission in 1998, which we also addressed this year. We are therefore approaching the issue in relation to best available techniques, we are taking seriously our commitments in international bodies such as OSPAR, and we are addressing the targets that we set ourselves.

Mr. David Marshall (Glasgow, Shettleston): The new clauses relate to strategies for the composite parts of the UK. What discussions has the Minister had already, if any, with Ministers in the Scottish Parliament, and what was their attitude to this aspect of the Bill?

Mr. Morley: Regular discussions take place between my Department and the devolved Administrations, at ministerial level and at official levels, and facilities at Sellafield serve the whole of the UK, as my hon. Friend will be aware. Nevertheless, there are power stations in each of the devolved areas, which have considerable interest and involvement in the formulation of those strategies.

New clauses 9 to 16 are all concerned with the implementation of EU waste management directives. Again, this Bill is not necessary to implement such strategies as the waste electrical and electronic equipment directive. We are already making progress on that. As with all directives, the UK is required by European law to implement it. The purpose of the directive is to prevent waste electrical and electronic equipment and encourage the re-use and recycling of such waste. It includes a requirement for member states to ensure that producers set up systems to provide for the recovery of WEEE. The requirement in the new clauses for separate regulations is therefore not necessary—it is already being done.

New clauses 13 to 16 deal with packaging and the packaging waste directive. I am pleased to inform the House that the new clauses are unnecessary because the requirements of packaging directive 94/62/EC have already been transposed into UK law, mostly through the Producer Responsibility Obligations (Packaging Waste) Regulations 1997. We are getting on with implementation and making progress toward meeting the targets.

Mr. Wiggin: If we are not reaching the targets set by the directive, will the Minister explain whether people are breaking the law or whether the system must be reinforced by amendment to the Bill?

Mr. Morley: There are separate issues relating to the potential penalties that apply within the directive that was implemented. However, we are making especially good progress on waste from packaging. Since 1998, which is when the obligations took effect, recycling of packaging waste increased from 27 per cent. to 44 per cent. in 2002. The figure is now beyond that. When the higher recycling targets in the next directive are put in place, I expect that there will be even greater reductions in waste.

I apologise for my somewhat lengthy explanation, but the idea that the Government's waste strategy is restricted only to the Bill is not fair, justified or correct. I have outlined to the House that a whole range of policies, strategies and work schemes are in place. We are making good progress on domestic, commercial and packaging waste and we intend to do more. I appreciate hon. Members' comments, understand their concerns and share their desire for progress. We are committed to continuing to make progress, so I hope that the House will reject the new clause.

Norman Baker: I am grateful to the Minister for his comments, although they were a broad sweep over the waste hierarchy and did not tell us much about waste minimisation, which is the subject of new clause 1.

On new clause 8, which relates to the nuclear industry, it is quite true, to pick up the point made by the hon. Member for Mansfield (Mr. Meale), that closing nuclear power stations would increase the amount of nuclear waste in the short term. However, my answer to that is that not closing the stations would produce even more waste in the long term because they produce waste as they continue to operate. The Government might say that they are producing strategies and doing this and that to minimise nuclear waste, but it is not long since they resisted attempts by the Irish, Norwegian and other Governments to stop the discharge of T99 from Sellafield, so their record is not especially good.

Mr. Meale: I am not really against many of the hon. Gentleman's arguments. However, I have difficulty with new clause 8. My area receives electricity from the Normandy coastline in France, which is interconnected with a series of power stations. The problem cannot be considered as purely a British response to nuclear spent fuel—there must be a global approach.

Norman Baker: I have some sympathy with that point. Of course, the problem must be dealt with internationally as much as possible and international agreements on energy and nuclear power exist. Such matters are often best dealt with at a European level, which is why environmental improvements that have occurred during the past 20 or 30 years have largely been a result of EU directives rather than individual action by successive British Governments. However, that is not to say that this country cannot do something. We should consider what can be done because we are creating nuclear waste and we should try to deal with it responsibly—I am not convinced that we always do.

Let me deal with the central issue of waste minimisation. I am grateful to Conservative Members for their comments, which show that there is agreement and understanding on this side of the House about the need to promote waste minimisation. We heard a lot from the Minister about recycling—the third bullet point on the waste hierarchy. I am happy to say that the Government are doing work on recycling and that recycling levels are going up. Progress is being made, albeit from a low base, so I give credit where credit is due. However, with respect, that is not the subject of new clause 1, which is about waste minimisation.

Mr. Wiggin: I am grateful to the hon. Gentleman for giving credit where credit is due. Credit is due to the

Conservative councils that form eight out of the 10 best councils at recycling and recovery. That has not been due to the Government because they are failing to reach their targets, which explains why we need such provisions in the Bill.

Norman Baker: We do need the provisions in the Bill, so the hon. Gentleman and I agree on that.

On variable charging, I am grateful to the Minister for taking up my point and that made by the hon. Member for Sherwood (Paddy Tipping) on the need for pilot projects—that is sensible. However, such charges should not represent a stealth tax. The system should be revenue-neutral so that those who help the environment receive a financial gain and those who behave irresponsibly receive a financial penalty. I hope that the Minister will conclude his discussions with the Local Government Association quickly and that a pilot project—or three or four—will be up and running before the next general election so that we can judge its success.

I return to the central point of minimisation. The way in which the waste hierarchy has been delivered is upside down, although the hierarchy is the right way up on paper. There are insufficient measures to address minimisation. The waste stream is increasing by 3 per cent. a year and nothing that I heard from the Minister convinced me that that trend will change. For that reason, I shall press new clause 1 to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 172, Noes 283.

Division No. 340] **[3:25 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Brady, Graham
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm
Burnett, John
Burns, Simon
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Tom Brake and
Mrs. Annette L. Brooke

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Bell, Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blears, Ms Hazel
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Challen, Colin

Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDougall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Moffatt, Laura
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Williams, rh Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. John Heppell and
Vernon Coaker

Question accordingly negatived.

New Clause 5

ENVIRONMENTAL IMPACT ASSESSMENT OF INCINERATION

'(1) The Secretary of State shall carry out a full national environmental impact assessment of existing incineration capacity using life cycle analysis, including assessment of the impacts of—

(a) transportation,

(b) emissions;

(c) effects upon alternative methods of waste disposal

(2) The Secretary of State must ensure that no permissions for new incinerator capacity are granted until after the requirements of subsection (1) have been completed.

(3) Before formulating policy for the purposes of subsections (1) and (2), the Secretary of State must—

(a) work in conjunction with the Scottish Ministers, the National Assembly for Wales, the Department of the Environment, the Secretary of State for the Home Office, the Environment Agency and the Mayor of London,

(b) consult such bodies or persons appearing to him to be representative of the interests of local government as he considers appropriate

(c) consult such bodies or persons appearing to him to be representative of the interests of industry as he considers appropriate, and

(d) carry out such public consultation as he considers appropriate.

(4) The Secretary of State must set out in a statement any policy formulated for the purposes of subsections (1) and (2).

(5) The Secretary of State must, as soon as a statement is prepared for the purposes of subsection (4), send a copy of it to—

(a) the Scottish Ministers,

(b) the National Assembly for Wales, and

(c) the Department of the Environment.'.—*[Norman Baker.]*

Brought up, and read the First time.

Norman Baker: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following:

New clause 6—*Monitoring of Dioxin Emissions from Waste Incinerators*—

'In section 3 of the Environmental Protection Act 1990 (c.43) (Emissions etc. limits and quality objectives) there is after subsection (2) inserted—

"(2A) The Secretary of State must introduce regulations to require continuous monitoring of dioxin emissions for all waste incinerators by 2006.".'.

New clause 17—*Directions to waste disposal authorities*—

'(1) a waste collection authority in England which is not also a waste disposal authority may direct that the waste disposal authority to whom it delivers its waste shall not dispose of that waste by incineration.

(2) Any waste disposal authority which receives such a direction shall take such steps as are necessary to ensure it is complied with within 12 months of the issuing of the direction.

(3) A waste collection authority issuing a direction under subsection (1) above shall pay to a waste disposal authority such amounts as are needed to ensure that the disposal authority is not financially worse off as a result of having to comply with the direction.'.

Amendment No. 59, in clause 26, page 17, line 23 at end insert—

'( ) A waste collection authority in England which is not also a waste disposal authority may direct that the waste disposal authority to whom it delivers its waste shall not dispose of that waste by incineration. Failure on behalf of the waste disposal authority to comply will result in a penalty as set down in Clause 9'.

Norman Baker: No doubt the Minister wants to discuss incineration. He has shown a thirst for the subject in our debates this afternoon, so I am confident that he will deal eloquently with new clause 5, which requires an environmental impact assessment of incineration—a spot check, as it were, of the current position. That is important, because incineration is not only a controversial matter for the public but is being reviewed, as the Minister will know, at European Union level. I am sure that he will be aware of the Luxembourg judgment, which I mentioned in an earlier debate and which has recently reclassified incineration, previously a recovery technique, as a disposal technique. That should influence the Government's thinking—it does not change the components of the hierarchy, but it moves incineration further from recycling and closer to landfill, and it is important that we view it in that way.

In "Waste not, Want not", a report on the future of waste management by a Government strategy unit, a review of the health and environmental impact of different forms of waste management was promised. The Government have therefore taken the issue on board, although the review encompasses more than just incineration. A report was promised for autumn 2003, so perhaps the Minister will say something about its progress. I hope that that there has been consideration of whether or not to introduce fiscal measures on incineration—in other words, an incineration tax. If incineration is now officially a disposal technique, should we not apply the logic that we have applied to landfill and discourage it through the introduction of a tax? Before anyone seeks to intervene, the tax would not be used to raise funds and would be redeployed on a revenue-neutral basis.

We must however find a way to discourage incineration. Like other Members, I believe that, under pressure from the European Union, the Government have sought to minimise landfill but have not sought to prioritise anything else in the hierarchy. Consequently, the waste that was going to landfill will simply go to the next available alternative which, I am afraid, is incineration. It will not be recycled, minimised or re-used—it will be largely incinerated. The Government must therefore consider whether they are content to incinerate the 50 per cent. of waste currently going to landfill that will no longer be allowed to be disposed of in that way by 2015. I urge the Minister to give the matter serious consideration, as that will happen unless the Government change the course.

The public are entitled to a clear understanding of the full national environmental impact assessment of incineration, as required by our new clause. The Government's general assessment in "Waste not, Want not" is welcome as far as it goes, but unless the Minister tells me otherwise, I do not believe that it will deliver such an understanding. He will be aware that in 1996 a European Commission report on the draft incineration directive estimated that for every tonne of municipal waste that was incinerated, between £21 and £126 worth of environmental damage was caused. Incineration therefore has a serious downside that has to be accounted for in environmental terms. If there is a cost to the environment, perhaps a cost should be imposed on incineration above that which currently applies.

We need to know the true cost of incineration—not simply a 1950s Treasury cost of incineration but the overall environmental cost, taking account of externalities, whether damage to health, transport movements or the loss of the proximity principle, if that

[Norman Baker]

can be costed. Incineration can result in such a loss because it requires a large throughput to justify the initial capital costs, pulling waste from a large geographical area, larger than that required for recycling schemes or other waste treatments. To use East Sussex as an example again—I am sorry to do so, but it is the area I know best—there is a proposal to have one incinerator there. Waste from a large geographical area will be pulled into a single incinerator, thus defeating the proximity principle that the Government correctly espouse when they talk about the waste hierarchy. The idea that local communities should take responsibility for their own waste has also been defeated. If it is all transported 40 or 50 miles to an incinerator, they are not taking that responsibility.

Paddy Tipping: I am following the hon. Gentleman's argument closely. The logical conclusion is that if an incineration plant is localised and conserves energy and heat as well as waste, that is supportable. Is that his position?

3.45 pm

Norman Baker: Not entirely, but I shall get there. In response to that sensible intervention from the hon. Member for Sherwood (Paddy Tipping), I can say that an incinerator that was more local, which people owned and for which they had responsibility, and which was consistent with the proximity principle and used the heat generated, would be preferable to the sort of incinerators being proposed across the country, which do not always meet those requirements by any stretch of the imagination.

We are told by those who propose incineration that it is perfectly safe and that there are no health risks. The health case is not certain, one way or the other. However, those who advocate incineration are the first to jump up and say, "We can't have it in our area." Why? Because they are concerned about the health risks and the negative impact of incineration. They want the waste taken somewhere else, out of their area. The Government should not support such a strategy, which undermines the concepts that they espouse in the "'Waste Strategy 2000"' and in "Waste not, Want not".

Transportation is an aspect of incineration that must be considered as part of any impact assessment. The process of incineration, by and large, requires greater transport movements than would be the case with waste minimisation and re-use, obviously, and possibly also with recycling. Have the Government quantified the transport movements that incineration generates?

I mentioned emissions. It is true, as those who advocate incineration say, that emission levels have been tightened considerably over the years and are now a fraction of what they were. I accept that, but there is still some doubt among eminent scientists who have looked into the matter. Dr. Vyvian Howard and others say that the present level of emissions still represents a health hazard. I do not know whether that is true or not, but people with experience and qualifications maintain that case. A further issue for those who live in the vicinity is the emissions resulting from large numbers of lorry movements to the incinerator and back. We need further investigation of the health aspects.

We cannot necessarily believe the figures that we are given about dioxin emissions. There are two reasons for that. One is that the Environment Agency does not have enough staff to undertake proper monitoring. Their visits are pre-announced, so it is possible for the incinerator plant to be operating at maximum capacity in order to produce the minimum dioxin emissions at the time that monitoring takes place. Secondly, if there is no continuous monitoring of incineration emissions, as there should be and for which new clause 6 provides, all we get is intermittent photographs that tell us everything is all right. In the meantime, if the incinerator plant has not been operating at capacity, the emission levels may have increased without being caught by the Environment Agency.

There are other downsides to incineration. The Minister will know of the fly ash that is generated. Up to 5 per cent. of what is incinerated has to be disposed of to landfill in any case—highly toxic fly ash. There is also bottom ash, which is generated in even larger quantities.There is no doubt that incineration gives rise to significant problems. If we can avoid it, we are keen to do so, except for specialist uses such as the disposal of special waste, chemical waste and medicines waste, where incineration clearly has a role to play.

Can we obviate the need for incineration? Earlier, the Minister kept asking me questions and would not take yes for an answer. If landfill is minimised according to the landfill directives, if there are special purpose incinerators, as well as the existing incinerators, if recycling, re-use and other techniques are promoted, particularly the separation of organic material for composting, which is a strategy that we have not yet maximised, if we consider anaerobic digestion and so on, and if we have a proper waste minimisation strategy, which we do not have at present—if all those conditions are met, we do not need the expansion of incinerators. That is the aim that the Government should pursue, but they have palpably failed to do so.

Paddy Tipping: In response to my previous intervention, the hon. Gentleman said that he was not against incineration in practice, but he now seems to be saying that he is against it in principle. Will he clarify in simple terms his position and that of his party?

Norman Baker: I have clarified the position and I do not know how much more I have to do so. The hon. Gentleman is being uncharacteristically disingenuous. He suggested earlier that the incinerator that he described was preferable to the others being built across the country. I was happy to agree with that proposition while not endorsing the creation of such incinerators. That is the position. If we are to have incinerators—that is the phrase that I used—it is better that they be the sort that he described than those that local authorities are currently planning to build. In making those comments, I am not suggesting that we should use incinerators as a matter of course, as I am keen to avoid them.

Paddy Tipping: Let us be clear: is the hon. Gentleman against incineration in principle?

Norman Baker: I am in favour of the waste hierarchy, which the Government fail to deliver. I believe that a judicious mix of waste minimisation, re-use and

recycling, separation of organic waste, the use of anaerobic digestion and so on, obviate the need for a lower option in the waste hierarchy to be pursued in relation to incineration, taking account of specialist needs such those related to chemical and medicinal waste and so on. I hope that that is clear.

Mr. Morley: It is not clear to me. The hon. Gentleman rightly mentioned the waste hierarchy, in which incineration is listed above landfill, especially where it is linked with energy re-use. He is probably aware that we have commissioned a detailed study in conjunction with the Royal Society—I shall deal with it in more detail later—on the environmental and health effects of all the various ways of disposing of waste. I have no idea what that study will say, but what will his position be if it says that incineration is the best option in certain circumstances in terms of environmental and health objections? Does he agree that incineration may be justified in certain circumstances, depending on what those circumstances are?

Norman Baker: I do not know how many times the Minister used the word "if" in that intervention. I have already answered his question: there are certain circumstances in which incineration is the best option.

Mr. Morley: At last.

Norman Baker: It is not a matter of saying "at last", as I have made the same comment about eight times. In dealing with clinical waste, for example, incineration is clearly the best technique. There is nothing new about that—it is the hypothetical example that the Minister wants and he has now got it. I hope that that is now clear. Many problems also arise in respect of landfill, but it may be the best solution in relation to inert building waste, for example. There are circumstances in which landfill is an entirely appropriate solution.

The Minister is keen to push the cause of incineration, and people out there in the country should be aware that he has intervened regularly this afternoon to defend it. That will not be missed by local authorities and others outside the House. If he does not want to believe me, however, let me refer to work done by his colleague, the hon. Member for Southampton, Test (Dr. Whitehead), who made effective contributions on Second Reading. He carried out a study in which he received replies from 130 councils about what they were planning to do with their waste. Some 45 of those councils, or 35 per cent., are contracted to private incinerator firms individually or as part of a consortium, and 36 of them, or 28 per cent., will start using incinerators within a set time frame. Only 49 of the 130 councils that replied—it was a big survey—have no plans to use incineration, and 19 of the 36 councils considering incineration have relatively short-term plans. So it is clear that, whatever the Minister may say about his hierarchy, local authorities are opting for incineration.

Mr. David Drew (Stroud): I should be intrigued to know how many of those authorities have, first, applied for planning permission and, secondly, achieved it.

Norman Baker: I refer the hon. Gentleman to the excellent survey on the website of the hon. Member for Southampton, Test, which includes that information. He has also collected, through parliamentary answers, details of planning permissions that have been given and are outstanding. The hon. Member for Stroud (Mr. Drew) may want to dispute that information, but it comes from a Labour MP, so I hope that he is not saying that it is in any way unreliable.

The reality is that under the Bill, local authorities are faced with a very short time scale within which to conform to the EU landfill directive. They know that they have to reduce the amount of landfill very quickly. The situation is not comparable to that in Denmark or anywhere else. We landfill about 80 per cent. of our household waste and we have to get that down to 35 per cent. Doing that quickly will require either an explosion in recycling, a really radical waste minimisation programme, or more incineration. Local councils are saying that only way in which they can meet the target quickly and effectively is to opt for incineration.

Mr. Morley *indicated dissent.*

Norman Baker: The Minister may shake his head, but that is what is happening all over the country. He needs to get out a bit more to talk to local councils.

Incineration is not the best solution by any stretch of the imagination. There is no tax or other disincentive to incineration—on the contrary, once landfill is eliminated, there are perverse incentives to incinerate, and it is not surprising that local councils are taking them. The Government want to avoid a chain of incinerators, but that is what they will get.

Mr. Morley *indicated dissent.*

Norman Baker: The Minister shakes his head again, but I am sorry to say that he does not know what is going on. Planning permissions are being granted all over the country. If we end up with a chain of incinerators, that will represent a failure of the waste plan. Local authorities will be tied into what the European Union now officially calls a disposal technique—not a recovery technique—for 25 or 30 years, because they have to enter into long-term contracts with incinerator manufacturers in order to recoup their funds. They will not be able to change direction and we will be stuck with this fourth option in the waste hierarchy for the foreseeable future.

Sue Doughty: It is worth reminding the Minister that the Environmental Audit Committee regularly tells the Treasury that, because it is cheaper to send waste to incineration than to landfill, the perverse incentive will remain until it starts to tax waste that goes to incineration, as well as to landfill, and accelerates it to some £35 a tonne in a far shorter time frame than is currently planned. The Bill will maximise that perverse incentive. We require the Government to take the threat seriously and to understand that they have a choice, as well as responsibilities, in this matter.

Norman Baker: I am grateful to my hon. Friend: that is absolutely correct. I hope that the Minister will deal head on with whether the Government are going to introduce an incinerator tax, because he has so far studiously avoided that question.

Mr. Wiggin: I have kept very quiet because I have been listening to the hon. Gentleman's argument carefully. He is right that the Bill promotes incineration, but does he agree that for the hon. Member for Guildford (Sue Doughty) to urge an increase in the landfill tax sends a wrong signal? Surely we require some sort of disincentive for incineration, not for landfill.

Norman Baker: The hon. Gentleman is right that we have to be careful how such fiscal measures are introduced. They should not be introduced individually so that they send the wrong signals. The Government should implement a comprehensive overall waste strategy through an Act of Parliament that brings in measures to achieve the ends that they, and we, want. By contrast, all that we are getting is the part of the Bill that discourages landfill. As long as the Government continue to run behind EU directives instead of considering the waste hierarchy as a whole and producing joined-up legislation, they will continue to send perverse, stop-start signals that, for example, discourage landfill and encourage incineration. What is missing from the Bill is a comprehensive, overall, holistic view of the waste stream.

4 pm

As I have said, local authorities will be tied to their contracts with incineration companies for 25 or 30 years. If we find that the health problems are greater than we may now think them to be, or discover other problems with incinerators, we shall not be able to do much about it. We shall be stuck with those problems, as will local populations.

The situation is even worse than that, however. Sensibly enough, for business reasons—I do not blame them—the incinerator companies want to guarantee throughput. They have to operate their plant at near capacity to reduce dioxide emissions, and they want to be assured, as part of their contracts, that they will be delivered a certain amount of waste with which to deal.

What will the consequences be? I do not happen to believe that the Government are right about waste minimisation, but let us suppose that the Minister proves me wrong and that the Government reduce the amount generated by, say, 10 per cent. over the next 10 years. The amount to be incinerated, however, will not diminish because it is guaranteed under the contracts. In the event of minimisation, recycling must suffer, because there will be no waste to recycle. We can have minimisation and incineration or incineration and recycling, but we cannot have all three—and I know which option I want to dispose of: incineration.

The Minister must face the reality of the fixed-term contracts, and what they mean in terms of guaranteed waste throughput. When the amount of waste is changing, the only fixed point is the amount that authorities are required to give the incinerator companies. Notwithstanding the Minister's protestations, this is a Bill for incineration. It will lead to incineration up and down the country, in council area after council area, as landfill gives way to that option. Unless the Government produce real measures to implement the waste hierarchy, that is what will happen, and I intend to be here in 10 years to say to the Minister, "I told you so".

Mr. Wiggin: I agree with the hon. Member for Lewes (Mr. Baker) that this is a Bill for incineration, although I do not believe that the Government intended it to be. I know that the Minister strongly favours implementation of the waste hierarchy, and I share that sentiment; what I do not share is his optimistic view that the Bill will lead to such implementation. The purpose of new clause 17 is to ensure that we do not increase the amount of incineration. I know that that will find favour with the Minister, which is why we are trying to amend the Bill in a helpful and constructive way.

The important thing about local authorities and, indeed, all involved in the waste scheme is that they will try their best to do what they interpret the rules as making them do. That means, first and foremost, that they will avoid being penalised. They will not allow themselves to fall into the trap of having to pay because they have failed to achieve their targets. They will therefore look for the best way of achieving those targets. They will start with good intentions, and recycle, re-use and recover as much as they can; but if they feel for one second that they will not achieve their targets by those methods, they will immediately investigate incineration. Because there is little incentive for them to do otherwise, they are likely to choose that option.

The Minister responded positively when I pressed him on the incentives issue earlier, but he should give it proper consideration. This is the way in which to encourage people to do the right thing. I always prefer incentives to penalties, but unfortunately that is not how the Bill has been drafted. Local authorities are opting for incineration to meet reduced landfill targets because the Bill contains no measures to implement the waste hierarchy, which places recycling and re-use above incineration. A decision on incineration needs to be made properly.

I am a member of the Select Committee on Environment, Food and Rural Affairs, as are a couple of Labour Members who are present. The Committee expressed a fear that incineration will be the sole beneficiary of the landfill directive. It said:

> "We fear that increases in the landfill tax could simply drive waste to the next cheapest option, which is likely to be another form of disposal such as incineration."

I believe that that is right—I suppose that, as a member of the Select Committee, I would. The statement is clear and accurate, and we need to deal with the matter today to prevent that fear from being realised. We are trying to make the Government acknowledge that incineration will increase so that they deal with that undesirable disposal option. Waste minimisation should be the focus, but the Government have set no targets for it and it is not incorporated in the Bill.

We have not yet mentioned energy recovery today. The United Kingdom currently recovers only 9 per cent. of energy from waste, compared with 78 per cent. in Japan, 58 per cent. in Denmark, 45 per cent. in Switzerland, 42 per cent. in the Netherlands, 38 per cent. in Sweden, 35 per cent. in France and 18 per cent. in Germany. Those figures are impressive. If we are to follow the incineration route, we must also have energy recovery. I am keen not to rule out incineration, because it is not an inappropriate method of dealing with waste, but it must not be encouraged in the Bill. However, the

measure will do that instead of encouraging what the Government want to achieve. New clause 17 tries to change that counter-productive aspect.

Paddy Tipping: I wonder whether it would be helpful to caricature the hon. Gentleman's position. He does not like waste or incineration, but does he accept that incineration of locally collected waste, which produces energy, is relatively better than many other options? Does he support that?

Mr. Wiggin: The hon. Gentleman's caricature is most unfair. The Bill was not designed to encourage incineration, but it will do that. That is its failure. The hon. Gentleman should have drawn that caricature but, sadly, he did not. I have no objections to the position that he outlined. There are many benefits, especially in terms of carbon dioxide, to be gained from local incineration, but the Bill aims for implementation of the waste hierarchy and it fails. That is a fundamental problem, which new clause 17 seeks to resolve.

Paddy Tipping: Will the hon. Gentleman give way?

Mr. Wiggin: If the hon. Gentleman wants to have another go at painting my caricature, I should be delighted.

Paddy Tipping: Let me have a second go. Am I right that the hon. Gentleman is not averse to local incineration schemes that produce energy from waste?

Mr. Wiggin: The hon. Gentleman should read new clause 17 carefully. He is trying to force me to make a statement on incineration when I do not need to do that. According to the Minister, the Bill does not promote incineration. However, he, the hon. Members for Sherwood (Paddy Tipping) and for Stroud (Mr. Drew) and I know that the Select Committee found that it would do that. Although local incineration that cuts carbon dioxide and provides energy has many benefits in principle, and Britain could increase the amount of energy recovered from waste from 9 per cent. to the levels of our European counterparts, that is not happening. Worse, it may never happen if we do not insist on energy recovery from incineration. Nothing in the Bill does that. The Minister tells us that the measure promotes the waste hierarchy. Unfortunately, the Opposition do not believe that that will happen. That is a shame, because we all want to do the right thing for the country and the planet. We shall fail because the measure is inadequate. I have made my position clear and I note that the hon. Member for Sherwood is no longer trying to intervene.

Waste collection authorities may direct the waste disposal authorities to which they deliver not to dispose of waste by incineration. However, the hon. Member for Lewes gave the example of waste collection authorities collecting sorted waste that could have a more beneficial use but goes to incineration because that allows the disposal authorities to avoid penalties. It will be a mistake and a wasted opportunity if we allow the Bill to progress without rectifying that.

New clause 17 would amend the Bill to ensure that collection authorities can insist that disposal authorities do not burn the hard sorted, hard collected and most useful resource that constitutes much waste. It would also ensure that recycling, recovery and re-use happened before incineration. I am sure hon. Members agree with that, and I therefore urge them to support new clause 17.

Mr. Drew: I rise not to continue the debate that we had in Committee but to try to clarify the misjudgment in relation to the new clauses. In Committee, we managed to redefine the Bill as one that would not speak the name of incineration. That was probably achieved from a position of opposites, and I am sure that I do not necessarily agree with my hon. Friend the Member for Sherwood (Paddy Tipping). From my perspective, the reason that the Bill does not speak the name of incineration is that incineration is not a possibility. It is certainly not a possibility at present, and I do not foresee it being one in the future.

Unlike the Liberal Democrats, I genuinely believe that local democracy should flourish. From all the analyses that I have carried out in my area, I have discovered overwhelming opposition to any proposals for incineration, in terms both of planning procedures and of the overall debate on waste disposal. I worry about putting the term into the Bill, because if we begin to speak the name of incineration, it could become a possibility. It could become a viable option, but I do not think that it should be, either for economic, social or—dare I say it—political reasons. I should like to see a local authority launch a campaign for incineration as its means of waste disposal, because I hate to think what would happen if such a campaigning agenda were adopted.

Norman Baker: The hon. Gentleman makes a good case for individual councils not promoting incineration. Like him, we are committed to local decision making and democracy. He must, however, address the issue of why, if there is such overwhelming opposition to incineration from the public, for a whole variety of reasons, local authorities up and down the country are promoting it.

Mr. Drew: My hon. Friend the Member for Southampton, Test (Dr. Whitehead) did some interesting evaluations of local authorities in regard to this issue, and it is fair to say that they are in something of a mess. A meeting will take place this week in Gloucestershire with the county council, the waste disposal authority, at which its waste proposals will be discussed. Its waste plan did not get a very good response. In fact, it was so badly written that the inspector ended up coming in like a deus ex machina and talking about putting back the proposal of a regionally centred incinerator, which has caused an outcry. The one thing that the whole panoply of parties in Gloucestershire can agree on is that incineration is not the right way to go.

In our long discussions in Committee we agreed that incineration would not be on the face of the Bill. That does not mean that we removed incineration, but it is a piece of realpolitik that no one on the Committee saw us going in that direction in the immediate future, so I do not quite understand why hon. Members are now trying to put it back into the Bill.

Mr. Wiggin: The point that the hon. Gentleman makes about the people of Gloucestershire is extremely

[Mr. Wiggin]

important. What we are really saying to the general public is, "If you don't want incineration, you should recycle." It is sad that 90 per cent. of people would go for that—they will recycle if they are given the chance—but that is not happening either. We are in a dangerous position in which the Government could force people to incinerate because there is no other option, and expect to pay penalties.

4.15 pm

Mr. Drew: I hate to disagree with the hon. Gentleman because we agree on many things, not least on the subject of fluoridation, on which I shall say more in a minute.

It is dangerous to pre-empt local decision making by saying that, if local authorities are incapable of changing the mindset and consciousness of their local populations, they will inevitably come back with the incineration proposal. I believe that they would be foolhardy to do so. They had better get on with the persuading now, because if they deem themselves faced with that problem—that may be what they fear, as the analysis of my hon. Friend the Member for Southampton, Test may suggest—they will face some difficulties. If they are in tune with their local populations, the campaign against incineration should be the way in which authorities meet the Government's agenda. That is why I fear proposing these particular changes at this time.

I hope that the two parties will reconsider. Having secured a degree of agreement in Committee, it is not right to divide the House now. We should be clear and the message should come out loudly from this Chamber that incineration is not the way forward—and it is not what is happening out there. The Minister was accused of not knowing what is going on, which I honestly cannot understand unless I am misreading all the parliamentary answers that suggest time and again that planning has resulted in not proceeding with incineration. Even where there has been an attempt to expand existing capacity, it has not progressed. Something confusing is going on out there, but I believe the parliamentary answers.

Further to challenge the Liberal Democrats, I hope that they will not repeat what they did in the fluoridation debate. They led me to believe that there would be four-square opposition to fluoridation, but at the last moment bottled out on their opposition, resulting in a much bigger majority for clause 61. I understand that that is a different issue, but if the Liberal Democrats are against incineration, they should state that they are against it. Similarly, if they want incineration, albeit with qualifications, it would be honest of them to say so. It is no good making proposals that tend to mislead, for example by saying that the process is up to local authorities, and the waste collection authority can be predisposed to argue in favour of a different process from the waste disposal authority. That is quite an assumption. One cannot envisage waste disposal authorities opting for incineration where the waste collection authority says something different.

I hope that we are clear that incineration is not the way forward. The Bill is clear that there are other ways of disposing of waste, and we should campaign to ensure that people know about them. Making specific provision for incineration in the Bill at this time is a mistake.

Mr. Sayeed: During the course of our debate on Report thus far, the Minister has tried to persuade hon. Members that the Government have a coherent strategy and that the Bill is just one part of it. We are told that the other parts of the strategy will mesh together comfortably to provide a series of policies that fulfil all the environmental aims that we all share. I have to tell the Minister that he has not persuaded the participants in the debate, and in respect of his particular assertion that the Bill will not encourage incineration, he has very clearly not persuaded some hon. Members. Furthermore, neither he nor his predecessor has been able in the past to persuade Committees in which his own party has a majority.

What we do know is that incineration is already cheaper than recycling, thanks to the perverse tax breaks that it receives from schemes such as the climate change levy and the renewables obligation, as well as enhanced capital allowances and exemptions from business rates. With co-incineration plants also receiving tax breaks to burn waste, incineration operators could reduce their gate fees to compete even with landfill. That would make the prospect of incineration even more attractive to local authorities.

I am indebted to Friends of the Earth, which has conducted a series of case studies, which provide us with evidence from outside this place that seems to indicate that some local authorities are already planning to reduce the amount they send to landfill and intend instead to resort to incineration. For instance, Brighton and Hove and East Sussex councils, in a confidential report to the cabinet dated 12 March 2003, have identified that their contract with a major incinerator company, Onyx Aurora, will enable them to sell surplus landfill permits, generating extra income for the councils. Onyx then plans to build an incinerator in Newhaven with a capacity of 250,000 tonnes. The councils intend to recycle just 14 per cent. by 2015.

Norfolk county council has voted for a policy of landfilling nothing by 2010. That sounds great, but it has also rejected the recommendation of a 50 per cent. recycling target. How will it fill the gap between recycling just 36 per cent. and landfilling nothing? I suggest that some of it will go in incineration. A report to the county council's cabinet on 14 July 2003 acknowledged that the council

"may be able to buy and sell tradable landfill permits for 'unused' landfill space. This would allow [Norfolk]... a possible 'windfall'".

We know, and the hon. Member for Stroud (Mr. Drew) is right to say it, that incinerators remain a contentious issue with the electorate, who foresee enormous plants with a long lifespan that will despoil the landscape, consume waste that is not just locally generated, create more traffic—not just local traffic—and demand a steady stream of rubbish in order to operate efficiently and fulfil the terms of their contracts. Local people will not want incineration. However, if they are faced with the alternative of having no way of disposing of 64 per cent. of their rubbish, they may be forced to accept it.

As I told the Minister, I believe that some incineration is necessary, but I believe that tests should be undertaken before we reach that stage. For the

avoidance of doubt, those tests are that where it is economically possible waste should be dealt with at the higher end of the waste hierarchy, and only when it is not economically possible should one be looking lower down the waste hierarchy for a solution.

We know that some European countries have proved that high levels of recycling can go hand in hand with certain forms of incineration, but what do we know in this country? We know that small-scale energy-from-waste plants that deliver energy to the local community, coupled with incentives to minimise waste, should help us to develop policy that leads to sustainable consumption and resource management. We also know that local authorities have a pivotal role in that, but what does the Bill say about it? It is silent. Therefore, I believe that it is necessary to support new clause 17, as it will force the Government to face up to reality.

The new clause does not go far enough. We need to ensure that the Bill encourages local authorities to provide a market for recyclables. Part 2 uses a market mechanism to produce an emissions trading scheme. It is rather odd that such a mechanism should be accepted as a way to get rid of waste, but not to encourage the better use of that waste. The Bill could, and should, have used fiscal measures to encourage a market for recyclable materials. It should have contained the mechanisms, drivers and signals to encourage the right type of design, production, consumption and investment. In that way, more of what we produce could be recycled.

The Bill also fails to provide the raw materials that allow us to recycle more efficiently. One of those raw materials is source-separated waste. The Bill is silent on that. We have shown that environmentally friendly councils could produce source-separated waste that could be mixed again to produce the right mix for an incinerator. That is another opportunity that the Bill has missed.

Sue Doughty: The Bill is yet another example of the Government transposing a European directive into law without taking the opportunity to introduce some sensible legislation to support the environment. Amendments on packaging waste and the WEEE directive could have been incorporated in the Bill, and we have not even touched on the subject of hazardous waste. Only last week, members of the sustainable waste group heard Sir John Harmon of the Environment Agency say that we are nowhere near ready to deal with the hazardous waste directive. That is another matter that must be resolved.

The problem is that we are not looking at waste in an integrated way. The Minister probes us about Liberal Democrat policies on incineration, but the Bill deals only with biodegradable municipal waste. It does not cover hazardous waste, or clinical or construction waste. It contains no strategies to help councils avoid the pitfall of incineration.

People worry about incineration. The hon. Member for Stroud (Mr. Drew) implied that councillors were unelectable if they were keen on incineration, but incineration is part of Surrey county council's waste strategy.

There are major problems associated with incineration. Surrey has encountered a great many, but the council leader, wearing his regional assembly hat, has proposed it as a possible strategy for the whole of the south-east region. In that regard, the figures produced by the hon. Member for Southampton, Test (Dr. Whitehead) in relation to councils' intentions to go for incineration when there is no real alternative tell their own tale.

Taxation is another problem. The fact that landfill waste is taxed and incineration waste is not is a cause for concern. The Select Committees have pointed out that if we taxed materials that are currently being destroyed we should promote the recycling market. That is what we are really talking about. It is not merely that we are unhappy about incineration and the health risks and problems; it is sheer folly to build incinerators to burn materials that could have a further use. There is so much in the waste strategy relating to re-use and minimisation that implementing a policy that pushes such matters right down the waste hierarchy seems completely perverse.

4.30 pm

The public are worried about incineration and we need some good studies on the impact of incineration, fears about dioxins and other health concerns. One problem is that even the monitoring of dioxin emissions from municipal solid waste incinerators is unreliable. Two years ago, the Environment Agency told the Environment, Transport and Regional Affairs Committee that it did not believe that viable, continuous monitoring systems existed, yet in Belgium such systems have been implemented with no great increase in either the capital costs of incineration—the figure is about 0.2 per cent.—or the running costs. The laboratory costs have been driven down; market forces have had an effect and more samples can be taken at lower cost.

The Belgian experience shows that when there is continuous monitoring—every two hours or so—the result is different from the snapshots that, as my hon. Friend the Member for Lewes (Norman Baker) pointed out, might be taken when the incinerator was just being started up. Overall, the recording of dioxin emissions in Belgium was much higher—50 per cent. higher—than had been experienced previously, because the sampling system that had been used was so unreliable. That should become a thing of the past; we have improved water sampling so that it is statistically viable, but we do not seem to be able to do the same with incinerator sampling.

Mr. Sayeed: Was that unexpected result due to the fact that when certain materials are incinerated there are peaks of some types of dioxin emission? People tend to ignore those peaks and consider only the mean figure, so continuous monitoring and closure of plant may not be the best idea, even though it was suggested in the report to which the hon. Lady referred.

Sue Doughty: I thank the hon. Gentleman for that information. The report, which was published in 1998 in the *Journal for Organohalogen Compounds*, identified several long and technical reasons and suggested that continuous monitoring equipment could give dioxin emission readings that were up to 50 times higher than when measurements were taken only twice a year. There were many factors involved in those low readings, many

[Sue Doughty]

of which were identified, but the fact remains that our current sampling method is not based on sound statistical science and it is high time that the public received the information that they need about the health risks from dioxins. Our decisions must be based on sound science rather than on information collecting methods that are widely mistrusted by the public and thereby add to their concerns.

On the provisions relating to collection and disposal authorities I welcome the amendment. In an area where a council of one political persuasion is responsible for disposal while another is responsible for collection, it would be tempting when drawing up a countywide waste strategy to place the incinerator where people would not vote for the ruling party in any case. That is why it is so important to know whether the Conservative party will support holding real consultations between county and district or county and borough, so that there can be a co-ordinated response and local wishes can be taken into account. The wishes of people living in the collection authority area must be considered, whatever their party view, as that is important for local democracy.

In Essex, it is well known that the Friends of the Earth group in Mersea has got recycling up to 60 per cent., yet the Essex waste strategy still includes the possibility of incineration. One group is saying, "We can do it" and another is saying, "We'll use incineration." The authority in Colchester signed the zero-waste pledge. We have heard about the problems in Surrey and those experienced by my hon. Friend the Member for Lewes.

Many of those problems could be avoided if the Government were to adopt a coherent waste strategy that took into account fiscal measures, the economics and the number of jobs that would be produced by a sustainable waste strategy. We have been talking about lots of jobs in recycling—for example, refilling ink cartridges—but that is not what the Bill is about, so I shall not detain the House further, except to make the essential point that, even if the Bill does not explicitly promote incineration, by golly, that is what it will do.

Mr. Morley: Interesting contributions have been made by a range of hon. Members—the hon. Members for Lewes (Norman Baker) and for Leominster (Mr. Wiggin), my hon. Friend the Member for Stroud (Mr. Drew), and the hon. Members for Mid-Bedfordshire (Mr. Sayeed) and for Guildford (Sue Doughty)—and I was very interested in what they had to say. I appreciate that incineration was a major issue in Committee, where it was discussed in some depth. People feel very strongly about it, but I make no apology for probing the Liberal Democrats on exactly where they stand.

The hon. Member for Lewes took a bold stand on water metering when debating the Water Bill and he was perfectly reasonable about that, but his position on incineration is a bit weaselly—although I do not know quite why weasels always get that reputation—and I am still not absolutely clear about it. I thought that we had moved forward a bit.

With regard to the points made by the hon. Member for Guildford, I do not think it coherent to have a waste strategy that apparently rules out one strand whatever the circumstances and whether or not it is justified. That is not a coherent strategy; it is just populist pandering, without trying to weigh up properly the advantages and disadvantages of each strand of the hierarchy.

In all fairness to Conservative Members, I do not disagree with their position on incineration. They want to consider the options as part of the hierarchy—which has been established, as we all agree—and, occasionally, there just might be a case for some form of incineration or, indeed, some form of thermal treatment. I do not say that I advocate incineration; all I am saying is that it should not be ruled out of consideration.

Sue Doughty: We have been consistent about incineration in the context of the Bill and municipal waste. We have been thinking out a coherent waste management strategy, and it seems a bit rich for a Minister of a Government who do not have a coherent sustainable waste strategy to criticise any other party.

Mr. Morley: That is just a load of old nonsense. I have just gone through in great detail a range of work streams and strategies, including "Waste Strategy 2000", the strategy unit and the waste and resources action programme. Incidentally, in respect of what was said by the hon. Member for Mid-Bedfordshire, that programme provides a range of support to develop markets for using recyclates, which we regard as an important part of the overall strategy. We have strategies coming out of our ears. It is important to make them work effectively, but part of doing so involves considering the range of options available—not ruling them out, without consideration, in the way that Liberal Democrat Members suggest. I repeat that the Bill is not in itself the principal deliverer of the waste hierarchy; it is part of the delivery of the waste hierarchy. It is one of a number of elements in relation to the Government's strategy and approach.

The aspect of new clause 5 on which I do not particularly disagree with the Liberal Democrats relates to the potential health and environmental effects of incineration and the concern that incineration could crowd out other forms of waste disposal. That is a serious point that we should examine, and a full national environmental impact assessment of existing incineration capacity should be carried out, on which I will touch in a moment. I do not agree, however, with the press release from Friends of the Earth, which I have looked at in some detail, in relation to the assumptions being made about this Bill and its potential to increase incineration. In that sense, I do not agree with the hon. Member for Leominster. I am not saying that there may not be further incineration in this country, because the Government's approach in relation to the joint strategies in the Bill, while not advocating incineration per se, is that people should look at all the options. I return to the point that incineration is above landfill in the hierarchy, and in some circumstances that may be the more preferable approach. Local authorities, as part of their strategy, will determine whether they think that that is appropriate.

Mr. Wiggin: The Minister's point is genuine, and none of us has questioned that the Government's approach is well intentioned. However, will he tell the House exactly how many incinerators he accepts must

be built? If more than that number are to be built, will he reconsider whether the Bill has been successful? The Opposition are worried that we will see an explosion in the number of incinerators. If he is prepared to say that that will not happen, will he set some parameters?

Mr. Morley: I certainly assure the hon. Gentleman that we will not see an exploding number of incinerators. The answer is that I cannot predict how many incinerators may be constructed. I do not believe that such an incentive is part of the Bill. Let us look at the situation on mainland Europe in relation to recycling, as one of the concerns expressed is that the Bill might crowd out recycling as part of an increase in incineration. Where there are no restrictions on incineration on the continent, no evidence exists of recycling being pushed out. In Flanders, for example, in 1999, the recycling rate was 62 per cent., which I would be very pleased to see in this country, and the incineration rate was 22 per cent., whereas ours is 8 per cent. There is a very large difference between the recycling rate in Flanders and in this country. No evidence exists that looking at incineration as an option necessarily pushes out recycling.

Norman Baker: The situation in other countries in Europe is different from that in this country. Over a long period, those countries have stopped landfill and have grown recycling as a desired option, as well as incineration. In this country, however, we must move off landfill very quickly, and that is the difference. Local authorities are faced with that quick, stark choice. Under the circumstances that Liberal Democrat Members have described, local authorities will opt for incineration more than we would like, because they are not starting with a strong recycling base in the way that other countries are.

Mr. Morley: I certainly accept that we are not starting with that strong recycling base, although we are making increasing progress in relation to accelerating the process of improving the percentage of recycling and re-use in this country, and we will continue to do that. I return to the point that statutory targets exist, which local authorities must meet, that incineration cannot remove. Some examples have been given of authorities that have high rates of recycling, and I do not necessarily believe that, with incineration, those rates would go down.

My hon. Friend the Member for Stroud made a good point about the difficulties of the planning process in relation to incineration. Incineration is very unpopular—no two ways about that—as is landfill. These days, even applications for large-scale composting are not popular with people. None of those things is popular. It is absolutely right that local authorities will have to reduce landfill under the Bill's obligations—that is its objective—but there are several ways in which they may do that. They will not necessarily have to go down the route of incineration because that is unpopular with local people and local democracy means that that must be taken into account. Although this is not an argument put forward by the Department, the point made by my hon. Friend shows that understandable local concerns will put enormous pressure on local authorities to up their levels of recycling and re-use rather than going down the road of incineration and landfill. That pressure will be on, so I do not accept for one moment that the wonderfully easy route to incineration that has been spelled out will exist.

4.45 pm

Mr. Sayeed: Will the Minister deal specifically with the case of Norfolk, where the authority intends to recycle only 36 per cent. of waste by 2010? It has pledged to stop all landfill, so what will happen to the other 64 per cent.?

Mr. Morley: I do not know all the details of what the authority in Norfolk is planning. Part of the approach is for local authorities to determine the best way in which to deal with waste in their areas. We expect them to consult and have a joint strategy, and that will apply to Norfolk as much as any area. Any decision that authorities reach must be made on the basis of what they think the most appropriate approach, and they will be accountable for that to their electorate and local communities. It is for them to justify the choice that they make. Local authorities should have the right to determine the best steps that they can take on waste minimisation with regard to the measures that we introduce.

On the potential impact from incinerators, the hon. Member for Lewes fairly recognised that things have changed greatly during recent years. Indeed, the most modern incinerators bear little comparison with older ones. Directive 2000/76/EC replaced earlier directives on hazardous waste incineration and the prevention and reduction of air pollution from municipal waste incinerators. The 2000 directive imposes stringent operating conditions on incinerators. It was partly transposed into UK law through the Waste Incineration (England and Wales) Regulations 2002 and remaining provisions have been transposed in directions to regulators. That led to the closure of several older incinerators and a two-hundredfold reduction in dioxin emissions from incinerators compared with five years ago. I know that the hon. Gentleman conceded that.

We want to go further. We need more information to compare the impact of incinerators with landfill. The Department has commissioned an independent review on health and environmental effects, as I briefly mentioned earlier. The review will cover all waste disposal options because they all have associated risks. It will include an assessment of the potential risks attached to incineration, and will especially consider the latest science and technology. The review is nearly complete and we expect it to be published in the near future. We are taking seriously the points raised by the new clauses tabled by the hon. Member for Lewes and addressing them, as the House will discover when we publish the report.

We are not actively encouraging incineration as a waste management option, but it is part of the hierarchy and people should be able to consider it. We have been through the hierarchy—there is no need for me to go

[Mr. Morley]

through it again—and hon. Members know that minimisation and recycling are at the top of it and that we are putting measures in place to encourage that.

Norman Baker: Will the Minister support an incinerator tax?

Mr. Morley: All financial instruments should be regularly reviewed. There may be a case for reconsidering them whatever the waste route. That is a possibility. We have no plans to do that, but financial instruments are an important tool, especially in terms of environmental outcomes.

Mr. Simon Thomas (Ceredigion): There is considerable sense in what the Minister advocates. However, I am struck by the fact that local authorities are deciding to have incineration today and that could tie them in to long-term disposal methods. That approach by local authorities will bind future generations, will not allow best technology to be used in future and could have an impact on re-use, recycling and minimisation strategies. Surely the Minister must share some of the concerns expressed.

Mr. Morley: I understand why hon. Members raise that point. Again, I return to the thrust of the Government's approach. We have confidence in local democracy and such decisions need to be taken locally. People will have to weigh up the capital costs of long-term contracts. I do not dispute that.

Even if we make good progress on recycling and re-use, which I am confident we will, and achieve a recycling rate of 50 per cent.—I would be more than pleased to hit that target, which would be pretty good in this country—14 million tonnes of municipal waste would still need to be disposed of each year. We could reduce that by using waste minimisation measures, which we have to address, but we would still need to dispose of a similar level of waste. Some of that could be dealt with in other ways, but there is a limit to the amount of material that is biodegradable and can be composted. The choice is to use landfill or incineration to dispose of that residue. Incineration may be the most sensible option, especially if it involves energy recovery, which the Conservatives mentioned. We agree that we need energy recovery if we are to benefit from the waste.

Mr. Thomas: What proportion of the current waste stream would fall into that category? I accept what the Minister says about local democracy, but would he not be well advised to give guidance to local authorities on the letting of contracts so that they do not tie the hands of future generations?

Mr. Morley: The latter idea goes a bit far on the legitimate role that central Government play in the decisions that local government makes on contracts. Local authorities are issued with guidance on a range of issues in relation to financial and practical matters. The waste implementation programme that we established also provides advice and support to local authorities on a range of waste strategies. That support is in place. The proportion of energy recovered from incineration is very low, although I do not know the exact figure. We need to increase that percentage if further development is to take place.

New clause 6 requires continuous monitoring of dioxin emissions for all waste incinerated by 2006. I am not unsympathetic to that approach. Work is being done on the technology to achieve that. I am not sure that the technology has been established or proven to the extent that I could be confident that it would be robust enough to put in place by 2006, but it is coming and we think that it has a role to play.

That technology may not be appropriate for all types of incinerator. The material that goes into municipal solid waste incinerators is very homogenous, so the pollutants produced during combustion tend to be more predictable than hon. Members have suggested. Nevertheless, we do not rule out the use of such technology in future.

Amendment No. 59 and new clause 17 would allow the waste collection authority to direct that the waste disposal authority shall not dispose of that waste by incineration. That goes a little too far for the waste strategy because it would rule out what might be the most appropriate option, so we cannot accept those amendments.

I hope, although I am not confident, that I have given a detailed explanation, because this is an important issue that the Government take seriously. I genuinely do not believe that the Bill, in itself, is a stimulus to large-scale incineration. We have established the waste hierarchy, within which, all hon. Members agree, incineration should be considered if it is the safest, most environmentally sound and most appropriate option. However, given the problems with planning, local opinion and the views of local councils, I cannot see that there will be a massive expansion of incineration capacity. I do not believe that the Bill will in any way upset the targets that we have set for waste minimisation, recycling and re-use, which are far above incineration in the Government's hierarchy of priorities.

Norman Baker: I shall be brief because we have had a long run round the course. The Minister is genuine in his desires, but I simply do not accept his analysis in one crucial respect, because the honestly held view on this side of the House is that the Bill will engender further incineration.

I refer the Minister to a parliamentary answer given by his predecessor on 10 March to the hon. Member for Southampton, Test (Dr. Whitehead), who had asked what incinerators were planned. This also picks up on the point made by the hon. Member for Stroud (Mr. Drew), who thinks that incinerators will not happen because local opinion is against them; that is not the case. The planning status is as follows: Grimsby, granted; Portsmouth, granted after appeal; Southampton, granted; Capel, Surrey, planning withdrawn and new application expected; Slough, granted; Chineham, granted; Hull, application refused and planning appeal in progress; Neath, Port Talbot, granted; Maidstone, granted; Bexley, public inquiry pending; Derby, granted; Sheffield, granted; Cornwall, application submitted.

Mr. Drew: The hon. Gentleman is right about the long list of planning applications, and it would be interesting to consider its historical antecedents. But how many of them does he genuinely think will proceed? I think that very few of them will proceed.

Norman Baker: I have no reason to think that any of them will not proceed. After all, if someone has gone to the huge expense—it is probably millions of pounds—of getting together a planning application and meeting all the Environment Agency's requirements for pollution prevention controls, which are also being determined, although I did not read out that part of the parliamentary answer, clearly they will proceed with that application.

Gregory Barker: Does the hon. Gentleman agree that any company considering making a planning application for an incinerator rather than investing in other, more sustainable technologies, will only be encouraged by the Minister's words today? The Minister may be ambivalent towards incineration, but it is a huge, lost opportunity in the Bill.

Norman Baker: Companies may not be encouraged by the Minister's words—that is a little harsh towards the Minister—but they may reasonably conclude, after reading the Bill, that they can proceed with incineration because that is the direction in which the Government are pointing, whether or not they want to.

Richard Younger-Ross (Teignbridge): Will not barristers at planning appeals use the words that have been used today in their arguments that the Minister should decide in favour of a planning application?

5 pm

Norman Baker: Barristers looking at the Brighton and Hove waste plan chided me for daring to try to include waste minimisation. They did not see a role for it, as they believe that the priorities should be recycling and incineration. That, I am afraid, is what is happening on the ground, irrespective of the Minister's best intentions.

I refer the Minister to comments made by his colleague, the hon. Member for Southampton, Test in Standing Committee B on 8 April 2003, at column 174:

"The ultimate conclusion is that if nothing else happens by the end of the decade, some 70 per cent. of waste disposal authorities will be involved in some form of incineration."

The hon. Gentleman had talked to councils and conducted a survey of their methods of waste disposal. He continued:

"Perhaps we need measures outside the Bill on incineration tax and different ways of dealing with incineration, and perhaps we need incentives on how local authorities work."—[*Official Report, Standing Committee B*, 8 April 2003; c. 174.]

The hon. Gentleman is very good on these matters, but the Minister has not given us the definitive assurance about incineration tax that we would like. Once landfill has been excluded, or at least made difficult, which is what the Bill rightly does, there are no further incentives to prioritise the waste hierarchy, so local councils will go for the easiest option. They will follow the money and choose incineration—a matter about which the hon. Member for Stroud asked. Councils will follow financial pointers, so the Government must change those pointers to stop them doing so. Unless the Government take an active interest and introduce change, the right decisions will not be made at local level.

I am grateful for the Minister's comments on DEFRA's work on the health and environmental review, which I mentioned in my introduction. He was right to highlight that welcome Government development. I am grateful for his comments on new clause 6, to which he was sympathetic. I am not sure that I agree that the technology is not proven, as there is continuous monitoring in Denmark and other countries. That is a minor point, but at least he will look at the matter.

I am not convinced, however, that the conditions set out in new clause 5 will be met in the assessment of transportation, emissions and alternative methods of waste disposal. It is important that the House send a signal that it does not want incineration unless that is a last-gasp effort, according to the Minister, in the waste hierarchy. However, we are going to get it as the Bill is currently constructed, so I shall seek to divide the House on new clause 5.

Question put, That the clause be read a Second time:—

The House divided: Ayes 184, Noes 292.

Division No. 341] **[5:02 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Holmes, Paul
Howard, rh Michael

Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Trend, Michael
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Richard Younger-Ross and Sir Robert Smith

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Selly Oak)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lammy, David
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McIsaac, Shona

McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Mitchell, Austin *(G' Grimsby)*
Moffatt, Laura
Moonie, Dr. Lewis
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Williams, rh Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Derek Twigg and Charlotte Atkins

Question accordingly negatived.

New Clause 17

DIRECTIONS TO WASTE DISPOSAL AUTHORITIES

'(1) a waste collection authority in England which is not also a waste disposal authority may direct that the waste disposal authority to whom it delivers its waste shall not dispose of that waste by incineration.

(2) Any waste disposal authority which receives such a direction shall take such steps as are necessary to ensure it is complied with within 12 months of the issuing of the direction.

(3) A waste collection authority issuing a direction under subsection (1) above shall pay to a waste disposal authority such amounts as are needed to ensure that the disposal authority is not financially worse off as a result of having to comply with the direction.'.—*[Mr. Wiggin]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 176, Noes 289.

Division No. 342] **[5:16 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burns, Simon
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Holmes, Paul
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*

Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Stunell, Andrew
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Robert Syms and Hugh Robertson

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cawsey, Ian *(Brigg)*
Challen, Colin
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Moonie, Dr. Lewis
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg

Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Rachel
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Williams, rh Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Derek Twigg and
Charlotte Atkins

Question accordingly negatived.

Clause 1

TARGET YEARS

Mr. Wiggin: I beg to move amendment No. 10, in page 1, line 8, after 'waste', insert

'municipal solid waste, commercial and industrial waste and construction and demolition waste'.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss the following amendments: No. 27, in clause 9, page 7, line 11, after 'waste', insert

'municipal solid waste, commercial and industrial waste and construction and demolition waste'.

No. 60, in clause 21, page 14, line 43, at end insert—

'(1A) In determining whether waste is biodegradable for the purposes of this Chapter the following is to be excluded—

(a) waste that has had its biological activity significantly reduced through accelerated decomposition technologies or other non-incineration technologies that the Secretary of State may specify by regulations; and

(b) is within statutory limits of biological activity that the Secretary of State may specify by regulations.'.

Mr. Wiggin: Amendment No. 10 not only highlights the Bill's glaring inadequacies but tries to amend it positively and constructively. That means that the definition of biological or biodegradable would include all the different components of the municipal solid waste stream. That includes commercial, industrial, construction and demolition waste.

In his previous speech, the Minister talked about Flanders. I urge him to be careful when using European examples because European countries measure waste and recycling differently from the United Kingdom. The European Union is trying to amend the definition of waste and recycling to establish a uniform European standard of measurement. That will be constructive but before it happens we must be careful about citing examples from other countries. They do not necessarily measure the same thing as we do.

We cannot be proud of the UK's recycling record, although Conservative councils are making the greatest inroads into achieving the Government's targets. It is especially difficult for me to listen to the Government emphasising the extent of progress when I know that Conservative councils are responsible for it. The amendment would increase the small amount of waste that the Government try to cover in the Bill and therefore have a greater impact on society and the environment.

There is a second advantage, because construction and demolition waste is not combustible so it would not be appropriate to incinerate it. That would have a positive effect on local authorities because the weighting is currently in favour of incineration. Widening the waste stream would render that method of dealing with waste less appropriate. We need to widen the Bill to increase the amount of waste that we recycle, re-use and recover, and to move away from incineration.

5.30 pm

I would also like to draw the Minister's attention to the amendment passed in Committee which took away an improvement made in House of Lords. That improvement would have ensured that all biodegradable waste, having been composted, was sterilised by heating it to 90° C, which would have killed the pathogens in it. It would also have killed some of the positive elements resulting from the composting, but the important point is that the noble Lords were seeking to prevent another outbreak of a disease such as foot and mouth, which can be spread on the fields. The Government have taken a risk in removing that provision, and they must be comfortable with that; otherwise they would not have done so. I hope that they will monitor closely what is going on, in case we are unlucky enough to have another outbreak of a disease

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such as foot and mouth. If that should take place, I hope that they will immediately review the rules set out in the Bill. We have put it on record that we are aware of the risk that they are taking, and we recognise that what they are doing has been considered.

Mr. Morley: I want to deal with this point now in case I forget to do so in my main reply. I recall the House of Lords amendment. It set specific maximum temperatures in relation to composting. I understand that it was intended to deal with pathogens, but they are dealt with under the Animal By-Products Order 1999. We believe that the regulations that have been set will bring about a temperature that will kill the pathogens. The problem with the House of Lords amendment was that its provisions would not only have killed the pathogens but set the green waste on fire. The waste would have been incinerated. The temperature for the biological waste would have been so high that it would have killed all the microbes, and all that would have been left would be a nasty black sludge, rather than biodegradable waste that could be used for soil conditioning.

Mr. Wiggin: I think that the Minister is exaggerating. He will recognise, perhaps more than any other Minister, the real risk from foot and mouth. He is perhaps not being himself in taking such a light-hearted approach to such a serious disease. Let me remind him that the smell of burning sheep in Bromyard was so overpowering that residents there had to close their guest houses and hotels, thanks to the way in which the Government handled the foot and mouth outbreak. It is most unlike the Minister to take a light-hearted approach to this issue. He is wrong to do that, and he has missed the serious point that the Lords were seeking to make.

Mr. Morley: It is not like the hon. Gentleman to paint me in such a way. He knows very well that I do not approach these matters light-heartedly. I take them very seriously. It is only fair to say, however, that amendments have to be workable, and that one was not.

Mr. Wiggin: The Minister smiles as he says these things, but I know that he takes this matter seriously, and I am prepared to forgive him for his earlier comments. He is right: to some extent, it would have been extremely difficult to make the amendment tabled in another place practically applicable. But I am asking him not to ignore the spirit of that amendment. We are worried that a disease such as foot and mouth could be spread on the soil because a certain temperature was not being achieved, and the Minister should look again at that.

I have not sought to bring back that provision here, however. The amendment that we are debating simply widens the types of waste that would be dealt with under the Bill. I merely wanted to draw the Minister's attention to the risk that has been put into the Bill by ignoring the amendment passed in another place. That is all that I sought to do in this amendment. However, I think that he now realises how important the noble Lords' amendment was, and I am sure that he will monitor very carefully the biodegradable waste that is spread on fields.

Sue Doughty: Amendment No. 60 is about a problem of definition. The Minister may wish to make a statement or at least take note of it. People need a clear guideline or steer on what is or is not biodegradable waste. Anaerobic and aerobic treatments, worm digesters and all sorts of things take biodegradable waste and move it into a more inert form. I cannot say that those treatments move it into an inert form: it remains slightly "ert", one might say, which is where the problem lies. The question is about the level of activity within the treatment process, when something stops being biodegradable and whether it needs to go to landfill.

This is an important matter. It is important to the people who produce materials from these plants and it is important for standards. In a fairly robust previous discussion of incineration, the Minister feared that we were not looking at the wider approach to waste disposal. The approach that councils or disposal authorities take is important. Treatment must be acceptable and to known standards; objectives have to be fulfilled and they should be measurable in terms of the stability and change of the materials produced as a result of the process.

I and other members of the Committee received a letter dated 29 April 2003 from the former Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher) to the hon. Member for Leominster (Mr. Wiggin). The letter said that some treatments of biodegradable waste

"could result in a reduction in the biodegradable content of the residue waste . . . For biodegradable waste to change its nature totally and become inert waste, it would be necessary for it to meet the strict definition of inert waste in the Landfill Directive. It is unlikely that any treatment of biodegradable waste, other than perhaps energy recovery"—

incineration in this case—"will achieve this." The question is whether the Government believe that, unless treatment applied to biodegradable waste is thorough enough to ensure that the residual waste meets the definition of inert waste, it must by definition be biodegradable waste. It is either inert or biodegradable.

According to the simple definition in the landfill directive, biodegradable waste

"means any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste and paper and paperboard."

Important issues are at stake about what one does after mechanical biological or other biodegrading treatments. We need to know whether, if mechanical biological treatment leaves a residual waste, it will be classified as biodegradable waste.

The Environmental Services Association is concerned because it believes that the correct interpretation of the directive is that processes such as MBT can be sufficient to prevent the residual waste from being classed as biodegradable for the purposes of the directive. I am sorry about the technical nature of this matter, but it is important.

The draft European directive on biowaste also sets out to clarify the position. It concerns whether something continues to degenerate. It says:

"If residual municipal waste undergoes a mechanical/biological treatment prior to landfilling, the achievement of either a Respiration Activity"—

meaning continued activity—

"after four days . . . below 10 mg O_2/g dry matter or a Dynamic Respiration Index below 1,000 mg O_2/kg Volatile Solids"—

that is, fats, carbohydrates and proteins—per hour,

"shall deem that the treated residual municipal waste is not any more biodegradable waste"—

in other words, one definition says that it is and the other that it is not—

"in the meaning of Article 2 (m) of Directive 1999/31/EC."

In other words, mechanical biological treatment—even where the resultant material is landfilled—becomes a legitimate route for local authorities to pursue in seeking to meet their landfill directive targets.

Amendment No. 60 would allow the Secretary of State to anticipate the arrival of that directive by putting in place a similar measure that would make clear the standards that mechanical biological treatment or other treatments must achieve to be legitimate approaches to meeting the landfill directive targets. It is all a matter of what is done with the waste afterwards.

We should like to know whether mechanical biological treatment and the landfilling of the residual waste from the treatment are a legitimate approach to meeting the landfill directive targets. That is the reason for tabling the amendment. It is horribly technical, but it does have a bearing on the industry, which needs to be dealt with at this stage.

Mr. Morley: On that last point, the hon. Lady made an important, very technical argument. She could have simply asked, "Can biodigestion be part of the process?" That would have been a bit quicker, but she was making a serious point and I shall deal with it in detail in a moment.

Amendments Nos. 10 and 27 would vastly extend the scope of the landfill allowances scheme established by the Bill to include not only biodegradable municipal waste, but municipal solid waste, commercial and industrial waste and construction and demolition waste. Amendment No. 10 would require the Secretary of State to specify the maximum amount of each of the waste streams that can be landfilled in each target year. Amendment No. 27 would place a duty on waste disposal authorities not to landfill more of any of those waste streams than the allowance they hold for that year.

I appreciate the need to tackle the wider issue of sustainable waste management but, as the hon. Member for Leominster (Mr. Wiggin) knows, it is not the purpose of the Bill to go as wide as that. All those wastes are covered by Waste Strategy 2000—we will not ignore them, because they are important—and that is the starting point for those streams.

The Bill is designed to provide the United Kingdom with an innovative and workable system that will allow it to meet the reduction targets in the landfill directive. There is a lot of interest in the Bill and in that concept, arising from the Bill. The EU has taken a particular interest. The targets relate to biodegradable municipal waste, as it is known. That is the waste stream that is the subject of the landfill targets and the allowance scheme set out in the Bill; the targets are restricted to that. That is not to say that I shall ignore the other arguments that the hon. Gentleman made.

Each country in the UK has already put in place a comprehensive strategy covering all waste streams. In England, we have Waste Strategy 2000, which has set a target to reduce by 2005 the amount of commercial and industrial waste sent to landfill to 85 per cent. of that landfilled in 1998. The landfill tax has had an impact on commercial and industrial waste. The Producer Responsibility Obligations (Packaging Waste) Regulations 1997 have also had an effect on commercial waste. Those policies are not lying dormant. The Chancellor announced in the Budget that the landfill tax escalator would increase to a minimum of £3 per tonne from 2005–06, increasing the tax to £35 per tonne no later than 2010–11. The packaging directive is also under review.

Provisional Environment Agency data, based on returns from licensed landfill sites, suggest that the amount of industrial and commercial waste going to landfill may have decreased by about 8 per cent. between 1998–99 and 2000–01. The Environment Agency is carrying out a new survey and we should get the results in 2004. We shall see then which way the trend is going. However, the trend on the commercial side is encouraging.

A large proportion of municipal solid waste is already covered in the Bill because the bulk of that is biodegradable municipal waste. Much municipal solid waste is also household waste, which is targeted through statutory household waste recycling and composting targets for local authorities. Those have been backed up by an increase in funding to local authorities for recycling, both through the block that local authorities get—the environmental protection and cultural services block—and the national waste minimisation and recycling fund. That is another way of encouraging waste minimisation, incidentally.

I have briefly outlined how we are dealing with this part of the Bill. My comments go broader than the provisions of the Bill, but I want to assure the hon. Member for Leominster that these are important issues; we take them seriously and are trying to address them as part of our strategy.

5.45 pm

Amendment No. 60 would alter the definition of "biodegradable waste". The hon. Member for Guildford (Sue Doughty) explained in some detail the definitions involved. The amendment would exclude from that definition waste that has had its biological activity significantly reduced through accelerated decomposition technologies or other non-incineration technologies that the Secretary of State may specify by regulation, and if it is within the limits of biological activity specified by the Secretary of State.

I understand the intention behind this amendment. The hon. Member for Guildford made it clear that she seeks clarification that mechanical and biological treatments are acceptable alternative ways to deal with waste. She has also written to me, and I will make sure

[Mr. Morley]

that she gets a reply on this point. I understand that her concern is that local authorities will conclude that incineration is the only way to meet their targets under the landfill directive—a point that relates to our earlier debate. I can assure the House that that is not the case, and that amendment No. 60 is therefore unnecessary.

The Department has held a series of roadshows nationwide to brief local authority officials and others. During the roadshows, it was made absolutely clear that mechanical and biological treatment is a perfectly legitimate operation in respect of meeting the requirements of the directive, when it reduces the biodegradable activity in the waste. We must be a little careful in this regard, as operations that merely reduce the water content of the waste but leave the biodegradable activity unaltered would not be legitimate, as that would still result in methane emissions, whether or not the waste was landfilled.

It has also been made clear that when legitimate mechanical and biological treatments have been carried out, the waste disposal authorities should get the benefits of any reduction in biodegradable content of the waste in landfills. That would count in respect of reduction. Although such treatments may not result in zero biodegradable activity, they can make a considerable reduction. The mass balance monitoring system that we intend to implement will be designed to pick up that reduction. The extent of any reduction will be determined on the basis of a research project that will set out the reduction in biodegradable content achieved by each treatment type.

That information will be very useful. If a waste disposal authority can then demonstrate that its residual waste was subject to a particular treatment, it will be credited with the biodegradable content reduction assigned to the treatment. I know that local authorities are very interested in biodigestion, for example, and that one or two schemes are being put in place that would use it on quite a large scale. We think that that is perfectly legitimate in respect of meeting the target. I hope that that reassurance will meet some of the concerns expressed by the hon. Member for Guildford.

Sue Doughty: I am very interested to know how standards will be set. How will the Government determine what has been happening? The Minister told me what I wanted to hear, in the sense that merely removing liquid will not be sufficient. Will a specific body be established to set the necessary standards?

Mr. Morley: The guidelines will be set by DEFRA. As I mentioned, we are setting up a research programme to look at the reduction in biodegradable content achieved by each treatment type. We lack that information at present, and we need to have it. That is why we are setting in hand research to address that matter.

Mr. Wiggin: I am grateful to the Minister for his reply. As I noted in my opening remarks, I thought that the Government would be unlikely to accept my amendment, but I think that the Minister has accepted its spirit. He certainly made it clear that the Government are mindful of the importance of reducing the quantity of all types of wastes that are consigned to landfill. With that in mind, I am content that my amendment has achieved all that could be hoped for.

I am also grateful that the Minister took on board the very serious point made by the House of Lords. If we have achieved nothing more today, then ensuring that there is never another outbreak of foot and mouth disease will represent a genuine service to the nation.

I was also interested in the points made by the hon. Member for Guildford (Sue Doughty). Just outside my constituency, at Wooferton, there is a plant where it is proposed to carry out biological and mechanical waste disposal of the type that has been mentioned.

With those comments in mind, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Morley: I beg to move amendment No. 36, in page 2, line 9, at end insert—

'( ) Subsection (4) may be satisfied by consultation before, as well as by consultation after, the coming into force of this section.'.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss the following:

Government amendments Nos. 37, 38, 41 and 42.

Amendment No. 5, in clause 23, page 15, line 34, leave out '2019' and insert '2015'.

Amendment No. 6, in page 15, line 35, leave out '2013' and insert '2009'.

Amendment No. 7, in page 15, line 36, leave out '2020' and insert '2016'.

Government amendments Nos. 43 and 47.

Mr. Morley: I hope that I shall not have to detain the House too long, as these amendments are largely technical. I shall deal with them only briefly, but if hon. Members want to question me on the detail, I shall be happy to try to answer.

Amendment No. 36 amends clause 1 so that the requirement to consult the devolved Administrations can be satisfied by consultation before, as well as after, the coming into force of clause 1.

Amendment No. 38 makes a similar amendment to clause 3 in respect of the requirement to consult the devolved Administrations about the amount of biodegradable municipal waste allowed to be landfilled for the "notional target year" ending on 16 July 2004.

Amendment No. 43 allows a requirement on the allocating authority to consult bodies or persons who may be affected by regulations before making them. As hon. Members know, it is the Government's view that allocating authorities should have the ability to begin their allowance schemes as soon as possible. For that reason, substantial work has already been undertaken with the aim of achieving a 2004 start date. That has involved considerable consultation with the devolved Administrations, local authorities and waste facility operators. The amendments will allow those consultations to "count" in respect of the Bill's provisions.

Amendment No. 37 is merely technical. The remaining Government amendments are also technical and mainly relate to changes in the schemes and the target years. If hon. Members have any questions, I shall be happy to try to answer them.

Mr. Wiggin: My amendments Nos. 5, 6 and 7 are designed to urge the Government to hesitate before taking advantage of the four-year derogation available to comply with the EU landfill targets. The earlier target years should give a long enough time to meet the demands; those deadlines should be achievable.

The Government's lack of ambition in their landfill policy and their indecision has led to uncertainty in the waste management industry, where there is a singular lack of willing investors. That is important. The Government have failed to address the serious problems of landfill and they take advantage of derogation after derogation. We must get them to stop and think before they sign up to such things. They should ensure that their ambitions are fulfilled within the time available.

Of course, derogations are useful, and the Government should take advantage of them if they are necessary. However, the Government should be more ambitious in achieving targets that are important not only for the country and for people who care about recycling but for the future of the planet. That is why we are undertaking this legislative process.

It is extraordinary that the Government, who have a pressing legislative programme, should be so unambitious in the Bill. However, this is not the time to discuss that.

The UK should take a position of environmental leadership and aim to comply by 2016, not by 2020. The Government should invest the necessary additional resources, enhance regulatory certainty and improve the speed of the planning process, all of which would make it much easier for us to comply.

The Netherlands already complies with the 2016 biodegradable municipal waste diversion targets of the landfill directive, as do Austria and Denmark. The Government are merely shying away—again—from tackling the problem of waste. Both their approach and their strategy are inadequate, and I hope that they will adopt our amendments and buck up their ideas for dealing with biodegradable municipal waste.

Sue Doughty: I will be brief. I have a query about Government amendment No. 36. Will the Government allow further consultation, or will they say, "You've had your consultation, and we're going to do what we want"? We would like to have more information about that consultation process and about why the Government want to amend the Bill in that way.

I support amendments Nos. 5 to 7. It is clear that the Government are choosing the easy options. The target years should be the same as those in the landfill directives, and the Government should not use the four-year derogation. We want a Government who are confident about meeting their environmental targets, not a Government who allow an opt-out before they have started. We have a lot of catching up to do, compared with our continental neighbours, and the Bill provides a splendid opportunity to do that, but it is such a pity that, yet again, we are tiptoeing forward, rather than walking forward with confidence.

Mr. Morley: I do not accept those points. The Bill's provisions on landfill are, frankly, pioneering. I accept that we have a lot of catching up to do. I do not hide that fact or dispute it. That is why I am so strongly committed to the range of measures that we have been discussing in considering the Bill, as well as those in the Bill itself.

On the point made about Government amendment No. 36, a range of consultation will take place on the Bill's implementation, but a lot of consultation work has been done, as I have mentioned. If we have held detailed consultations on aspects of the Bill, it is not unreasonable for that work to count, rather than going through all that again, which people would find bureaucratic and would slow the implementation process. That, simply, is why we want to include that provision. In no way is it designed as a short cut or to cut out the opportunity for people to comment on a range of measures in the Bill.

I understand the reasoning behind amendments Nos. 5 to 7, tabled by the hon. Member for Leominster (Mr. Wiggin). We have to give local authorities as much certainty as possible to plan for such strategies. I understand that such issues were discussed in Committee and I thought that our explanation had been accepted at that time, but I wish to say briefly that we cannot leave the position open-ended. To assist local authorities in planning for the scheme, we plan to operate the scheme on the basis that the three target years for the UK will be 2010, 2013 and 2020, and local authorities are aware of that.

There is a quirky technical issue: under amendments Nos. 5 to 7, we would have to plan to take advantage of the derogation for the first year, but not for the second and the final target years. The unusual consequence of not taking advantage of the derogation for the second and third target years, while doing so for the first, is that the second target year—2009—would fall before the first target year, 2010. So those amendments would have a strange effect, but I hope that the hon. Gentleman will accept that we are committed to the implementation and that we are trying to act reasonably and pragmatically.

Mr. Wiggin: I wish that I could accept that, but when we consider—

Madam Deputy Speaker: Order. I am sorry. This is not the hon. Gentleman's group of amendments. Government amendment No. 36 has been moved. My apologies, but the hon. Gentleman cannot speak for a second time.

Amendment agreed to.

Clause 2

NON-TARGET YEARS

Mr. Wiggin: I beg to move amendment No. 13, in page 2, line 18, leave out 'with the agreement of' and insert 'following consultation with'.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 14, in page 2, line 20, leave out 'with the agreement of' and insert 'following consultation with'.

[Madam Deputy Speaker]

No. 15, in page 2, line 23, at end insert—

'(5) The power under subsection (1) is exercisable following consultation with the relevant local authorities.

No. 17, in clause 5, page 4, line 9, after 'may', insert

'with the agreement of the relevant waste disposal authorities'.

Mr. Wiggin: One can but try in this business, Madam Deputy Speaker.

This group of amendments seeks to ensure that physical consultation, not just things involving vague terms such as "agreement", takes place between the Secretary of State and all allocating authorities before any decision on targets is made in regulation by the Secretary of State. It also seeks to ensure that regulations are not enforced, without proper discussions, by the affected UK countries that limit the Secretary of State's power over devolved authorities. This is one of the most important areas of this Bill, and I hope that the Government will take our points seriously. What we are seeking to do is ensure that the Government, who, as the hon. Member for Guildford (Sue Doughty) rightly pointed out, are tiptoeing forward in a timid fashion—

It being one hour before the moment of interruption, MADAM DEPUTY SPEAKER, *pursuant to Order [20 March], put forthwith the Questions necessary for the disposal of proceedings to be concluded at that hour.*

Government amendments Nos. 37 to 58 agreed to.

Order for Third Reading read.

6 pm

Mr. Morley: I beg to move, That the Bill be now read the Third time.

I start by putting on record my appreciation of the generally constructive way in which Members on both sides of the House have approached the Bill at all stages. I am only sorry that I did not see the Bill through in Committee, and that I was not involved with the whole process. It is an important and interesting Bill, which raises a number of key issues that I have been happy to debate with Members on both sides of the House.

I appreciate that one of the major areas of concern has been the potential impact of the Bill on incineration. I have had a difference of opinion with some hon. Members on that, and we will have to agree to disagree on the matter. Even on that subject, however, I accept that some issues, such as the health effects, need to be considered carefully. I also accept that independent research is necessary. These days, research on health effects of any kind must be done by independent bodies, which is important.

I also believe that the statutory recycling and composting targets that have been set by the Government will reduce the pressures on incineration, to which some Members have referred. I repeat, however, that it is important that local authorities, through their joint strategies, consider what is the best way forward within the structure of our waste hierarchy, which I am glad to say has received universal support from the House.

David Taylor (North-West Leicestershire): Does my hon. Friend accept that authorities such as mine in North-West Leicestershire, whose recycling levels are low, are being encouraged by the Government to increase those levels and to introduce schemes that are significantly more expensive, while having fairly low levels of grant settlement? Does he believe that a more sympathetic approach to authorities of that kind is likely?

Mr. Morley: Whatever resources are available, they are never enough, whatever organisation is involved. The block in terms of the resources available to local authorities for waste and environmental protection, however, has increased significantly and substantially in the last few years. A lot of additional money has therefore gone to local authorities to reflect the fact that we want to see progress on waste and recycling. I said earlier that I have been heartened by the progress made in the last few years by local authorities, some of which have dramatically increased the rate of reuse and recycling. Apart from the increase in the cultural and environmental protection block, additional money has been made available through the challenge fund, and assistance and advice is available through the waste implementation programme. A range of measures has therefore been put in place to assist local authorities to meet their targets. Of course, when money goes to local authorities through the block, it is for them to decide how they allocate resources according to their priorities. As my hon. Friend knows, we have set local authorities targets and although the targets are ambitious, we expect them to be met. That is because a more sustainable approach on waste management is important both nationally and locally.

Increasing the amount of re-use, recycling and waste minimisation will give financial advantages to local authorities—the Bill provides for such an advantage. Local authorities will be set limits on landfill and if they make fast progress in getting below the limits, they will receive tradeable credits that will give them a financial advantage. We have a comprehensive package of measures to encourage and support local authorities to meet targets.

The relationship between waste disposal and waste collection authorities has understandably featured strongly in the debate. Successful waste management depends on close and constructive relationships between those authorities, although we acknowledge that there can be tensions, not least political ones, from time to time. We have touched on that during our consideration of the Bill. It is in the interests of both parties and the people whom they represent for them to work together and co-operate, which is why we are trying to encourage that through the joint municipal waste strategies that we agreed on Report. I know that those issues were of interest to hon. Members during the Bill's progress and we have honoured our commitments.

Hon. Members have a range of interests in waste and recognise that the Bill represents an innovative step forward on the handling of waste. By making use of economic instruments, the Government recognise that prescription alone is not always the best way forward. It is sometimes better to supply the means by which to achieve the ends, and it is sometimes valuable to introduce financial instruments to provide levers for local authorities. We have had a broader discussion on

other possible financial levers and it is always worth considering them. The examination of the range of incentives and financial instruments that we could use to achieve our waste targets and a generally sustainable approach is ongoing rather than static.

We are sometimes accused of merely following the European Union's lead on waste rather than taking the initiative, but the Bill's provisions on landfill and the scheme that will follow provide evidence to the contrary. Although it is true that many European countries have a longer and better established system of recycling than our country and we are pushing forward to catch up, the Bill will introduce what we understand to be the first trading scheme in the world involving waste. Moreover, the European Commission has expressed a strong interest in the scheme and has asked for views on the use of waste trading schemes in its communication on a thematic strategy for waste prevention and recycling. We expect our ideas to be studied closely by Commission officials. I believe that the Bill will introduce pioneering new techniques that will influence other countries.

We have spent little time discussing emissions trading, but its impact should not be underestimated. The Bill supports the world's first economy-wide greenhouse gas emissions trading scheme with statutory penalties. Climate change is the subject of an important international commitment that we have made, especially through the Kyoto protocol, and the Bill will help the UK to deliver on its commitments.

There is a clear link between the two main aspects of the Bill. One of the principal reasons for tackling waste generation and management is to reduce the production of greenhouse gases. The Bill addresses such challenges with the use of economic instruments that will stimulate reductions in the emission of pollutants and make us less reliant on landfill in the most economically efficient manner.

The Bill is important. It will have a strong impact on our approach to sustainable development and the various targets that the UK must meet. Opposition Members have not opposed the principles behind it. Most of the discussion has focused on whether it could go further and do other things. That is legitimate and we need to consider those issues. I hope that I have convinced hon. Members that although the Bill is not an appropriate vehicle for all the proposed measures, I do not disagree with many of the points made, and I hope to address those within the work streams that I outlined.

I believe that progress will be made on all issues raised. They are important. Hon. Members on both sides of the House agree about what we must do to minimise waste and to take a more sustainable approach to waste management. The process is dynamic and ongoing. We intend to build on what we have put in place and to review those measures. Some ideas, suggestions and points raised may be incorporated in that process.

As I said, I am grateful for the constructive and thoughtful way in which hon. Members approached their work. The Bill is better than when it started. We have taken into account the issues raised and it has been amended accordingly. It is only right and proper to put on the record my appreciation of the work by my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher), who was involved in the Committee stage. Like him, I am deeply interested in showing that protecting our environment is a high priority for both DEFRA and the Government. I accept that the problem is not merely DEFRA's responsibility. It cuts across Departments and influences the shape of Government policies on sustainability, both nationally and locally. The Bill will make a major contribution to achieving that end.

I thank Committee members, who worked hard on the Bill, and all hon. Members who contributed to the debate, especially Labour Members. I also acknowledge the work of DEFRA officials and their enormous commitment to the Bill. They have been involved in all its stages and have shaped it so that it is a pioneering Bill that sets the pace on how we use financial instruments to deal with landfill and to construct a sustainable agenda. It will influence many other EU countries.

6.12 pm

Mr. Wiggin: I associate myself with the Minister's remarks on the work of the Committee and extend my thanks to my hon. Friends the Members for Mid-Bedfordshire (Mr. Sayeed), for Tatton (Mr. Osborne), for Bexhill and Battle (Gregory Barker) and, of course, for South Holland and The Deepings (Mr. Hayes), who led us in Committee. The Minister made some important points, especially on how we found ourselves in agreement on much of the Bill. He has been extremely agreeable and it is always a pleasure to debate such important issues with him.

I do not oppose the Bill's content, but its potential impact on the whole waste policy is a huge wasted opportunity. It does not provide a strategy for all types of waste, which is what the UK really needs. The Government have failed to piece the waste issue together despite their move to commit us to numerous EU waste-related directives. We are fast on our way to missing all our immediate waste targets. We are supposed to reduce landfill to 75 per cent. of the 1995 levels by 2010, but last year approximately 91 per cent. of our waste still went to landfill. The target to recycle 25 per cent. of municipal solid waste by 2005 will not only cause us embarrassment but is likely to cost us more than £180 million a year in fines.

The Bill is a step in the right direction to compliance with the landfill directive, but it does not begin to address how we can deliver on the waste electrical and electronic equipment, end-of-life vehicles, and packaging waste directives, not to mention the encroaching hazardous waste disaster.

The fundamental flaw in the Bill is its narrow, inadequate scope. I think that the Minister recognises that; he touched on it in his comments. There is no connection between all waste legislation, so the Bill is an inadequate response to all the EU directives that influence different waste streams. Our priority should be the minimisation of waste as well as its final disposal.

In a letter to me dated 29 April, the former Minister, the right hon. Member for Oldham, West and Royton (Mr. Meacher) wrote:

> "The overall intention of the Bill and indeed our waste strategy is to move waste up the hierarchy so that resource use is improved and less waste is just dumped."

[Mr. Wiggin]

The amount of waste produced is growing, which, combined with the fact that the amount sent to landfill is massively more than the amount allowed, makes the reality of fulfilling the landfill directive a mere dream.

Rather than aiding local authorities in minimising their waste at source, the Bill will penalise them in their disposal. Again, a broader context to waste management and landfilling is needed to come to terms with the complexity of waste policy. The Bill's penalty system will not encourage best environmental practice, but may instead drive local authorities to concentrate on avoiding fines for breaches.

There is no freedom in the Bill for local authorities to offer households incentives to recycle more and to minimise waste in the first place, and that is a great shame. Exactly the opposite will happen: a system of penalties will prevent local authorities from concentrating on diverting waste from landfill to recycling, as they will have to meet statutory targets in non-target years. Incentives work better, and the Bill neither encourages nor allows for best environmental practice.

Any money from fines or landfill tax must go straight back to local authorities to finance recycling schemes instead of lining the Chancellor's pocket. Waste disposal authorities need all the assistance they can get. If the Government insist on waste disposal authorities achieving set targets, even in non-target years, they need capital to afford the required waste management infrastructure. Available funding for local authorities and the necessary expenditure for compliance with waste objectives is unbalanced. The Government must recognise in legislation that the current funding is inadequate.

Another point of contention is that although there is no attempt in the Bill to deal with the energy from waste, fly tipping or planning procedures, it will inevitably have a knock-on effect on all those issues. Ignoring them by exclusion will not mean that they disappear. We must come to a point in the very near future when the Government have to deal with all waste legislation in a comprehensive way; we have not seen that in the Bill.

Incineration is undoubtedly unpopular with local people, but is not the reality that it offers the only way for local authorities to meet their stringent targets on time? The Government cannot have it both ways—setting such targets with penalties but not giving any support or assistance to the local authorities that have to achieve them. Sweden and the Netherlands are examples of countries with large-scale incineration policies, yet both have a serious commitment to the environment. They use only incinerators that recover energy from waste. The Minister knows how strongly I feel about that. A decision in legislation must be made on incineration soon, and I suggest that we take into account the experience and lessons of other European countries with far better waste management track records than our own rather dismal one.

The Bill fails to consider landfill, recycling and incineration together. Fly tipping should possibly be made a criminal offence, as I suggested to the Minister in Committee. That matter is important, and we need not only to deal with the fly tipper but to introduce a duty of ownership of fly-tipped waste. There would then be a duty on people to behave responsibly in dealing with their waste.

Why does the Bill deal only with biodegradable waste allowances when such waste makes up only 7 per cent. of the total? What about hazardous waste? When will the Government get round to dealing with the end of co-disposal of hazardous waste, which is supposed to happen by 16 July 2004—in nine months? I shall not mention the failure to transpose the new EU hazardous waste list into national legislation. That, along with the WEEE, end-of-life vehicles and packaging waste directives, will add to the duties of local authorities. The Bill does not, in its landfill targets, account for the further costs, rules and penalties that will result from those. Consequently, the assessed regulatory impact is an underestimate.

Mention of the impact of removing the very high temperature necessary to kill pathogens in composted food was also removed from the Bill, and if another foot and mouth crisis is to be avoided, the Government must realise that they have created a serious risk of food waste harbouring disease being spread on our fields as compost. I hope that if there is any further evidence that suggests that such waste carries a risk, the Government will review that gamble very carefully.

The implications of the borrowing and banking of landfill allowances in clause 6 are also a concern as they may act as a disincentive for local authorities to make the immediate decisions and improvements necessary. That will reduce the inclination to trade. A longer-term vision is necessary, and a realistic assessment of the cost of implementing the Bill is essential.

We are concerned about what is omitted from the Bill. The landfill directive is treated in isolation, and other waste management directives and problems are ignored. The chance to provide the best overall waste management policy in the Bill has been lost, leaving waste management as vulnerable, uncertain and unconnected as it was before. Thanks to the Government's piecemeal approach to EU legislation and targets, the Bill is a potential environmental, legal and financial catastrophe.

6.20 pm

Norman Baker: I am not quite as downbeat as the hon. Member for Leominster (Mr. Wiggin), although I do not disagree with the thrust of his comments. It was interesting to see how much common ground there was between Conservative, Liberal Democrat and, indeed, Labour Members in Committee, although they voted different ways on amendments and new clauses.

I thank the Minister for his conciliatory, helpful and courteous summary, a welcome approach that he nearly always takes. I thank his predecessor, the right hon. Member for Oldham, West and Royton (Mr. Meacher), who tried to engage with serious issues in the Bill. It struck me that he always wanted to go slightly further than the civil servants wanted, which may be one reason why he is no longer in a ministerial position. I thank the plethora of Conservative spokesmen who have shared Opposition responsibilities with me, including the hon. Members for Aylesbury (Mr. Lidington), for Leominster (Mr. Wiggin), for South Holland and The Deepings (Mr. Hayes) and for Mid-Bedfordshire (Mr.

Sayeed). There may have been one or two others, but we certainly got through a few during our proceedings. I thank other Committee members who made the Bill worth while and approached our discussions in a serious but friendly way.

I will not claim that the Bill is much improved, but it has been helpfully tweaked at the end of its progress. It still has a big fault, which I shall not labour, as it has been referred to by other Members today. It deals with only one strand of the waste hierarchy, and was introduced for no purpose other than to fulfil an EU directive on the implementation of the landfill directive. Another of the Bill's failures concerns the fact that is not possible to change one bit of the hierarchy without considering the effect on the rest of the hierarchy. It gets landfill provisions right in line with the EU directive but goes wrong by failing to ask what will happen to waste that is not landfilled, and whether we should try to encourage particular schemes. The Bill does not discourage incineration, which is now officially a disposal technique. Unfortunately, for reasons that have been given today, it encourages it.

To return to comments that I made on Second Reading, we shall not oppose the Bill. In fact, we welcome it as far as it goes. It is innovative and right to use financial instruments to achieve environmental ends. The Liberal Democrats are keen on that, and we want to see more of it. The scheme created by the Bill is innovative—let us be honest about that—and the environment will be marginally better as a consequence. We shall therefore support the Bill as we did on Second Reading. However, our criticism is the same as criticism levelled at the Water Bill—as the hon. Member for Leominster rightly said, it is not what is in the Bill but what is not that is of concern to Members. It has been argued that we cannot discuss the Water Bill without looking in parallel at the water framework directive. Similarly, it could be argued that we cannot discuss the Waste and Emissions Trading Bill without considering, in parallel, effects on all parts of the hierarchy. I am afraid that the Government have not undertaken such a consideration.

The Minister said that the environment remains a high priority for DEFRA, and I believe that. However, in the period of just over a year in which I have been an environment spokesman, there has not been a single oral statement by the Secretary of State on an environmental issue. There has been one on hunting, but not on environmental issues. The Minister may therefore need to think about DEFRA's priorities. He does not need to convince Opposition Members of the need to take action but his colleagues in the Department of Trade and Industry and the Treasury. My honest judgment, as I have told the Secretary of State, is that DEFRA's instincts are, by and large, right, and it tries to do the right thing. However, it is a small player compared with the DTI and the Treasury, which will not play ball. I am keen not to attack DEFRA, which I genuinely want to help, but the Minister must punch above his weight when dealing with some of his colleagues in the DTI.

Earlier, I discussed printer cartridges in relation to the WEEE directive. All the evidence that I am getting from all sides of industry and elsewhere, and from my contacts in the European Union, suggests that DEFRA is making the right noises, the DTI is making the wrong noises, and the DTI is going to win. That is one small example. The Minister must make sure that DEFRA starts winning some of the battles in which the environment should come first, and he must put the DTI and the Treasury in their place, if he can do that, to some extent at least. I say that to the Minister in all sincerity; I want to see him and his colleagues in DEFRA doing it.

There are a number of omissions from the Bill, but I will not run through them. The hon. Member for Leominster touched on those. Fly tipping is a serious issue and I am not convinced that the Government have got hold of it. The Minister will recall that in Committee we tabled a new clause to deal with that, which the Government did not accept. However, the Home Secretary is to introduce some proposals to deal with part of the problem, and there have been improvements in the sentencing guidelines. I hope that will help. As the Minister knows, 600,000 tonnes of material was fly-tipped in the country in the last year for which figures were given in a parliamentary answer to me, so fly tipping is a big issue.

I hope that the Minister will—I think that he will—take away the comments made not just on Report and Third Reading, but in Committee. Even if the Government do not want to accept amendments from the Opposition, it is important that they understand why they were tabled and try to find ways of ensuring that the Government's own waste hierarchy is delivered. That is what we all want. We want the Government to succeed with their waste hierarchy. The amendments that we tabled, and those of the Conservatives too, I think, have been designed to achieve just that. They were not wrecking amendments, but supporting amendments.

I thank the Minister for his summing-up. I hope that he will take these comments on board, that the measures that the Government have implemented will bring about the waste hierarchy that he wants, and that he will consider further measures, hopefully in a holistic way.

6.26 pm

Mr. Sayeed: I would call this a two-cheers Bill—one cheer for the fact that it is right in principle, and another cheer because it goes some way in the direction in which we all want to proceed, but it lacks the third cheer because it is rather incoherent. It does not link up with all the other levers of action that are essential if we are to enhance the environmental protection of our country and start dealing with waste as it should be dealt with.

The real problem is that the Bill is far too narrowly drawn. It does not provide a comprehensive strategy for all forms of waste. I know the Minister said that he intends to introduce legislation later to do that. I regret that, during the exhaustive consideration in Committee, the Government seemed incapable of understanding that a single portfolio Bill would send out signals to local authorities that were much more coherent, much easier to follow and far more powerful. I hope that we can all agree that legislation is at its best when it is formulated as a vehicle to drive forward a vision that is long term, holistic and sustainable. The Bill gets only two cheers because it is a singular, isolated and panic-stricken reaction to a European demand that the UK is unlikely to meet.

Angela Watkinson (Upminster): Does my hon. Friend agree that one omission from the Bill is that it does not

[Angela Watkinson]

deal with developing uses for recycled materials? Would it not be easier for local authorities to encourage people to recycle more if they knew what would be done with the material and could see that there was some point to recycling—that there was an end-product? The markets need to be developed.

Mr. Sayeed: My hon. Friend makes a very good point. It is one of the points that I made on Report, which is why I think it is such an excellent one.

The Bill could have, first, established a system for collecting waste that makes it easier and cheaper to recycle, but it does not. Secondly, the Bill could have included incentives to assist those who use recyclates. There could have been tax incentives or demands that certain products contain a specific percentage of recyclates. The Bill does not contain any such incentives. It makes demands of local authorities and imposes penalties on them, but it does not give them the means to undertake all the expensive work that will be necessary. It also fails to encourage local authorities to take the most environmentally friendly option.

I am sure that the Minister will have read the record of what occurred in Committee, where I proposed that money that the Government raised through penalties should be hypothecated back to local authorities to enable them to invest in the recycling plants that they would need. The Government ignored that proposal. I also proposed that, instead of going to the Chancellor to assist him in filling part of the £9 billion, £12 billion or £17 billion hole that he and his policies have created, part of the considerable increase in landfill tax should go to local authorities to enable them to do what we want them to do—deal with waste in the most environmentally friendly manner. They also ignored that proposal. That is profoundly regrettable, because we all agree on what we are trying to achieve. We all agree that we produce too much waste, that we do not deal with it properly and that the waste that we produce is poisoning us. The Bill does not give local authorities incentives to deal with the problem, to ensure that we leave behind us a cleaner society and country than we inherited.

The Minister tried to persuade us that the Government have a thoroughly coherent strategy, but he certainly failed to persuade Opposition Members and probably failed to convince some of his colleagues. There is no doubt in my mind that the effect of the Bill—we have exhaustively explored the reasons why—will be more incineration. I suggest that he read the Friends of the Earth briefing about Norfolk having voted for residual waste treatment for 64 per cent. of its waste. Together with the example in Sussex that I cited, that pamphlet demonstrates that local authorities will not be able to deal with their waste except by incineration.

As the Minister believes that the Government are operating in a coherent fashion, perhaps he can assist me. The Government have imposed tens of thousands more houses on Bedfordshire. Bedfordshire intends to build some of them on a brownfield site.

Mr. Morley: Excellent.

Mr. Sayeed: I agree. The houses will be built at a place called Elstow. However, the intention is to locate a landfill site alongside them. The Minister believes that the Government are coherent, the Government have said that they want all these new houses, and he says that he does not like landfill—and I agree. In that case, can I be assured that, when I come to see the Government and complain about the landfill site that is being established next door to a brand-new development of many thousands of houses, they will say no to that site?

Mr. Morley: I am sure that the hon. Gentleman is aware that the decision on the landfill site and, indeed, the houses, will be taken by the local planning authority.

Mr. Sayeed: But the Minister knows that a Secretary of State can, if he wishes, take such a decision if it is sent up the system. I trust that the Minister, who tells us that the Government are so coherent, will ensure that we do not have a landfill site that we do not want next to houses that the Government do want. That would be extremely helpful and a genuine example of coherent government.

The Bill does deserve two cheers. Ministers have, on occasion, been helpful—the Minister's remarks at the start of Third Reading were particularly so. He clearly recognises that this extremely narrowly drawn Bill might have been better had it had been drawn rather wider, although I realise that he cannot admit that. I hope that, in the near future, the ends of the strings will be tied together and we will get a series of measures that send the right signals to local authorities in dealing with waste—namely, that they should follow the hierarchy and encourage less waste to be produced, then deal with it in the most effective, environmentally friendly manner, provided that that is commercially sustainable. If the Minister can promise the House that that is the Government's aim and that they will fulfil it in the very near future, I shall be a happy man.

6.37 pm

Gregory Barker: It is a pleasure to follow my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed), particularly as he made such an important contribution in Committee. I, too, served on the Committee and found its proceedings instructive, good-humoured and valuable. Although, sadly, few of the amendments that we discussed found their way into the Bill, our discourse was extremely worthwhile. There was a fair degree of unanimity on the importance of the subject matter, and we heard some remarkably eloquent speeches. It proved to be the swan song of the right hon. Member for Oldham, West and Royton (Mr. Meacher), who will be greatly missed following his departure from the Department for Environment, Food and Rural Affairs.

Nevertheless, the Bill is a missed opportunity. As my hon. Friend the Member for Mid-Bedfordshire said, it is welcome as far as it goes, but simply does not go far enough. That stores up real problems for the future. Every month, all over the country, serious decisions are being taken on waste, particularly with regard to incineration. Those decisions cannot be lightly reversed in the future. Often, they result in council tax payers or the local community that is responsible for feeding the incinerators being saddled with long-term contracts of up to 20 years.

I am disappointed that the Government, who, especially in their early years, did a significant amount for the environment, should throw away this

opportunity because they have lost their interest in, or appetite for, the wider environmental agenda. Having made progress early on, they are willing to rest on their laurels.

That has been borne out by my experience on the Environmental Audit Committee. We have a Secretary of State who, when she last appeared before us to discuss this subject, seemed at best complacent and at worst unwilling to address the issue. The one bright spot on the horizon is that since the Committee sat the Government have reconsidered, and have accepted a private Member's Bill piloted through the House by the hon. Member for Lewisham, Deptford (Joan Ruddock). It is not to the Government's credit that they fought that Bill to the end, and that only all-party pressure—including pressure from Labour Back Benchers—forced them to accept it, albeit in a much watered-down form. Unfortunately, that Bill plugs just one of the holes that are apparent in the Bill that we are discussing.

This Bill singularly lacks ambition, and a holistic approach to an issue that really does require big thinking. It is ironic that so few of us are in the Chamber tonight, given that waste is an issue guaranteed to fill a village hall or community centre anywhere in the country. Go to a constituency, threaten to put an incinerator there, offer to install a landfill site in an inappropriate place, and you will see the public thronging in. The issue is not obscure, or unrelated to people's everyday lives. In my constituency we are fighting tooth and nail against an incinerator and against an inappropriate landfill site, in order to improve recycling and the waste hierarchy.

I am pleased that the Minister, in his new role, has grasped the importance of the waste priority. I was encouraged by his reference to the need to minimise and to re-use. That, however, is empty rhetoric if it is not matched in the Bill, not just by a strategy, but by a strategy that is properly resourced and backed up—a strategy with real teeth. What we see in the Bill is no more than a wish list. The Bill has no guts: it is not equipped to ensure that we make the improvements that are so desperately needed. England currently recycles 13.5 per cent. of its household waste, which is one of the lowest rates in Europe The United States recycles 31 per cent., while just across the channel Germany and Austria recycle 48 per cent. The Government have set targets requiring our rate to rise to 25 per cent. by 2005 and 30 per cent. by 2010—and, rather unambitiously, to 33 per cent. by 2015.

Mr. John Gummer (Suffolk, Coastal): Would those targets not be much easier to meet if the Government expressed the targets for local authorities in the same percentage terms, rather than in terms of weight? Authorities often go for the heaviest product, rather than that which is most valuably recycled.

Gregory Barker: My right hon. Friend is spot on. I would expect nothing less from him. Volume is also an important consideration. My hon. Friend the Member for Mid-Bedfordshire mentioned in Committee that something that is light in weight may have a large volume in landfill terms. I am sorry that the Government have not taken up his pertinent points.

Norman Baker: When asked about the weight-and-volume issue in Committee, the Minister's predecessor, the right hon. Member for Oldham, West and Royton (Mr. Meacher), said:

"I am pleased to say, without commitment, that we will seriously consider the hon. Gentleman's idea. I will write to him when the Department has had a serious look at the proposal." — [*Official Report, Standing Committee B*, 3 April 2003; c. 18.]

Would it not be helpful if the Minister could tell us what consideration the Government have given to the idea?

Gregory Barker: It would indeed. I am looking at the Minister now to see whether he will adhere to that commitment.

Mr. Gummer: Is not it amazing that a Minister should consider it a bright new idea when it has been pressed on the Government for their entire period in office? It is simply a sensible idea that any sane person would implement.

Gregory Barker: That assumes that the Government are heavy on common sense, but they are not.

The Government have set targets that are not especially ambitious. It is therefore troubling that it appears that those relatively unambitious targets will not be met. The Environmental Audit Committee stated in its most recent report that the UK "will not come close" to meeting any national targets for recycling. In its view, the targets for 2010 and 2015 will be missed by a "wide margin". Since that report was published, my colleagues on that Committee have seen little to change our minds. The Minister's fine words in the debate, encouraging though they are, are not matched by anything that could be described as a credible strategy backed with resources.

My greatest anxiety about the Bill is that it pushes waste from landfill to incineration. The Minister said that he does not believe that he is promoting incineration, but such an even-handed policy is not enough. Market intervention is needed to promote recycling and level the playing field because the renewables obligation and other tax breaks make incineration a more attractive commercial option than recycling. Unless we tackle that with market mechanisms to jump-start the recycling industry, we shall simply pour more rubbish into incinerators. The Minister may be equivocal about that, but I believe that it is a bad thing. There is no greater disincentive for local communities than knowing that they are doing their bit to recycle, compost and minimise while their local authorities are signing long-term contracts for huge new burners. The number of planning applications for new burners is disturbing.

It is not good enough for the Minister to say that he is open minded about fiscal incentives to redress the economic imbalance in the waste hierarchy. He needs to hold urgent talks with his Treasury colleagues and present a genuinely environmental solution that is not simply a back-door stealth tax to raise money for the

[Gregory Barker]

Exchequer. As my hon. Friend the Member for Leominster (Mr. Wiggin) said, any further revenue that is raised must go back to the environmental economy.

We urgently need the Minister to confer with his colleagues, because the Bill is not a response to a blank sheet of paper. Communities are already saddled with contracts and more are being prepared as we speak. That requires urgent action. If we are to make the progress that the public ask of us, we must deal with the whole subject and not simply cherry-pick the easy bits and leave the more difficult options for another day.

Today, we can support only the Bill, not items that it does not contain. It constitutes a wasted opportunity that speaks of a Government who have run out of ambition and ideas. We know that Governments who run out of those qualities are ultimately overtaken by events.

6.48 pm

Mr. Morley: With the leave of the House, I shall make a few comments.

A few events have overtaken the House tonight. The competition outside the Chamber might explain why attendance has been a little thin. *[Interruption.]* I must admit that that applies to all parties—we are competing with other entertainment.

The entertainment does not detract from the fact that a range of sensible points has been made in the debate, and I do not accept that the Bill constitutes a wasted opportunity. It is important that the issues have been addressed in this way.

I would like to reply specifically to some of the points that have been raised by the hon. Member for Mid-Bedfordshire (Mr. Sayeed), but first I shall deal with the concerns about incineration raised by the hon. Member for Bexhill and Battle (Gregory Barker). I quite understand that if there is an application for an incinerator and a landfill site in his constituency, his constituents are bound to be concerned. As we have already discussed, incineration and landfill are not exactly popular measures. They are the kind of provisions that everyone understands we must have, but that everyone wants in some other place. The hon. Gentleman is right to say that the way to reduce this problem is to concentrate on the waste hierarchy, on minimisation and on re-use and recycling. He is wrong, however, to say that there are no financial instruments in place to encourage that. The way in which we have re-allocated landfill tax credits through the waste minimisation fund is among a range of measures that have brought about changes in relation to the minimisation of waste. We hope to see further progress in that direction.

Mr. Gummer: Could not the Minister have done much more had the Chancellor not made sure that increases in the landfill tax did not count towards the Minister's environmental aims? Will he have a word with the Chancellor about stealing this money from the environment to pay for other things?

Mr. Morley: There is clearly an argument about the rate of increase being applied to the landfill tax. I happen to think that the rate of increase is an important issue, and that £35 a tonne is about the right level. I would like to see us get there as quickly as possible. The right hon. Gentleman will understand better than most people in the House, however, that the Treasury will want to weigh up the effects on industry of those fiscal measures. Nevertheless, I have every sympathy with his general point.

The hon. Member for Mid-Bedfordshire asked about fines. Subject to developing an acceptable system for applying this, the Government will recycle back to local authorities any civil penalties that are incurred as a result of a failure to meet the targets set in the Bill. There will, therefore, be a recycling of money. I hope that answers the hon. Gentleman's question.

Mr. Sayeed: May I just thank the Minister for that?

Mr. Morley: I hope that that counts as a third cheer to add to the two that the hon. Gentleman has already very generously given us.

The hon. Member for Lewes (Norman Baker) made a constructive speech, and I take the points that he made. We need to take a holistic approach to all these issues. I understand his point about printer cartridges, an issue that has come up a few times. One of the problems involved in applying the WEEE directive to printer cartridges is that they are not classified as electrical equipment. There might, however, be other ways of dealing with the issue in terms of European directives. Discussions are under way, and I am not unsympathetic to his point. If we can make some progress on this, I would be only too happy to do so.

I was a bit disappointed by the contribution from the hon. Member for Leominster (Mr. Wiggin), who has been a diligent member of the Committee and Opposition spokesperson, along with the hon. Member for Lewes. He has generally been constructive and approached the issues in a useful way. I have to say that I think that the hon. Member for Lewes was a little evasive on the incineration issue, but we will not go too far down that road now, as we are in constructive mode at the moment.

I say sincerely to hon. Members who talk about wrapping everything up into one Bill that I genuinely understand the logic in what they are saying, but there are serious practical issues that I would ask them to consider. Much as I enjoyed my discussions with Opposition Members in Committee, their proposal to wrap up in one Bill the various packaging directives, the landfill measures that we are dealing with here, and all the other work streams that I have emphasised are in progress would produce a Bill that would put the "Encyclopaedia Britannica" in the shade and would lock us up in Committee together for the next two years. Much as I enjoyed our discussion, there is a limit, and there is also the practical issue of how to scrutinise particular issues. We have approached the various directives in different ways at different times, so that they gain the proper scrutiny that they deserve.

Norman Baker: Let me try once more, just five minutes before Third Reading finishes. The point is that the implementation of the landfill directive will move somewhere else more than half of the waste currently in

landfill sites. The criticism is that the Government have not planned where it is going. That is the main issue: where is that waste going? The Government should incentivise the waste hierarchy to ensure that it goes to the right place, but they have not done so.

Mr. Morley: The waste hierarchy is incentivised to a certain extent. We can argue about the level of those incentives and whether we need further ones. I am not averse to that. I have acknowledged that our approach is dynamic. We do not expect the measures that we are taking now to stand still. We expect them, including the targets for waste and recycling, to be reviewed. We shall examine them again in due course.

We have not disagreed about where incineration is in the waste hierarchy. The Government are not advocating incineration or any particular approach, apart from stressing the importance of minimisation and recycling in the hierarchy, which is where we are putting resources. All I am saying is that we sometimes have to opt for the best environmental solution on environmental grounds, but the best environmental solution may not always be the most popular one. That is an issue for organisations such as Friends of the Earth to take into account if they are serious about environmental issues, minimising the impact on the environment and finding the best solution. As I say, it may not always be the most popular, but people should argue for what they believe is the right solution in the circumstances. The hon. Member for Mid-Bedfordshire made a similar good point about how particular issues should be judged.

I think that we have had a useful and good debate. Obviously, the Government cannot accept all the amendments, but we have made a big effort to deal with the points that hon. Members have raised. I have already said that not all of them are appropriately dealt with by this particular Bill, but they remain important issues. We are addressing them through such means as the packaging directive, implementation of various EU directives, recycling landfill credits and the waste and resources action programme. We are investing millions of pounds of support through the challenge fund for local authorities. We have made a significant increase of more than £1 billion, I believe, for the application of that fund. All those important measures demonstrate that the Government take environmental issues seriously.

We have freely acknowledged that waste and recycling in this country starts from a very low base—we have no argument about that—but I genuinely believe that we have made more progress in the last few years than in the previous decade. We have seen heightened awareness from all parties and all sides in the debate of how to apply environmental measures.

I repeat my thanks to hon. Members for their constructive contributions. The Bill will make a difference. I do not believe for a moment that it represents the only measure that we can put in place. I have demonstrated to the House the various other work streams that are in progress. We will have a continuing debate and I do not disagree with many of the points that have been made during the debate.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 18 (1)(a)(Standing Committees on Delegated Legislation),

Regulatory Reform

That the draft Regulatory Reform (Gaming Machines) Order 2003, which was laid before this House on 17th September, be approved.—*[Jim Fitzpatrick.]*

Question agreed to.

SCOTTISH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 100 (Scottish Grand Committee (sittings)),

That the Scottish Grand Committee shall meet at Westminster on Wednesday 12th November at five minutes to Nine o'clock to consider a substantive Motion for the adjournment of the Committee.—*[Jim Fitzpatrick.]*

Question agreed to.

DELEGATED LEGISLATION

Ordered,

That the Health Professions Council (Registration and Fees) Rules Order of Council 2003 (S.I., 2003, No. 1572), dated 13th June 2003, be referred to a Standing Committee on Delegated Legislation.—*[Jim Fitzpatrick.]*

Council Tax (Worcestershire)

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

7 pm

Mr. Peter Luff (Mid-Worcestershire): I am very grateful to you, Mr. Speaker, for the opportunity to discuss this matter of great importance to my constituents in Mid-Worcestershire and to those of my hon. Friend the Member for Bromsgrove (Miss Kirkbride), whom I am glad to see in her place, and of my hon. Friend the Member for Leominster (Mr. Wiggin), who still has a significant footprint in Worcestershire in the area of Tenbury Wells.

Local government taxation has always been a controversial matter, but recent increases have made it much more so. This debate need not be a matter of party politics. I will say some fairly firm things to the Minister, because, although the problems I am describing began when my party was in power, they have become worse under this Government—we are both guilty men in that sense—and the matter is now becoming increasingly urgent.

Pensioners and low-income householders in Worcestershire simply cannot afford any more significant above-inflation increases. I know that my hon. Friend the Member for West Worcestershire (Sir Michael Spicer) agrees with that. He was always going to be detained somewhere else tonight—he had a long-standing engagement. I suspect that something else may have overtaken that long-standing engagement, but he is still elsewhere tonight, so he has asked me to say that he associates himself with the arguments that I am putting to the Minister and the House this evening.

The county precept in Worcestershire has gone up by nearly 80 per cent. in cash terms since 1997. Again, that is not a matter of party controversy, because the recent large increases—nearly 13 per cent. in the current year—were supported by councillors of all parties, albeit with some reluctance, because they recognised that it is the only way they can protect services in the county. The police precept has risen by about 50 per cent. in the last two years alone—another very significant increase. These increases have been made until the pips squeak, but sadly it is not the pips of the rich but the pips of the poor that are squeaking, and that is the problem.

Service delivery is also very vulnerable in the county. For example, the gap is growing between Worcestershire's schools and those in neighbouring authorities—Birmingham spends an average of about £700 more per pupil—and head teachers in Worcestershire are at their wits' end. Forty-one schools currently face deficits, and unless something is done the situation will be worse next year as balances put by for projects, or prudently for contingencies, are exhausted. We are grateful to the Minister for School Standards for the attention that he has given to the situation in Worcestershire, but, as he knows, head teachers in the county are dignified in their protests but increasingly convinced that something must be done to correct this growing divide.

The problem that we have in debating this subject is that local government finance is notoriously complex, and that complexity has enabled the Government, I think, to hide a huge increase in taxation—or to hide it until recently. The problem I have in talking to constituents is trying to explain gearing in less than two or three sides of A4. It is a difficult problem, and the result—I think the Minister will admit this, and of course it happened under the previous Government, too—is quite often that county councils get it in the neck from central Government's policies.

I still fondly cling to the hope that everything, when properly understood, is simple, so I think there are three simple truths about Worcestershire's council tax. The first, a very important one, is compound interest. That means that discrepancies increase over time. The rules of compound interest are clear. If the same percentage increase is applied to a small sum and a larger sum, the gap between the two sums widens over time. The trouble is that Worcestershire has seen an increase in central Government education spend per pupil of only 39 per cent. since 1997, compared with a national average of 47 per cent., so that 8 per cent. discrepancy has magnified an already large gap and made the rules of compound increase even more cruel.

The second truth is that if the Government reduce the share of local expenditure that they finance, council tax must rise to fill the gap. That has also been happening in Worcestershire.

The third truth—and it is a matter to which I shall return at the end of my remarks—is that if the Government keep the promises implied in the public expenditure White Paper and elsewhere, the county's council tax increase next year need "only" be around 6.5 per cent., although that is still a large sum. As it is, the average Worcestershire council tax payer—that is, a band D council tax payer—is already paying more than the average Birmingham council tax payer, and more than people in Dudley, Solihull and Walsall. The amount paid in Worcestershire is about the same as the average paid by the English council tax payer, but it is more than what is paid by the average unitary authority tax payer. To be fair, the amount paid in Worcestershire is very slightly less that than the amount paid by the average county council tax payer.

In other words, it would be wrong to look to Worcestershire council tax payers to put right the discrimination against schools and other local services by paying more in council tax. I qualify that assertion in one way: if the Government agreed to give us a fairer deal, to narrow the gap between us and similar authorities and to make a bigger contribution themselves to council services in Worcestershire, I would consider supporting a matching increase in council tax. However, I cannot argue that council tax payers in Worcestershire should bear all the pain for central Government's failure to fund those services.

Council tax in my constituency is divided into four elements, and there will be five next year. The county council takes 75 per cent. of the total, and the district councils—in my case, that is Wychavon—account for about 12 per cent. The police account for some 11 per cent., and the parishes for around 2 per cent. When the fire authority becomes a precepting authority in the coming financial year, it will receive a separate precept.

A brief look at the police shows that there are 300 more officers, but that is no thanks to the Government. We in West Mercia now pay more for police—£119.80

on average—than people in Birmingham, who pay £71.16. The Home Secretary cannot rightly boast of any achievement in that respect. The local council tax payer has paid for those officers through the massive increase in police precept—50 per cent. over the past two years.

The prospects for the coming year are very bad, as the Association of Police Authorities confirmed in a briefing yesterday to all hon. Members. West Mercia faces cost pressures of 5.8 per cent. to maintain current levels of policing—that is, to meet pension and pay requirements under the Police Reform Act 2002, and to cover other variables imposed by the Government, such as DNA testing, and so on.

If the Government grant increases by 3 per cent., as they did last year, gearing—the proportion raised by local council tax payers—would mean that the police precept would have to rise by 11.5 per cent. just to stand still. Is the Minister able to assure me that the increase in Government grant will at least match the extra costs imposed on West Mercia under the Government's reform programme? There is also speculation that a 2.5 per cent. floor in the Government grant would apply to West Mercia. That would have a disastrous impact on council tax and service levels.

I shall make a few brief remarks about the district council. Wychavon district council is a very well-run administration. It has more flexibility than others, as there are no large budgets for fixed costs such as education and social services. That means that it has managed to keep its council tax increase in line with inflation and the retail prices index, while maintaining and improving services. The planning department, in particular, has received a pat on the back from the Office of the Deputy Prime Minister, the Minister's own Department, for spectacular improvement in output over the past year.

We do not know what will happen with fire, for which there will be a precept for the first time in the coming year. I assume that the precept will be relatively modest, but it is a matter for concern, given that Worcestershire always spends significantly more than the standard spending assessment or the formula spending share. The parish precept of 2 per cent. is ungeared and no large increase is expected, so it is not really an issue.

The big precept is the one for the county council, which accounts for 75 per cent. of the total. I want to dispose of two myths about the county. First, there is little room for efficiency savings. Worcestershire is an efficient council. Central costs at county hall are about 75 per cent. of the national average, and efficiency savings have recently exceeded all Government targets. The Audit Commission has said that no other council in the west midlands offers a better quality of service. The commission went on to say that the council needs more money to improve further.

The second myth that I want to dispel has to do with money passported to schools. Worcestershire county council has not sat on money that it should have passported to schools. It spends 2 per cent. more than the Government formula suggests it should, and it passported 103.5 per cent. of last year's increase.

There are two reasons for the massive increases in Worcestershire's council tax in recent years. First, Government policy is to reduce the amount of expenditure obligations funded centrally—out of general taxation—and to shift the burden to the council tax. That policy was in place before 1997, but it has accelerated since. The second reason is the continuing and increasing discrimination against Worcestershire in all the funding formulae.

The first reason to which I have referred is Government policy for all of local government. However, we should not blame councils for increases in council tax that flow directly from central Government policy. The second matter is more specific to Worcestershire, and is an accident of history that urgently needs to be corrected. The Government claimed to have changed the funding formula this year, but they merely seemed to rig the criteria so that the new formulae mirrored the outcome of the old ones. There were remarkably few changes.

I have a practical suggestion for when the Government reconsider the issue. Sadly, I think that it will be two years before they do so; I wish it could be sooner. We should learn a lesson from the health service. It, too, has complicated means of distributing resources throughout the country, but I have never heard the criticism that Worcestershire receives an unfair share of health service funding. The formulae are complicated—had I more time, I might have expounded them at length to the House—but I hope that the Minister might consider them as an alternative funding mechanism for local government.

That brings me inevitably to the question of area cost adjustment. I am grateful to the Minister for the time that he spent recently with a delegation from Worcestershire. The delegation was so large that the numbers had to be rationed and I could not join it myself, although I should have liked to take part. I pay tribute to the hon. Member for Worcester (Mr. Foster) who initiated an interesting debate on area cost adjustment, a highly technical subject, earlier this year. However, the debate missed a vital point: national pay scales and national teaching costs mean that there is no intellectual justification for applying the area cost adjustment to education at all, and it should be phased out.

If we have to keep the area cost adjustment—I hope that we do not—Worcestershire deserves it. The vice-chancellor of Birmingham university, the chief executive of South Worcestershire primary care trust, the artistic and musical director of the English symphony orchestra, all the county's councillors and MPs, and even the Bishop of Worcester, all agree. God, the arts, industry and education are all on our side: area cost adjustment is needed for the county. Adrian Hardman, the cabinet member for resources said:

> "The unfairness of the situation is highlighted by the fact that I can look from my house to my neighbours across the river in Gloucestershire and know that they receive this valued top-up, living in virtually identical surroundings."

I shall not rehearse the arguments at length because the Minister is familiar with them, but most of Worcestershire falls in the travel-to-work area of towns and cities in other authorities that receive the ACA. Teachers live in Worcestershire, but work in Birmingham, Warwickshire or Gloucestershire; they live in a local education authority area that does not get ACA, but work in one that receives it.

[Mr. Peter Luff]

We compete in the same labour markets. Strangely, despite the high costs of living in Worcestershire, which count against us on resource equalisation, we are second from bottom of a table for county council funding per resident. We are almost unique in not receiving area cost adjustment, but we are penalised by resource equalisation.

House prices in Worcestershire are relatively strong, so Ministers judge that the council tax base can support a higher proportion of spending, which means that Worcestershire receives less than its fair share of grant aid from the national Exchequer. Ministers have decided that grant can be switched from Worcestershire through the resource equalisation formula. At £13 million, that is quite a switch.

Set against that, Ministers judge that Worcestershire has low wage costs and so should not be allowed area cost adjustment. That decision by Ministers is worth £10 million in lost income to the county. Ministerial decisions seem to defy mathematical gravity: high house prices supported by low wages—an economic miracle. It is no miracle, however; the statistics are wrong. It is wrong-headed to unhinge Worcestershire from the greater west midlands labour market. Ministerial decisions to do so cause real damage to those relying on services and those who pay for them. The result is that my county is out of pocket to the tune of £23 million.

Indeed, only 64 per cent. of our costs are met by central Government, down from 67 per cent. last year and compared to a national average of 73 per cent; that old friend, gearing, comes back to make up the difference—painfully—for my constituents.

Miss Julie Kirkbride (Bromsgrove): I am loth to interrupt my hon. Friend as he is making a fantastic case for Worcestershire and I hope that the Minister has been listening. May I add another fact to all the relevant facts that my hon. Friend has given? In Bromsgrove, I feel acutely the problems relating to the funding gap between schools. Last year, the gap between Bromsgrove schools and those in Birmingham was £560 per head per year; the figure is now £720.

Mr. Luff: My hon. Friend is right. The gap is growing yearly in both absolute and relative terms. That cannot continue indefinitely; the process must be ended, as I am sure the Minister will agree. Indeed, I am a practical man, so I have a suggestion to make. I am running out of time, and as I want to hear the Minister's response I shall offer three short-term solutions.

First, we should phase out the area cost adjustment and consider the health service model to which I referred. Secondly, we should end resource equalisation, which certainly cannot be justified for Worcestershire. Thirdly, at least this year—and possibly in future years—we should increase per pupil funding in cash, not percentage, terms. We should start to narrow the gap to which my hon. Friend referred and give every school in the country, say, £100 per pupil, rather than 3, 4 or 5 per cent.

To meet service delivery obligations, the county's budget has to go up by 5.9 per cent.—about £25 million. If central Government grants to local authorities rise in line with those obligations and with Government expenditure forecasts, all of which are published by the Chancellor, the county could keep its council tax increase precept at only—only—6.5 per cent., which is still too high, but half this year's rise of nearly 13 per cent. If the Government give us any less than they have hinted—say, 4.5 per cent.—council tax will rise by 8.6 per cent., or services will have to be cut by about £3.3 million.

But, worse than that, the Department for Education and Skills insists that all the increases in formula spending share are added to school budgets, so any shortfall in total grant for the county will fall exclusively on the other services. County social services, in particular, will be put under pressure, as demographic trends are against us with an ageing population in the county, and the road repair programme might also have to be slashed. Roads in Worcestershire have improved dramatically in recent years, but we do not want that progress to be curtailed.

I have made some practical suggestions for a way forward, but I conclude with a key message: the buck for any increase in council tax above 6.5 per cent. for Worcestershire or any cut in services stops with the Government, and the Minister has it in his power to prevent that from happening.

7.16 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I congratulate the hon. Member for Mid-Worcestershire (Mr. Luff) on securing this debate about council tax increases in Worcestershire. He has been busy writing letters just lately, and he has obviously been drawn away from other business—pressing discussions—but he has made good use of the time in making what I can describe as a very sound leadership bid this evening.

The Government have high aspirations for local government. We are continuing to match those aspirations with proper investment, as demonstrated by this year's generous local government finance settlement. However, council tax continues to engender debate throughout the country—including Worcestershire—and has taken on a significant profile this year after some high increases. I shall return to that issue shortly, but before doing so, I want to put the debate into a wider context.

It is worthwhile reminding hon. Members of the good increases in grant that we have been able to provide local authorities generally. This year's settlement provides an overall increase in general grant of 5.9 per cent. It has allowed us, for the first time ever, to ensure that all local authorities receive a grant increase that is at least above the rate of inflation. It has enabled us to continue the considerable investment that we have made in local government since we took office. That investment involves a 25 per cent. real-terms increase in grant since 1997. That compares starkly with the 7 per cent. real-terms cut in grant that councils experienced in the last four years of the previous Government.

Some local authorities have expressed concern at the pressures that they face this year. I understand those pressures and I am aware that many councils still face difficult decisions. However, we have increased total Government grant, including special and specific grants,

by £3.8 billion. That is an 8 per cent. increase. That increase takes account of the work that we undertook with local government during the spending review to identify the pressures that they would face in the coming years. The additional £3.8 billion includes funding for the effects of inflation on local authority budgets, the 1 percentage point increase in national insurance contributions and recent pay awards.

Authorities in Worcestershire have benefited from that extra money. Worcestershire county council has received a grant increase of £15.5 million or 6 per cent., which is above the average for county councils. Two district councils received grant increase at the 12.5 per cent. ceiling that we set for such authorities, and one district council benefited from our guarantee of a grant increase at least above the rate of inflation. Indeed, the hon. Gentleman made generous reference in his contribution to some of the real-terms increases for education and in the number of police officers that have resulted from that increased funding.

It is, however, for local authorities in Worcestershire to decide how much council tax their people should pay. We do not tell local authorities what level of council tax they should set. We do not tell them what they should spend the money on. Such decisions are for individual local authorities, but local authorities are answerable to their local electorates about the council tax. We believe that they should take into consideration the views of local taxpayers on local authority spending and how much council tax they would be willing to pay.

This year, we have given all councils above-inflation increases in grant for the first time ever. The average increase is 5.9 per cent.—Worcestershire county council received a grant increase of 6 per cent. and West Mercia police received an increase of 3 per cent. In addition to the cash, we have given local authorities more freedoms and more flexibilities. In return, we expect all councils to behave responsibly and not to impose excessive increases on their council tax payers.

Mr. Luff: As I understand it, education costs rose this year by some 8 per cent., so although a 6 per cent. increase appears generous, it is below the rate of inflation for that part of local authority expenditure.

Phil Hope: I understand the hon. Gentleman's point, but I said earlier that we took into account in the spending review, in negotiations with local government, such cost pressures, including the 1 per cent. national insurance contribution increase and pay increases.

The average council tax increase in England this year for a band D property was 12.9 per cent. The increase in Wychavon was 12 per cent., and Worcester city council increased its council tax by 12 per cent. Knowing that we would be debating the hon. Gentleman's concerns this evening, I visited his website, on which he has already put elements of his speech. His comment in it that

"we are paying more than Birmingham residents for our local services"

is not the case. Band D council tax is lower in Wychavon and Worcester than it is in Birmingham.

Mr. Luff *indicated dissent.*

Phil Hope: The hon. Gentleman indicates from sedentary position that it is not. Perhaps he would like to write to me later. I assure him, however, that I have been given sound advice.

We are therefore extremely disappointed that despite the generous grants that we have given to local authorities, some local authorities have chosen to set large increases, which we recognise is causing hardship to the most vulnerable members of society. The hon. Gentleman mentioned pensioners in particular. To ensure that pensioners on lower incomes are not unfairly affected by council tax rises, we are encouraging take-up of council tax benefit and housing benefit as part of our roll-out of the pension credit. We have changed the benefit rules so that even pensioners who are not eligible for the minimum income guarantee may benefit from council tax benefit and housing benefit. Indeed, if we take into account above-inflation rises in the basic state pension, free television licences for over-75s, the winter fuel payment and the pension credit, on average pensioner households will be more than £1,250 a year better-off in real terms, which is around £24 extra a week. The poorest third of pensioners will have gained an average of £1,600 a year since 1997. Therefore, while I recognise his point, there are some important points to be made about the extra support that we are giving to pensioners.

One issue to which the hon. Gentleman did not refer was the question of capping as a solution to the problems. As the Minister for Local Government, Regional Governance and Fire made clear on 15 September, we have decided not to take action about council tax increases this year. However—I share the hon. Gentleman's view on this—the current trend in year-on-year increases in council tax is simply not sustainable. We will look very carefully at all the council tax rises next year, and we will also look at the trend in the increases over more than one year. If necessary, we will use our targeted capping powers in 2004–05. If necessary, in exceptional circumstances, we will use our powers to cap authorities categorised as "excellent" or "good" in the current and future comprehensive performance assessments.

The hon. Gentleman did, however, raise the more fundamental question of gearing, and the problems that that creates in terms of the ratio between the amount that the Government give to local government and the amount that can be raised through local council tax. He makes a very good point. I draw to his attention the fact that the Government have established the balance of funding review to look specifically at that problem. The review is looking at issues relating to the current balance of funding between council tax and Government grant, and at a range of options for change in the light of that analysis. The final report of the review will set out the pros and cons of various options rather than making recommendations. I emphasise that the review is about the balance of funding, not about increasing the overall tax burden. The balance of control between local government and central Government, and the amount of money that local authorities receive, are distinct issues that are outside the scope of the review.

We have had more than 200 responses, and we had a meeting on 21 October. As I mentioned websites earlier, I must also mention the Office of the Deputy Prime Minister's website—I am the Minister with responsibility for e-government, so this is an opportunity to raise the value of electronic technology in increasing participation. The findings, the work that is being done, the papers that are being commissioned

[Phil Hope]

and the research that is being produced and analysed are on the Office of the Deputy Prime Minister website for all to see because we recognise, in a non-political way, the difficulty of the existing system. Part of the reason why there is a problem with the current gearing ratio dates back perhaps to the poll tax, as the hon. Gentleman generously recognised, and perhaps before that. Some £4.8 billion of central Government money had to go to local government to compensate for the poll tax fiasco, and that money had to be taken from a massive increase in value added tax, as I am sure that he remembers.

The hon. Gentleman raised other issues, and specifically the area cost adjustment. Worcestershire county council believes that the area cost adjustment impacts on the council tax that it must set. As he said, I met a large delegation from the area that made powerful points in favour of its case.

Let me explain the situation a little further. The area cost adjustment is the element of the funding formula that directs extra resources to local authorities with higher wage and rates costs. We calculate the ACA using the best available evidence on wage and business rates costs. The hon. Gentleman suggests simply abolishing the ACA but that would have a huge impact in different parts of the country and would make it difficult for local authorities to cope with problems of higher wage and rates costs. We made major improvements to the way in which the ACA is calculated this year. We previously used simple average wages to calculate it for crude concentric circles radiating from London and throughout the south-east. That method took no account of the way in which wage pressures varied in each ACA area and, as he realises, provided no extra funding for authorities outside the south-east of England with high wage costs. We now calculate the ACA at a much finer geography, which allows us to reflect local wage pressures better.

One of the most frequently raised questions in the ACA debate is about geography, by which I mean about the authorities that receive an adjustment and where boundary lines are drawn. Some authorities, such as Worcestershire, have complained strongly about being grouped into their pre-reorganisation counties for the calculation of the ACA. Worcestershire also complains that the geography of the ACA does not reflect the part that it plays in the much larger west midlands labour market. However, it is fair to say that the new ACA geography is a vast improvement on the old system. Until this year, councils outside south-east England did not receive an ACA, no matter how high their wage pressures, and authorities in the south-east were all treated the same, despite the wide range of pressures.

When calculating the ACA, we now look at wage pressures throughout England and Wales. Outside London and its fringe, we calculate the ACA for every pre-reorganisation county. We have split the counties neighbouring London into fringe and non-fringe areas, which reflects higher wage pressures. In that way, we have extended the coverage of the ACA beyond the artificial confines of the south-east to areas such as Cambridge, the west midlands and Greater Manchester, the wage pressures of which previously went unrecognised.

I know that Worcestershire would like us to calculate an ACA value for it alone—the hon. Gentleman did not talk about that but I have been pressed on it—rather than combining the area with Herefordshire. However, we had to make a judgment on geography. If we had treated Worcestershire as an ACA area in its own right for this year's settlement, the area would not have had sufficiently high labour costs to lift it out of the lower limit floor mechanism and its ACA would have remained unchanged.

We have reformed the system to influence not only the areas that get cost adjustment but how the top-up is calculated. We use detailed information from the whole labour market and new earnings survey data as the basis of the calculation because they are the largest sources of information on wage levels throughout the UK and contain the information that we need on each person who takes part in the survey.

We have heard suggestions from Worcestershire that we should use the labour force survey as the basis of our calculations, but that would mean that we could not calculate the ACA with such fine geography. It was also suggested that the ACA should be based on who lives in a county rather than who works there. However, I am clear that the best way to assess the extra labour costs faced by local authorities is to base that on what local employers are actually paying. Having examined Worcestershire's case closely, I know that as it benefits from the lower limit threshold in the ACA, it has received an increase of £800,000 in the formula spending share for its social services formula alone, which it would not receive if that was not the case.

The hon. Gentleman mentioned resource equalisation. Resource equalisation is about fairness—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Seven o'clock.

House of Commons

Wednesday 29 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

NORTHERN IRELAND

Peace Process

1. **Dr. Nick Palmer** (Broxtowe): If he will make a statement on the peace process. [134143]

3. **Judy Mallaber** (Amber Valley): If he will make a statement on progress with the peace process. [134145]

Mr. Speaker: Before I call the Secretary of State, let me say that it is unfair to Members who are here for Northern Ireland questions for so many conversations to be taking place. I ask hon. Members to leave the Chamber if they wish to make conversation.

The Secretary of State for Northern Ireland (Mr. Paul Murphy): There were significant developments in the peace process last week, and further progress over the weekend. However, it did not prove possible to resolve outstanding differences—despite the excellent efforts of General de Chastelain and his colleagues—over decommissioning in a manner that would create public confidence on all sides. But we sincerely hope that after the elections conditions will be created that will permit a working Executive to be formed and all aspects of the joint declaration to be taken forward.

Dr. Palmer: Does my right hon. Friend agree that after the elections the regrettably interrupted negotiations to complete the peace settlement need to be resumed as soon as possible, and that the people of both Britain and Northern Ireland will expect all sides to make every effort to reach a conclusion so that we can see peace in our islands?

Mr. Murphy: Yes, I agree with my hon. Friend. Obviously, after the elections we need to address the issues that were left unfinished over the past weeks. However, I want to make it clear to the House, as I did in last week's statement, that a lot of progress has been made. There has been engagement between parties that has not occurred before, and there was improvement as regards decommissioning. However, my hon. Friend is right that we now have elections before us. I urge every voter in Northern Ireland to exercise his or her franchise and democratic right in these particularly important elections so that, at the end of that process, they have an Assembly which is representative of all the people of Northern Ireland and which, as a consequence of the election, can produce an Executive to govern Northern Ireland in place of government by direct rule.

Judy Mallaber: Does my right hon. Friend agree that, whatever our views on the events of recent days, there has been considerable progress as a result of the peace process? Many lives have been saved; there has been increased investment as a result of the improved security situation; and life is quite normal in many parts of Northern Ireland, as I witnessed on a recent visit. Will my right hon. Friend continue to impress on all parties their responsibility to continue with that progress up to and after the elections?

Mr. Murphy: Indeed I will. My hon. Friend is quite right—if one looks at peace processes throughout the world and compares them with what has occurred in Northern Ireland, one can see that there have been improvements in the lives of ordinary people, the number of jobs, and the number of deaths as a result of terrorist crime that are not occurring. Moreover, Northern Ireland is now the fastest-growing region in the United Kingdom and tourism is improving. All those factors point to a more stable society resulting from the Good Friday agreement. Although we have had our difficulties in the past weeks, we are still moving forward all the time, and the election process is part of that.

Mr. David Trimble (Upper Bann): Does the Secretary of State agree that if the sequence that it was necessary for me to put on hold last Tuesday is to be resumed at any point in future and carried through, it is essential that in the next few weeks of the election campaign republicans abide very clearly by the commitments to peaceful means that they made at that stage? It is also highly desirable that republicans engage with the Independent International Commission on Decommissioning to repair the mistakes on transparency and agree the necessary timetable for the completion of decommissioning.

Mr. Murphy: I think the right hon. Gentleman would agree that progress was made as regards the statement by the president of Sinn Fein and that it was an improvement on what we saw in the spring. I think he would also agree that the IRA's engagement with the Independent International Commission on Decommissioning was an important and significant development. I think he would also agree about the nature of the decommissioning event this time, which General de Chastelain referred to as being considerably greater than the two previous events, and would welcome the decommissioning of weapons which, if used, would have resulted in death and destruction on a huge scale. I know that he is concerned about transparency and, indeed, public confidence, but I hope that those issues will be addressed in the coming weeks and that we move forward.

Mr. Gregory Campbell (East Londonderry): As the Secretary of State has given the House assurances on previous occasions, can he confirm that he has confidence in the process that began in 1998? Can he

give the House an assurance that he will give equal support to, and has equal confidence in, the process that will evolve after the elections on 26 November, so that it can reach a better conclusion than the old process?

Mr. Murphy: The hon. Gentleman is aware that there is to be a review of the agreement after the election. Indeed, that is part of the agreement itself—paragraph 8 ensures that the review must take place. In the course of that review, the hon. Gentleman and his colleagues will, of course, be able to put forward the various points that they consider important. Obviously, we have to await the result of the elections on 26 November. However, I will say to the hon. Gentleman that I still believe, and it is the Government's firm view, that the Good Friday agreement is the best way forward—indeed, the only way forward—in Northern Ireland.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): Does my right hon. Friend take the view that despite the confusion that appeared to emanate from Northern Ireland earlier in the week, the act of decommissioning that has taken place is much greater than anything that has gone before?

Mr. Murphy: As I made clear to the right hon. Member for Upper Bann (Mr. Trimble), I believe that it was a greater act of decommissioning than we have seen before. I also believe that the engagement on the issues of the day between political parties in Northern Ireland over the past few months is of such significance that everybody in Northern Ireland must draw hope from it; and that on 27 November, when we return to politics in Northern Ireland, we will return to devolution so that the people of Northern Ireland can be governed by people from Northern Ireland in the interests of all the people of Northern Ireland.

Mr. Quentin Davies (Grantham and Stamford): Does the Secretary of State think that politicians who lie, and are therefore distrusted, are well placed to conclude negotiations?

Mr. Murphy: I assume that the hon. Gentleman is referring to the issue that was addressed by the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Liverpool, Wavertree (Jane Kennedy), earlier this week. The most important thing that those of us who are involved in Northern Ireland must now do is look towards the future to ensure that the elections held in Northern Ireland produce a democratic Assembly and that we have peace in Northern Ireland.

I do not know whether the hon. Gentleman will be returning to his position on the Front Bench next time we meet for Question Time—we shall have to wait and see. I know that he is committed to the Good Friday agreement, but I am sometimes troubled that Conservative Members, instead of trying to help the peace process, are more concerned with scoring cheap party political points.

Mr. Davies *rose—*

Mr. Speaker: Order. The hon. Gentleman has another question. I firmly tell him that he must use moderate language.

Hon. Members: Order!

Mr. Speaker: Order. I shall chair the proceedings in this House.

Mr. Davies: I always try to use moderate language, Mr. Speaker, and try not to apply unparliamentary terms to named Members of the House of Commons.

Last week, the Prime Minister told the House:

"I believe, on the basis of what we know, that people would be satisfied if they knew the full details."—[*Official Report*, 22 October 2003; Vol. 411, c. 634.]

Next day, General de Chastelain said: "I gave them"—the Prime Ministers—

"no more details than I have told you."

Who is right?

Mr. Murphy: The hon. Gentleman knows, of course, that, in relation to General de Chastelain, the issue of confidentiality cannot be breached publicly. He is also aware that both the Taoiseach and the Prime Minister met General de Chastelain in Hillsborough castle—for something approaching an hour, I believe—to discuss the issues regarding decommissioning. He is also aware that the written public statement by General de Chastelain was very short. It is obvious, however, that someone who spends that amount of time dealing with an issue may form an opinion about what has happened that is very different from the bare statement that appears afterwards.

Mr. Iain Luke (Dundee, East): I am sure that my right hon. Friend will, like all hon. Members, welcome the successful conclusion in respect of the elections in November. With the restart of the peace process, will he reaffirm the Government's view that it will be successfully concluded, first, by a statement by the IRA saying that it is giving up warlike activities for ever and irretrievably and, secondly, by complete adherence to a transparent and progressed schedule on decommissioning?

Mr. Murphy: I addressed some of those matters earlier and I share some of the views that my hon. Friend expressed. They are an important part of some of the issues before the people in Northern Ireland in the next five weeks. However, it is also important to emphasise that they will want to vote on the way in which they believe their hospitals will be managed, their schools run, their transport system tackled and so on. The elections are also about producing devolution in Northern Ireland so that we can have the Assembly and the Executive back.

Assembly Elections

2. **Bob Spink** (Castle Point): If he will make a statement on the political negotiations relating to elections to the Northern Ireland Assembly. [134144]

The Secretary of State for Northern Ireland (Mr. Paul Murphy): As I said in response to my hon. Friend the Member for Broxtowe (Dr. Palmer), there have been significant developments in the peace process. We announced last week that elections to the Northern Ireland Assembly will be held on Wednesday 26 November.

Bob Spink: But central to the negotiations and elections must be genuine decommissioning, truth, honesty and lack of deception. Will the Secretary of State therefore cut the spin and tell the House who was telling the truth—the Prime Minister or General de Chastelain?

Mr. Murphy: I dealt with those issues earlier and the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Liverpool, Wavertree tackled them earlier this week. However, I repeat that the issues before the people of Northern Ireland are the elections and the future afterwards. I only wish the Conservative party understood that. The problem is that it does not. In the months and years that have gone by, the lack of a bipartisan policy on Northern Ireland has not helped but hindered the peace process.

Mr. Seamus Mallon (Newry and Armagh): Does the Secretary of State agree that one of the major problems with the election is that the electorate know that they are not the final arbiters? They know full well that whatever they decide on 26 November and whatever the political parties decide subsequently, both outcomes have to receive the imprimatur of the Ulster Unionist council and the IRA army council. Will the Secretary of State assure the House that the two Governments will take steps to ensure that we are not in hock for ever to those two groups and that we will not have our futures decided by the men in balaclavas and the men in bowler hats?

Mr. Murphy: There is no answer to that really, is there? I know that my hon. Friend feels strongly about inclusivity in the discussions and the peace process, and I know that the Social Democratic and Labour party in particular, but other parties too, have been disappointed in the past few weeks. I am sure that he agrees that we must continue to tackle the issues that were central to the parties' discussions in those weeks and ensure that there is trust and confidence between the parties. I believe that the review of the agreement after the elections will provide the basis for inclusivity and the involvement of all parties. Of course, we await the outcome of the elections, but I want to re-emphasise the importance of the SDLP to the process, especially with regard to policing in Northern Ireland.

Lembit Öpik (Montgomeryshire): At one point in the negotiations, the Prime Minister said that if we all knew what he knew, we would all sign up to the process. Subsequently, Downing street itself demoted the Prime Minister's knowledge to an informed guess. The crucial question is whether the Prime Minister had insider knowledge. If so, where did he get it? Will the Secretary of State assure us that in future all the pro-agreement parties such as the SDLP and the Alliance party will not be excluded from the negotiations? I firmly believe that their inclusion would have avoided the difficulties that we observed last week.

Mr. Murphy: I do not know what would have happened; no one does. However, we have to try and try again in Northern Ireland. If we fail on one occasion, we must pick up the pieces and start all over again. I disagree with the hon. Gentleman about what constitutes the central question, which is ensuring that the elections are held and that we move to period of stability in Northern Ireland in which we can resolve the difficulties and have an Executive up and running.

Mr. Kevin McNamara (Hull, North): If it is a question of trust, is it not a question of trust in the judgment of General de Chastelain? Is it not a fact that one party refuses to accept the judgment of the independent arms decommissioning commissioner and that as long as it continues to do that, we shall never have the solution that we want and will always be in hock to the official Unionists?

Mr. Murphy: I think that everybody in the House believes that the integrity of General de Chastelain is unquestioned, and that what he reported at the press conference and in his own report to me and to the Justice Minister in Ireland were significant improvements in what has occurred. Clearly, they were not sufficient to produce the trust and confidence that was required between the parties. I hope that that trust and confidence will be restored when we return after the elections.

Mr. John Taylor (Solihull): Can the Secretary of State confirm that the review provided for in the Belfast agreement will take place on the due date, namely 2 December?

Mr. Murphy: I cannot confirm the precise date, but I can tell the hon. Gentleman that the review will be held before the year is out. It has to start before then. It may well be on 2 December, but we do not know what is going to happen on 26 November in terms of the outcome of the elections. The hon. Gentleman and I will agree, however, that the review must start after the elections and before the year is finished.

Traffic Surveillance

4. **Patrick Mercer** (Newark): What plans he has to increase security surveillance of traffic through the Province's *(a)* ports and *(b)* airports. [134146]

The Minister of State, Northern Ireland Office (Jane Kennedy): Security at ports and airports throughout Northern Ireland is kept under continual review involving a multi-agency approach. I cannot disclose

specific details in relation to security changes, as to do so could compromise the effectiveness of measures put in place.

Patrick Mercer: Hon. Members on both sides of the House will welcome the lessening of tension and violence in Northern Ireland, but will the Minister assure me that, as terrorists continue to target ports and airports, surveillance will increase—whatever political signal that sends—and that the Government will not allow their guard to drop?

Jane Kennedy: I can give the hon. Gentleman that assurance. The Government are serious about protecting our borders and doing all that we can to prevent terrorist attacks from whatever source.

Andrew Mackinlay (Thurrock): Will the Minister meet the representative body of the Northern Ireland airport police, so that it can explain to her the undertakings given in the House by Sir Patrick Mayhew and in a published letter to the hon. Member for Rochford and Southend, East (Sir Teddy Taylor) at the time of the privatisation of the international airport, bearing in mind that it is the intention of the privatised management to cut the number of police officers there by 15? Will the Minister ensure that those officers have their day in court with her, so that they can explain their deep concerns?

Jane Kennedy: I pay tribute to my hon. Friend for the determination with which he has pursued the case being made by the police officers to whom he refers. I can assure him that I would be happy to meet a delegation, if he wishes to bring that forward.

Mr. Roy Beggs (East Antrim): Is the Minister satisfied that security surveillance at ports and airports in the Irish Republic and Northern Ireland is adequate to ensure that there is no back-door illegal entry from the Irish Republic to the United Kingdom? Has she any plans to formalise the arrangements in respect of the common travel area between the United Kingdom and the Irish Republic?

Jane Kennedy: I am satisfied that the enhancements that are being made at Belfast city airport are adequate and appropriate to the task. The hon. Gentleman's point about cross-border vigilance and co-operation is one that I will look at. I am satisfied that the co-operation that already exists between Customs, immigration officers and the police forces in Northern Ireland and the Republic of Ireland is excellent. That co-operation is continuing, and we keep it under constant review.

Decommissioning

5. **Mr. John Robertson** (Glasgow, Anniesland): What progress has been made by the Independent Monitoring Commission towards verifying decommissioning by paramilitary organisations in Northern Ireland. [134147]

The Minister of State, Northern Ireland Office (Jane Kennedy): While the verification of the decommissioning of paramilitary weapons is a matter for the Independent International Commission on Decommissioning, the Independent Monitoring Commission, currently existing in shadow form, will in due course monitor paramilitary activity, normalisation and allegations of political breach. It will do so with a view to maintaining the trust and confidence necessary for the conduct of stable and inclusive devolved government in Northern Ireland.

John Robertson: Does my right hon. Friend agree that, despite the setbacks in decommissioning, the work that has been done in Northern Ireland should be welcomed by hon. Members on both sides of the House? Does she also agree that there is still more to be done?

Jane Kennedy: I am happy to agree with both my hon. Friend's points. Clearly, the outcome of last Tuesday's discussions was disappointing, in that the considerable progress that has been made on decommissioning was not enough to restore the full confidence and trust necessary to go forward in a positive atmosphere into an election to bring about the restoration of an Executive Government.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the Minister accept that it would be helpful if we knew how much of the weapons and explosives had been destroyed and how much remained? Is that not essential to determine the parties' good faith? *[Interruption.]*

Mr. Speaker: Order. It is far too noisy in the Chamber.

Jane Kennedy: I largely agree with the right hon. and learned Gentleman. We have not yet achieved the confidence necessary to secure a political advance. For that, we need agreement on the transparency to be attached to acts of decommissioning in terms of the arms dealt with and how long it will take to complete the process.

Mr. Eddie McGrady (South Down): Does the Minister agree that it is significant that there has been no major arms discovery in Northern Ireland during the period in which the Independent International Commission on Decommissioning has been acting? Is there any relationship between the absence of such a discovery and the continuation of the commission? Is it not surprising that General de Chastelain seems to have been held captive until the announcement was made about the election? Was the ploy to get the elections without the proper sequence agreed by the parties?

Jane Kennedy: The House should reflect that last week's statements by the leader of Sinn Fein and by the IRA were major steps forward and confirmed their commitment to exclusively peaceful and democratic means. The act of decommissioning that was overseen by the IICD was also welcome. Unfortunately, as both my right hon. Friend the Secretary of State and I have now made clear, it did not achieve the level of public

confidence that is necessary to go forward to an election with the confidence that an Executive would be achieved as a result of the election.

Prison Officers

6. **Lady Hermon** (North Down): How many attacks there have been on *(a)* serving and *(b)* former prison officers in Northern Ireland in each of the past 12 months; and if he will make a statement. [134148]

The Minister of State, Northern Ireland Office (Jane Kennedy): There have been 53 attacks on serving prison officers and five attacks on former officers in the past 12 months.

Attacks on prison officers are attacks on men and women doing an important and difficult job on behalf of the whole community. Those prison officers deserve and require the wholehearted backing of the community and their representatives.

Lady Hermon: As so many attacks have been in my constituency, will the Minister come with me to explain to the families precisely how she intends to lift the morale of prison officers, who feel so terribly demoralised at present?

Jane Kennedy: I often meet the families and representatives of prison officers and am conscious of, and take seriously, the safety and security of prison officers and their homes. Putting the lives of women and children at risk to try to influence the way in which prison officers do their jobs should be condemned by all right-thinking people. I would be happy to meet prison officers and their families if the hon. Lady brought a delegation.

Organised Crime

7. **Mr. Russell Brown** (Dumfries): What recent assessment he has made of the level of co-operation between the British and Irish Governments in tackling organised crime in Northern Ireland. [134149]

The Minister of State, Northern Ireland Office (Jane Kennedy): Co-operation with the Irish Government is excellent and we are working together to develop a cross-border threat assessment and a joint strategy to tackle organised crime.

Mr. Brown: I commend my hon. Friend for all her efforts and her determination to tackle crime, with support from both sides of the border. A necessary adjunct to cross-border co-operation is the work of the Organised Crime Task Force, which is unique in the UK. Will she congratulate everyone from all organisations on both sides of the border who are working so hard in extremely difficult circumstances?

Jane Kennedy: I am happy to congratulate all the agencies involved in the work of the Organised Crime Task Force. It is a matter of great pride and pleasure for me to be associated with them. There is now an enhanced understanding of cross-border organised crime, on which to build effective joint action against the criminals who use the border to their advantage. Significant developments are taking place in the fight against organised crime, which I am happy to commend to the House.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [134876] **Mr. Siôn Simon** (Birmingham, Erdington): If he will list his official engagements for Wednesday 29th October.

The Prime Minister (Mr. Tony Blair): Before listing my engagements, I would like to speak on the subject of Iraq. I hope that the whole House would join me in condemning the brutal and wicked terrorist attacks on the hotel Al Rashid on Sunday, on the Red Cross and Iraqi police stations on Monday, and the further attacks that took place yesterday. Those attacks were the work of evil people who do not wish to see a stable and prosperous Iraq, and we shall continue to do everything that we can to thwart them and reconstruct the country.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Simon: Could the Prime Minister tell me how to explain to my constituents in Erdington that they can get better cancer treatment if they move to London?

The Prime Minister: The issue of how to make sure that the drugs passed by the National Institute for Clinical Excellence guidelines are rolled out across the whole country is one of the matters that we are looking into now. It is only as a result of those guidelines that we have been able to increase the number of people who have access to life-saving cancer drugs. As my hon. Friend will know, the three-year progress report on the NHS cancer plan showed that cancer deaths are down by something like 10 per cent. over the past few years. We have seen the largest fall in lung cancer in Europe among men, the largest decline in breast cancer among women, and there are 30 per cent. more cancer consultants. All that is the result of the extra investment going into our NHS.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I join the Prime Minister in his condemnation of the attacks in Iraq and express our commiserations to the families of the people who have suffered directly as a result.

According to the Home Office, which country has the biggest crime problem in the western world?

The Prime Minister: I can assure the right hon. Gentleman that, if he is talking about our crime rate, according to the British crime survey, crime rates are

down 25 per cent. over the past few years. That contrasts very much with the doubling of crime under the Conservatives when they were in office.

Mr. Duncan Smith: Figures released by the Home Office last Friday show that people are more likely to suffer crime in Britain than in any other country in Europe or north America. So will the Prime Minister tell us which country has the highest level of violent crime in Europe?

The Prime Minister: Again, as I have said to the right hon. Gentleman before, yes—violent crime has risen in this country in the past few years and it has been rising in Britain for 20 years. However, as a result of the street crime initiative, street robbery is now down and overall crime is down, not up, in this country.

Mr. Duncan Smith: Again, the Home Office tells us that there are more violent crimes in Britain than in any other country in Europe. That includes Germany, which has a much larger population than Britain. The Prime Minister said here that he would be tough on crime, but gun crime is up, violent crime is up and overall crime is up. Is it not a reality that, under Labour, Britain is now the crime capital of the western world?

The Prime Minister: No, that is not correct. As I said, under the Conservatives, crime doubled; car crime doubled; burglary more than doubled; violent crime went up 73 per cent. It is true that we still have a lot more progress to make, even though crime is, according to the British crime survey, down 25 per cent. That is no consolation to victims of crime. However, a crime Bill is going through Parliament now—the Criminal Justice Bill, which will give us tougher sentences for murder, longer sentences for dangerous sex offenders, longer sentences for violent offences, five-year minimum sentences for gun offences, and which will change the criminal justice system so that those people who are guilty are convicted in the courts. Will the right hon. Gentleman explain why, having told us that he cares about violent crime, he is opposing those measures in this Parliament?

Mr. John Hume (Foyle): Would the Prime Minister agree that, for the first time in history, the people of Ireland as a whole, both north and south, have declared how they wish to live together by endorsing overwhelmingly, in referendums, the Good Friday agreement? Does he agree, therefore, that it is the duty of all true democrats to implement the will of the people, by implementing all aspects of the Good Friday agreement? Will he confirm that his Government are totally committed to implementing the agreement in full, and that they will not depart from it in any way?

The Prime Minister: We are indeed committed to implementing the agreement in full. The part that my hon. Friend played in bring the agreement about is a real tribute to him, and to his dedication to people in Northern Ireland. I want to make it absolutely clear that it is vitally important that we continue with implementing the agreement in all its aspects, as it is that agreement—and that agreement alone—that offers the best chance of a prosperous, good, stable and secure future for people in Northern Ireland. There is no other agreement on offer apart from the one that we negotiated with painstaking difficulty, as my hon. Friend knows, over a number of days. I hope very much that, as a result of what happens over the next few weeks, we are able to take that agreement forward and implement it in full. This summer has been the most peaceful in 30 years, and it is important that we carry on working to bring about a peace that is lasting and durable.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Under this Government, council tax has risen by 70 per cent. since 1997. How can the Prime Minister justify the unfairness of that, especially in respect of pensioners?

The Prime Minister: I understand the difficulties that pensioners and others will have with council tax rises, but the job of central Government is to fund local government adequately. The right hon. Gentleman will know that, under the previous Government, in the last three years before we took office, there was a real-terms cut of about 7 per cent. in the amount of money that central Government gave to local Government. We have now raised that amount by about 25 per cent. in real terms. In the end, council taxes are set by local authorities, but the Government's job is to make sure that we give a proper amount of support to local government, and we are doing that.

Mr. Kennedy: Given that so many people, not least pensioners, are being clobbered by the high percentage increases, and that the level of support from central Government is not there when and where it is needed, would not it be far better to scrap the unfair system that is the council tax and replace it with a tax related to people's ability to pay?

The Prime Minister: There is no doubt that there is a proper debate to be had about the future of local government finance, but the right hon. Gentleman knows that the Liberal Democrat proposal to substitute a local income tax for the council tax would mean that people's income taxes went up by something like 6p in the pound. That is a huge burden. As I have said on many occasions, the right hon. Gentleman simply cannot afford all his pledges on behalf of the Liberal Democrats out of raising the top rate of tax, or by means of a local income tax or anything else.

I do not know whether the House wants any more details, but I said last week that the Liberal Democrats had 70 commitments. The cost of those commitments would run to literally billions of pounds. It would take too long to go into detail, as we would run over the time available for Prime Minister's questions—[HON. MEMBERS: "Aw!"] They include things like £400 million for village halls. We all support village halls, but £400 million? Other commitments are £750 million for small businesses, and an extra £2 billion for road traffic accidents. A further 25 commitments were made at the Liberal Democrat party conference. My favourite was commitment 65, which stated:

> "Funded training for teachers and specialists on sex education, providing them information and material to aid honest, non-judgmental and thought-provoking lessons."

Let me suggest that commitment 71 should be funded training for Liberal Democrat Treasury spokesmen to aid honest, non-judgmental and thought-provoking lessons on financial discipline.

Hon. Members: More!

Mr. Speaker: Order.

Mr. Dennis Skinner (Bolsover): In view of the renewed interest in crime figures, especially on the Tory Benches, will my right hon. Friend consider whether back-stabbing should become a criminal offence?

The Prime Minister: I admit that in the past few years the incidence of that has increased, but I regret to say that on the evidence available there is not much that we shall be able to do about it.

Q2. [134877] **Simon Hughes** (Southwark, North and Bermondsey): On a day when there is some interest in votes of confidence, will the Prime Minister make Government policy clear on a matter that may turn out to be far more important to Britain's prosperity than matters being dealt with in Committee Room 14? Will the Government deny this week's reports that Crossrail faces a Government axe; and will the Prime Minister give his personal vote of confidence to Crossrail so that the private sector can invest knowing that it will go ahead?

The Prime Minister: No. We remain convinced that Crossrail is an important project for London, that it is well worth supporting and that it could have real benefits for Londoners and, indeed, the whole country, but it is important that we as a Government sit down and work out how it can be funded. As the hon. Gentleman knows, the amount runs into many billions of pounds. Nevertheless, we are confident that if we sit down and look at the project in the right way, we can make progress with it.

Mr. Lindsay Hoyle (Chorley): Will my right hon. Friend congratulate Derian House, a children's hospice whose tenth birthday took place on Monday? I hope that he will send his good wishes. Will he also use his good offices to ensure that there is better funding for hospices throughout the country, direct from the national health service?

The Prime Minister: I am happy to send my congratulations to the hospice in my hon. Friend's constituency. Obviously we give a certain amount of funding to hospices, but we are well aware that they wish that to be more, and we think constantly about how we can support them through the NHS and in other ways. I will certainly take my hon. Friend's comments into account.

Mr. Iain Duncan Smith (Chingford and Woodford Green): "If there are further steps towards European integration"—*[Interruption.]*

Mr. Speaker: Order. There is no need to shout.

Mr. Duncan Smith: "If there are further steps towards European integration, the people should have their say at a general election or in a referendum." That is what the Prime Minister said in 1996. When did he change his mind?

The Prime Minister: I have not. If there is a single currency recommendation from the Government, people will have a referendum. I do not believe, however, that the constitution now being discussed in Europe merits a referendum.

Mr. Duncan Smith: The Prime Minister must be the only person in Europe who thinks that the European constitution has no constitutional implications for Britain. Does he agree with the French Prime Minister, who said recently that any true European would want a referendum?

The Prime Minister: No, I do not. I do not believe it is necessary to have a referendum unless there is a fundamental change in the nature of the relationship between the member state and the European Union. I remember that three years ago we were told that the Nice treaty merited a referendum, because it would destroy parliamentary government in this country. We have had the Nice treaty in force for several years, and it has not done so. I do not believe that this treaty, which does not alter the fundamental nature of the relationship between the member state and the European Union, merits a referendum.

Mr. Duncan Smith: Let me remind the Prime Minister—because he has a very short memory—of what the constitution actually provides for. It provides for an elected president, a European foreign minister, control over asylum policy, a charter of fundamental rights, and a European army—all of which the Prime Minister says is only a tidying-up exercise. That is why the German Foreign Minister has said:

"This is the most important treaty since the formation of the Common Market".

Why is the Prime Minister the only leader in Europe who will not tell the truth to his own country?

The Prime Minister: Actually, the majority of countries in Europe are not having a referendum on the treaty. I do not suggest in any way that it is not important, but it does not alter the fundamental constitutional relationship.

We know what game the Conservatives are up to. Just a few days ago—not a few years ago; a few days ago—the shadow Attorney-General published his pamphlet about Conservative policy on Europe. He says that he wants Britain to retire to a trade association agreement with the rest of the European Union—that being what he calls sphere 1 European countries, which are not full members of the European Union. The right hon. Gentleman nods. That means withdrawal from the European Union.

In so far as one can work out what the policy of the Conservative Front Bench is, that is now the policy of the Conservative Front Bench. People can forget the business about a referendum. This is not about a

referendum, for the Conservative party; it is about the Conservatives' desire to take Britain out of Europe, which would be a disaster for this country.

Mr. Stuart Bell (Middlesbrough): The Prime Minister has seen that crime is the issue of the day and has referred to the Lords and the Criminal Justice Bill. Can he explain to the House why the Conservatives, who have always been tough on crime, are now in alliance with the Liberals to shred the Bill, to the detriment—

Mr. Speaker: Order. That is not a matter for the Prime Minister.

Q3. [134878] **Rev. Martin Smyth** (Belfast, South): Last Tuesday in Hillsborough, the Prime Minister felt frustrated because he and the Taoiseach were privy to details about decommissioning. The right hon. Gentleman qualified that a little on Wednesday at Question Time when he said that they had certain information, but not the full information. However, he assured us all that if people knew what he knew they would be satisfied.

Can the Prime Minister tell us today whether he is satisfied, when we know that there is fresh procurement of weapons? Has the IRA given dates for further decommissioning? Has it given a final date, or are we still getting IRA flannel?

The Prime Minister: No, we still have to make sure that decommissioning is completed in full and that it happens within a reasonable and proper timetable; for example, the Government have set out a two-year process for normalisation in Northern Ireland. However, just as it would be wrong to say that we have everything that we need—because we do not—it would be equally wrong to say that we are still in the same position as several years ago. We are not. The truth is that Northern Ireland has moved forward considerably, because people, not least Unionists, have had the courage to take difficult decisions to negotiate with people they used to regard as enemies so as to try to bring about a better future for people in Northern Ireland.

The best thing for people such as the hon. Gentleman to do, if they really have the interests of the people of Northern Ireland at heart, is to try to help those who are working to make sure that the agreement we reached five and a half years ago is implemented in full.

Mr. David Clelland (Tyne Bridge): Would the Prime Minister accept that appointments commissions have a tendency to appoint people like themselves—as witness the appointment of the noble Baroness Howe, who became once, twice, three times a Lady? Would he further agree that a more representative and democratic second Chamber could be produced, without direct elections, by widening the responsibility for appointments to include the devolved Assemblies, local government and major voluntary and professional organisations?

The Prime Minister: As my hon. Friend's question indicates, there is a range of views. I have made clear my own position, but I do not doubt that the debate will continue over the coming months. In the end, there will be a free vote for the House to determine the outcome.

Q4. [134879] **Mr. Michael Fallon** (Sevenoaks): Could the Prime Minister take this opportunity to clear up any embarrassment that may inadvertently have been caused to General de Chastelain, and confirm to the House that the general did not intimate to him the extent of any decommissioning that had taken place?

The Prime Minister: I stand entirely by what I said last week at the Dispatch Box. General de Chastelain has done an excellent job in extremely difficult circumstances; but as both I and the Irish Prime Minister have said, certain information was given to us by General de Chastelain and I had very much hoped that it would have been possible to provide the full information to everybody.

Shona McIsaac (Cleethorpes): While I welcome what my right hon. Friend said earlier about the reduction in deaths from cancer in this country, does he share my concern that not all women with breast cancer are receiving the drugs to which they are entitled, according to the National Institute for Clinical Excellence? Can he tell me what he intends to do to get rid of those disparities?

The Prime Minister: We are looking at what we can do to reduce those disparities. This is a good example of where there has been significant progress but there are still things to do. Since April 2001, an additional 200,000 women have been invited for screening for breast cancer, as a result of the expansion of the breast-screening service to 65 to 70-year-olds. As I said a moment or two ago, there has been an increase of about 30 per cent. in the number of consultants. The staff at the Royal Marsden to whom I spoke yesterday were in no doubt that there had been a significant improvement in cancer care over the past few years; but under our new guidelines, we have to make sure that there is no postcode lottery and that care is given in the same way to people throughout the country. That is what we are trying to do. A tremendous amount of progress has been made, but there is still more to do.

Q5. [134880] **Lembit Öpik** (Montgomeryshire): Last week I asked the Prime Minister to meet the parents of Private Cheryl James, who died at Deepcut barracks, and he suggested that the Defence Ministers meet them first; I felt that was reasonable. However, is he aware that the legal and political advisers of the parents are to be excluded from that meeting? What could the Defence Minister possibly want to say to the parents that he dare not share with those advisers, who will find out the information anyway? I would ask the Prime Minister to honour the wish of the parents and allow those advisers to attend the meeting with the Defence Minister.

The Prime Minister: There are reasons and worries, which was why that information was given to the hon. Gentleman, but I do understand the point that he is making. If he leaves the matter with me, I will speak to

the Minister of State about it. I understand his desire to attend the meeting so I will see what I can do about it, but the difficulty has been caused, apparently, by the fact that there are legal issues arising out of whatever may be said at any meeting. So if he will leave it with me, I will do my best for him.

Mr. James Plaskitt (Warwick and Leamington): Two elderly constituents of mine recently gave up a rented home that they loved and had lived in for many years, solely because of the antisocial behaviour of their neighbours. Does my right hon. Friend agree that social landlords need to be given stronger powers to tackle antisocial tenants, and that having been given those powers, they should use them?

The Prime Minister: My hon. Friend is absolutely right, and that is one very important part of the measures in the Anti-social Behaviour Bill, which is why I hope that it gets the full support of the House. There are issues to do with antisocial behaviour orders, with social landlords and with the licensing of landlords, and the Bill contains really comprehensive measures to deal with those. The legislation will not come into effect until January or February next year, but I think it will make a real difference.

Q6. [134881] **Mr. Adrian Sanders** (Torbay): South West Water customers pay the highest water and sewerage charges in the country, but national benefit and pension rates do not recognise that. Is that fair?

The Prime Minister: As the hon. Gentleman will know, the independent water regulator has started a review of water prices for 2005 to 2010 and obviously it will need to balance carefully consumer protection and security of supply against price. I am sure that the regulator will listen to the concerns that the hon. Gentleman has expressed, but he will have in the end, of course, to set a charge for the whole of the country.

Q7. [134882] **Paddy Tipping** (Sherwood): Has the Prime Minister had the opportunity to reflect on his visit to Nottinghamshire last week, when he met both the police and victims of crime? Police numbers in Nottinghamshire are at record levels but performance is relatively weak. The solution of the Police Authority is a massive injection of extra funds. But does the Prime Minister agree with me that sustained funding can come about only if best practice is adopted, if there is a commitment to value for money and if there is a reform—a revision—of existing policies?

The Prime Minister: I think my hon. Friend is right. It is worth paying tribute, as I know he would, to the efforts that Nottinghamshire police have made recently, because their latest figures show robbery down 9 per cent. and overall crime down almost 3 per cent., compared with the previous quarter. The funding levels have gone up. I know there are still issues to do with funding in respect of Nottinghamshire and I heard those concerns when I was there last week, but I also think my hon. Friend is right in saying that there is best practice, and if we can get some of that best practice moved across all authorities, including Nottinghamshire, it is the combination of the extra investment, the extra officers and the reform that will do the trick.

When I was talking to the Nottinghamshire gun crime unit, in Nottingham, its members also laid stress on the need for changes to the law. That is why I come back to the point that this Criminal Justice Bill will be very important indeed in giving the police the powers that they want, and it really should be supported.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): In June, a constituent of mine, Lance-Corporal Tom Keys, was unfortunately one of the six military policemen killed in Al Majar Al Kabir. Since that time, strenuous efforts have been made by his parents and by me to receive some basic answers to some basic questions, and the only consistent answer from the Ministry of Defence is that we may never know what happened. With great respect, I wrote to the Secretary of State for Defence last week, asking for an urgent meeting, so that the parents can be persuaded, or at least convinced, that something serious is going on in terms of the inquiry. Will the Prime Minister please intervene personally to ensure that that meeting does take place urgently?

The Prime Minister: I am sure that my right hon. Friend the Secretary of State will want to meet the hon. Gentleman and his constituents. Once again, I offer them my condolences for the loss that they have suffered. The Ministry of Defence and the Army out there are trying to do everything they can to find out exactly what happened. If they say that they may never know exactly what happened, that may simply be the truth, and people may have to know that because of what happened. I know that they are making every attempt to lay the minds of the families to rest. I am sure that he will get further information from the Secretary of State when he sees him.

Q8. [134883] **Mr. Anthony D. Wright** (Great Yarmouth): Many companies in Great Yarmouth often mention the problems that they have with skills shortages and trying to recruit skilled craftsmen for their industries. They also recognise that there has been a substantial investment in universities and in encouraging students to go there. However, many students do not have the desire or indeed the academic ability to go on to university education but would like to go into skills training. What is my right hon. Friend doing to try to redress the skills shortage and to encourage those students whom I represent who want to go into apprenticeships but are being denied access to a trade?

The Prime Minister: My hon. Friend raises a valuable point. We are spending almost £1 billion a year on work-based training for young people. That is important because, as he rightly says, some young people will want to go into an apprenticeship rather than university. We now have more than 230,000 young people undertaking modern apprenticeships in England. That is the highest number ever and of those, 67,000 are in manufacturing and engineering. It is important to realise that we have the possibility of providing high-quality education and

skills for all our young people through a combination of widening access to universities and getting more people into modern apprenticeships.

Q9. [134884] **Mr. Henry Bellingham** (North-West Norfolk): Can the Prime Minister confirm that a No. 10 spokesman recently proposed that local councils should be forced to hold a referendum before increasing council tax by more than double the rate of inflation? Does he recall that two weeks ago he agreed that the Treasury Red Book forecast a 7.4 per cent. increase in council tax for next year? So, why does he go round the country raising people's hopes when he knows that he cannot deliver?

The Prime Minister: I have not come across those comments by a No. 10 spokesman. On council tax, as I said in answer to an earlier question, central Government are providing large real-terms increases to local government. What cannot possibly help the council tax payer is the policy of the Conservatives, which is massive cuts in public spending. Those cuts would necessarily impact—[HON. MEMBERS: "No."] It is what their leader said. *[Interruption.]* I am just quoting what their leader said, which is that there would be a 20 per cent. cut across the board. How will that help council tax payers?

Q10. [134885] **Mr. John Grogan** (Selby): While I accept the fact that my right hon. Friend has no reverse gear, might it not be possible—if only for a moment—to find a neutral gear on the subject of student top-up fees and to re-examine alternative systems of student finance that would allow students from hard-working families, perhaps just above the threshold of any bursary scheme, to make their university choices on the basis of which course best suits them rather than on cost?

The Prime Minister: The trouble is that if we stay in neutral, universities desperately need more money and we need to widen access to universities—I know that my hon. Friend wants more and more people to go to university and the only way we can achieve that is to get more funding to the universities. The Government are going to put in more, but we think it fair to get rid of the up-front fees—to say that no one pays those, but that instead they will pay something on graduation. For example, that would mean a graduate earning £18,000 paying back about £5 a week in fees. I do not think that unfair. What is more, we are getting rid of fees—at the moment the bottom 40 per cent. of the population do not pay fees. We are looking into how we give help to lower-income families. The one thing that we cannot do is to end up with the status quo being maintained and cutting the number of students at university, as the Conservatives want.

Mr. Michael Mates (East Hampshire): When the Prime Minister took the decision in the spring to postpone the elections in Northern Ireland, many people thought that that was a right and brave thing to do. He has now called an election when the stumbling block of arms decommissioning, which meant that the setting up of an Executive was unlikely, is still there. Has he not now got the worst of both worlds?

The Prime Minister: I do not believe so because it would be impossible, frankly, to postpone elections in Northern Ireland indefinitely. It is important that people renew their democratic mandate, but we have made a lot of progress since March. We were not able to make all the progress that we wished for, but we now have a clear undertaking from the IRA to the cessation of all paramilitary activity.

We have actually now got an independent Monitoring Commission that is able to look at any paramilitary activity that is undertaken and, if it is undertaken, declare it as a breach of the promises that have been given, whether by the IRA or by any other group. We have also got a situation where, frankly, we have the best chance of a proper working relationship that we have had for years between the various people in Northern Ireland.

Now there is always a judgment to be made about this, but in the five and a half years since the Belfast agreement—the Good Friday agreement—the truth is that we have come an enormous way in Northern Ireland, and the most sensible thing is for people to recognise that such processes are always difficult, that the movement is always incremental and that it is often absolutely painstaking, but it is worth it because if we look at Northern Ireland today, in terms of the living standards and the quality of life for most people there, it is frankly unrecognisable from 10 years ago.

School Funding

12.31 pm

The Secretary of State for Education and Skills (Mr. Charles Clarke): With permission, Mr. Speaker, I should like to make a statement about the funding of schools in the years 2004–05 and 2005–06. I am placing the details in the Library. On 17 July this year, I set out to the House the principles that I would follow to restore confidence in the school funding system, deliver stability in school budgets and give certainty for head teachers and governors. I promised a further update in the autumn.

Responsibility for school funding is shared between the Government, local education authorities and the governing bodies and head teachers. We all want to ensure that schools can plan and manage their resources effectively to achieve the highest possible standards. I want today to express my appreciation of the commitment of all the education partners to those ambitions and for the very constructive way in which representatives of schools and local government have worked with us. I am confident that that will continue.

As I said in July, I intend to support schools in three ways: a minimum increase in every school's budget; additional resources to help every LEA to support schools with additional pressures; and targeted transitional support to help all schools to achieve balanced budgets. I promised to introduce for 2004–05 and 2005–06 a minimum per pupil funding guarantee for every school, taking account of the average cost pressures facing schools in those years. I intend to achieve that by increasing both LEA core funding and the funding received from Department for Education and Skills grants.

My officials have examined the relevant cost pressures, including increases in teachers' pay, where we have assumed an inflation-led settlement. Those pressures naturally vary between schools. However, following extensive consultation with our education partners, my best estimate for next year is that the combined effect of those factors on the average school will be about 3.4 per cent.

Each school receives funding through LEAs in two main ways: funding directly related to pupil numbers and funding related to fixed costs. We have concluded—again, after careful consideration with our education partners—that pupil-led elements should rise by 4 per cent. per pupil and fixed elements also by 4 per cent. in cash, so a school whose pupil numbers stay the same between 2003–04 and 2004–05 will be guaranteed a 4 per cent. per pupil increase in its overall budget next year.

A school whose pupil numbers decline will receive a funding increase of more than 4 per cent. per pupil to help cover fixed costs. However, because of declining pupil numbers, the number of primary schools with reduced cash budgets—and, therefore, possibly staff numbers—will be significant, as there are around 50,000 fewer primary pupils this year, with a similar reduction next year. Secondary schools with falling rolls will be in the same position.

Schools whose pupil numbers are increasing will be guaranteed at least a 4 per cent. increase for all their existing pupils. Those schools will be guaranteed a rise of at least 4 per cent. in their cash budgets and an overall per pupil increase of at least 3.4 per cent.

I said in July that we would consider carefully the position of very small schools. Those will receive an increase of at least 4 per cent. if their pupil numbers do not change. However, our general approach may not be appropriate for very small schools with much higher than average fixed costs. Therefore, funding for schools with 75 pupils or fewer will be determined according to their LEA's own school funding formula. For special schools, whose funding is normally based on places rather than pupil numbers, the guarantee will be a minimum 4 per cent. increase in funding per place. LEA funding for specified costs, such as rates, will continue to be funded at cost and will be apart from the guarantee.

The 4 per cent. level at which I have set the minimum schools guarantee already takes some account of cost variation around the 3.4 per cent. average. I stress, however, that that guarantee represents only the minimum increase that a school might receive next year. Across the country, many schools will receive per pupil increases of more than 4 per cent., since the overall increase in education formula spending will be more than 5.5 per cent. per pupil. The final budgets will be determined by LEAs, in conjunction with school forums, after the local government finance settlement has been announced, but today's announcement should—subject to pupil numbers—give schools an early indication of the minimum increase in their budgets. For 2005–06—the year after—my expectation is that the minimum schools guarantee will again be at least 4 per cent. for a school with unchanged pupil numbers. I will keep that under review and will announce the final figure in due course.

Other elements of schools funding will also be increased on the same basis. Thus the Learning and Skills Council will increase all its funding rates for school sixth forms by 4 per cent. in 2004–05, and it will also increase current school sixth forms' allocations for the period April to July 2004 by 4 per cent. Similar arrangements will apply in 2005–06.

The changes to the standards fund caused significant problems for some schools this year, so in July I undertook to reverse the cuts that had previously been announced for the next two years. That additional spending is reflected in the standards fund allocations that are being issued to local authorities today. In 2004–05 schools will generally receive a cash increase of 4 per cent. on this year's standards fund allocations. There will be some limited exceptions: those include grants where the amount of funding is directly related to actual costs; specialist schools, where I increased the funding rate in September this year and will make a further increase to £129 per pupil in 2005; and grants, where funding is being especially targeted for policy reasons. For example, we are uprating the ethnic minority achievement grant by 4 per cent., but are also taking the first steps towards a fairer distribution under which no school will receive less EMAG in cash terms in 2004–05 than they are receiving this year.

Moreover, next year, schools will receive either a 4 per cent. increase in their per pupil school standards grant, or the value of their announced SSG band for 2004–05, whichever is higher. Both standards fund and school standards grant will be uprated again—in line with the minimum schools guarantee—in 2005–06. I am also adding resources to revenue support grant to reflect in

[Mr. Charles Clarke]

LEA baselines the budget support grants paid to some authorities in 2003–04.

The total additional funding to maintain and uprate the standards fund and school standards grant, and to mainstream the budget support grants, will be £435 million in 2004–05 and £520 million in 2005–06. I am placing full details in the Library.

I can also confirm that threshold pay costs will be fully funded next year. As at present, schools will be able to draw down well over £500 million from my Department on a demand-led basis. In addition, the £205 million that we have allocated this year for performance-related pay will be uprated at least in line with the headline pay settlement for next year. If proper arrangements for point 3 of the upper pay scale can be settled, further resources will be allocated in September 2004.

The schools guarantee must of course be backed by adequate resources for local education authorities. Next year I will therefore set the minimum increase in the schools formula spending share at 5 per cent. per pupil by contrast with the 4 per cent. guarantee for schools. Again, that is a minimum—most increases will be higher. The provisional SFSS increase for each authority will be confirmed at the time of the local government finance settlement, but we expect the ceiling increase to be at least 6.5 per cent. per pupil.

As I said in July, every authority will receive sufficient grant in each of the next two years to cover its formula increase in education spending. Given that commitment, my right hon. Friend the Deputy Prime Minister and I will be writing to authorities to set out the Government's clear expectation that every LEA passports in full its SFSS increase to a matching increase in its schools budget, unless there are wholly exceptional circumstances. I have statutory powers to require LEAs to set a minimum schools budget and I will be ready to use those powers if necessary.

I also expect local education authorities' spending on their central education budgets to rise no faster than spending on schools. I am confident that most LEAs will concentrate on increasing schools' delegated budgets over the next two years, but the draft regulations that I have issued reflect my determination to achieve this. Under my proposals, LEAs will be able to seek an exemption in exceptional local circumstances, but the generality is clear. I will confirm the minimum increase in SFSS for 2005–06 next autumn, but if the minimum schools guarantee were 4 per cent., I would expect the minimum increase in SFSS to be around 5 per cent. again.

My proposals have been drawn up to support schools, but that support will not be at the expense of other services. In line with the commitment that I made in July, the Government will provide additional resources for other services, including children's social services, to support spending in those services. The full details will be announced as part of next month's local government finance settlement.

My statement in July emphasised my commitment to sustaining school work force reforms. That commitment stands, and I see it as important. Much progress can be made by schools managing their total resources—people and money—more strategically and working in different ways. Over the next two years, the increase in resources for schools, through schools formula spending share and Department for Education and Skills grants, and including the additional resources that I am confirming today, will provide headroom over the average cost pressures that schools face to help schools to make the most of the national agreement.

Primary responsibility for maintaining sound financial management rests with schools themselves and their LEAs. I acknowledge that LEAs need more flexibility to help schools to balance budgets over the next two years, so I am amending the regulations to enable LEAs to target their resources at schools with particular problems, whatever their source. It is the responsibility of LEAs to use that flexibility. I expect them to do so, and am confident that my expectation will be fully shared by the communities that they serve.

However, I do recognise that there are a limited number of cases where balancing budgets is beyond the capacity of individual schools and LEAs in the short term. That is most likely in the LEAs that have received the lowest increases in education formula spending and DFES grant between 2002–03 and 2004–05. For those LEAs, I therefore propose to make a targeted transitional grant available over the next two years, and I am issuing indicative figures today. These assume that grant will be available to take the increase in funding for all authorities over the two-year period from 2002–03 to 2004–05 up to a minimum of 12 per cent. per pupil—well ahead of our best estimate of unavoidable pressures for those years. I estimate that that will cost around £120 million and benefit around a third of LEAs. The final allocations will be confirmed at the time of the local government finance settlement.

However, that additional resource will be provided only when I am convinced that the LEA has made every effort to support its schools from within its own resources by passporting its SFSS increase in full, directing its resources to delegated schools budgets as far as possible and intending to target schools in greatest difficulty. It will be a condition of grant that each LEA prepares, with the schools concerned, a costed and credible plan to bring its schools' budgets into balance by 2006–07. In 2005–06, I propose to make further grant available to the same authorities at around half the level of that provided in 2004–05. Again, I will confirm detailed figures next autumn.

LEAs with increases between 2002–03 and 2004–05 greater than 12 per cent. per pupil should be able to resolve local difficulties within their own resources. However, I recognise that there are individual schools that spent above their income this year and may therefore face difficulties in getting their budgets back into balance. So where an LEA can put forward a compelling argument that additional transitional funds are needed in the short term, above and beyond those already available to the LEA, to avoid real damage to children's education, I am prepared to consider bringing forward DFES grant payments. So the LEA will have funds available in 2004–05 for that purpose, with the expectation of a consequential reduction to what they receive in future years. I will confirm the maximum amount that I might be prepared to make available to each LEA in that way following the local government finance settlement, but I expect the calculation to be

based on a maximum grant of £300,000 per authority, or 0.2 per cent. of the authority's total education resources in 2004–05 if that is higher. Such grant would be subject to conditions similar to those for the targeted transitional grant.

I am confident that the measures I have outlined today will help to create stability for schools. We will do all we can to help LEAs work with their schools where necessary to get budgets back into balance over the next two years. That is because, for any school, an annual excess of spending over income is not sustainable. I acknowledge that getting back into balance may mean difficult decisions. Where school spending varies significantly from the average—where 80 per cent. is spent on staff costs and 20 per cent. on non-staff costs—or from their income, they need to act to get back into balance.

It is therefore vital that schools are well able to plan and manage their resources effectively. More and better support for schools is needed in achieving that, so I am announcing that my Department has commissioned KPMG to work with the National College for School Leadership and the head teacher associations to design and develop a varied menu of support and guidance to help schools' budget management. That support will be available from the turn of the year and it will prioritise schools in those LEAs that are in receipt of the targeted transitional grant.

The proposals I have announced today are designed to help restore confidence in the school funding system and increase stability in school budgets. I am very grateful for the help and advice we have received from our education partners. I have set out the framework for the school funding system over the next two years. It is now for LEAs to address the needs of every school and for heads and governors to ensure that the resources they receive are used effectively. We all share responsibility for school funding and we must continue to work together to get it right. I commend the statement to the House.

Mr. Damian Green (Ashford): As always, I am grateful to the Secretary of State for advance sight of his statement and for his exquisite sense of timing in making it today. When he looks back at his 12 months in the job, I am sure he will agree that coming to the House to try to rectify the school funding crisis caused by his Government should not be a necessary duty for him. Let me explain what his non-transparent statement meant.

The Secretary of State's predecessor presented the Government's plans for education spending as a triumph, but instead of that, heads, teachers and parents across the country have spent months trying to cope with the effect of huge deficits, teacher redundancies and crumbling school buildings. Many schools have been forced to dip into their financial reserves or capital budgets to ensure that they make ends meet. Schools across the country have deficit budgets and LEAs are suffering huge shortfalls. Hertfordshire estimates a £15 million shortfall, Surrey has spent £12 million of its reserves and my authority of Kent has an estimated £22 million shortfall. I need not remind the right hon. Gentleman that in Norfolk the shortfall is £14 million.

The effects of the crisis have been most acute in the classrooms. Only two weeks ago, a report commissioned by the National Union of Teachers found that a quarter of primary schools and a third of secondary schools cut staff this year because of financial shortages. Furthermore, the funding problems make a mockery of the Government's claim that class sizes have got smaller. In practice, classes are having to double up to save money that is usually spent on supply teachers. Planning, preparation and marking time are being reduced as a result.

So today we have the Secretary of State's rescue package. He has made much of the extra money going to the worst-hit local authorities. That will be welcome, as will the fact that some of the relevant information for schools and local authorities is coming out earlier than in previous years. But as ever we need to dig beneath the surface of the statement to find the new victims of the Government's failures in this area.

Some of the money that the Secretary of State is giving away is reported to come from the budget for teachers who have earned it through the performance-related pay system. Can he confirm that? He skated round it in his statement. What is the point of performance-related pay if teachers perform but do not then get the pay? Can he explain to teachers and the House how that is fair? Since he is penalising precisely those teachers who have worked hardest, can he imagine how much damage he is doing to morale in staff rooms today?

On the general issue of teachers' pay, the right hon. Gentleman announced an annual rise of about 2.5 per cent., and he told the House today that that means an increase of about 3.4 per cent. for school budgets. Is he aware that that calculation is regarded with great suspicion by many people in our education system? They feel that schools will face cost pressures much higher than 3.4 per cent. In particular, can the right hon. Gentleman give schools a guarantee that they will face no more increases in employers' national insurance contributions? What effect does he think that that will have on the teachers' work load agreement, by which he rightly sets much store?

The Secretary of State has today announced a per pupil increase of 4 per cent., but the House needs to unpick that figure and what lies behind it. I assume that it is an increase for every pupil in every school, regardless of that school's financial position. If so, is he not in danger of failing to compensate the worst-hit schools enough because he is spending the same amount in every school? He will be aware that the effects of the previous blunders have not been felt in a uniform way across the country, and indeed his £120 million fund is designed to address that. Can he give the House a guarantee that the extra grants and loans that he has announced will mean that every school will be able to return to the staffing levels that it had before this year's crisis? If he cannot, this announcement is just another piece of spin.

On the wider implications, can the Secretary of State be more explicit about how far he wants to go in removing LEAs' ability to use local discretion on funding? I suspect that he deeply regrets his Government's abolition of grant-maintained status for schools, but if he is planning to bring it back for all schools by the back door, perhaps he could share that momentous change with the House.

[Mr. Damian Green]

More particularly, if the right hon. Gentleman is removing some financial discretion from LEAs, can he tell us what will be the impact on special educational needs provision? He spoke briefly about that, but it was not at all clear what the ultimate effect would be. Earlier this year he accused some local authorities of spending too much on SEN provision—one of the most extraordinary statements that I have ever heard from an Education Secretary. Has he now decided that he wants to be in direct control of all SEN funding as well?

The statement promises a minimum funding increase, but of course one of the key things that will matter to local authorities is where all the extra money is coming from. How much will come through the SFSS? The Government announced earlier that they were cutting central Government funding through the standards fund to give more freedom to local authorities; they are now reversing that process. But at the same time, they are trying to claim that the extra money that will, after today, come through central Government is new money. It is not; it is reshuffled money, so some of the real money will have to come, as ever under this Government, from the council tax payer.

Can the Secretary of State tell the House the full implications of today's announcement for council tax levels and other services? If councils are told, as they have been, that they have to spend as much on education as the Government demand and that they will be capped if they put up their council tax too much, they will have to slash other services.

The Government have spent months trying to dig themselves out of the hole that they created last year. This statement shows that the means that they are using are unfair to hard-working and successful teachers and threatening to council tax payers, and they do not even guarantee that the worst-hit schools will be enabled to recover quickly. The effects of that will be felt early next year when schools come to set their budgets. That is when today's statement will really be judged. Schools know from this year's experience that a generous-sounding Government statement can turn into a reality of cuts and redundancies. I hope that we do not see a repeat of this year's funding crisis in schools, but I fear that we will.

Mr. Clarke: I was interested to note that the word "children" never found its way into that response.

The hon. Gentleman refers to my exquisite sense of timing. I was grateful that the Conservative party decided to have its leadership election today, but I assume that it is only to hide the good news in my statement.

I counsel the hon. Gentleman to be careful in quoting Conservative-controlled authorities such as Hertfordshire, Surrey, Kent and Essex, which are scaremongering in their schools with totally false figures. I say to the hon. Gentleman, as I said to the Conservative leader of Kent and other Conservative council leaders: "Look at this statement, analyse it and understand what it means for every LEA and school, and then make a judgment. Don't try to scaremonger without having the facts in front of you."

I know that the hon. Gentleman was speaking from an NUT brief, but it is not true that performance-related pay has been raided for this money. We gave our evidence to the pay review body, and we will see what it has to say. It is not true that the 3.4 per cent. figure is regarded with suspicion by other people in the education world. In fact, it was derived specifically from a series of discussions with, among others, local government and the head teacher associations precisely because I desired some consensus on what would be an appropriate figure.

It is not the case that more increases in national insurance are in the pipeline. It is not the case that we are failing to compensate schools in the worst position; in fact, we are giving local authorities the flexibility to do that. None the less, I was interested that the hon. Gentleman appeared to be saying—no doubt he will correct me if I have got this wrong—that he is against a per pupil guarantee for every pupil in every school. The implication of what he said is not to have such a guarantee.

It is the case that pupil numbers will be the principal determinant in school funding, so where rolls are falling, there will be consequences. I have made that clear, and it is the case throughout the system. It is not the case that we are removing LEA flexibility; in fact I am publishing regulations that will increase their flexibility to deal with the greatest issues.

I acknowledge that important issues arise from special educational needs, and we have discussed those with local government. It is not the case that we are increasing the standards fund with money taken from the SFSS. The reverse is true: we have gone right through our budgets to increase that fund and the SFSS is left untouched by that approach.

Finally, it is not the case that council tax will have to go up to achieve these increases. My statement and the statement that will be made by the Deputy Prime Minister in due course do not require council tax increases in order to maintain essential services.

It is important that even the Opposition, in their current parlous state, have a discussion about these proposals on a factual, honest basis, rather than reading out a litany of allegations that are either wrong or simply taken from the NUT's brief.

Mr. Patrick Hall (Bedford): Is my right hon. Friend confident that there will be sufficient additional support for those schools that have agreed deficit budgets this year and may not have the capacity to recover in the next financial year? Is he also confident that as a result of his statement the many schools that have avoided a deficit budget this year by dipping into their reserves and making cuts in training and maintenance, for example, will be able not only to recover in the next financial year but to resume the considerable progress that has been made since 1997?

Mr. Clarke: I am confident that the arrangements that I have made today on the transitional fund and other issues will permit LEAs working with schools in the position described by my hon. Friend to deal with that situation and restore their budgets to the proper basis.

The combination of grant for some authorities and loans for others means that I can assure my hon. Friend that we can sort out those problems.

Dr. John Pugh (Southport): I thank the Secretary of State for advance sight of his lucid and informative statement. It did not altogether help but much of it is very welcome.

Liberal Democrat Members feel that although this is, superficially, good news, we have been here before. Last year, the Government genuinely put money on the table—more money than ever before—but the Secretary of State has acknowledged that there were severe problems arising from increased school costs and the distributive effect of the new local authority formula and its effects on the school formula in turn. That was described as a failure of modelling. There was a marked difference between the Government's intentions, which were good, and the real-world effects, which were bad. This year, it is very much a case of déjà vu for Liberal Democrats. The Government's intentions are good, but it remains to be seen whether the long-term effects are good. We will know only when the details are available and the budgets start to be constructed in 2004. The Secretary of State is to be congratulated on his intentions, but the road to hell is paved with good intentions, and the announcement may be another road to the financial chaos that we had last year. I seek reassurances, clarification—by gosh, we need clarification—and evidence that the modelling skills of the Department for Education and Skills are slightly better than they were last year.

I have a highly specific question about how much new money—not top-sliced or recycled—has been announced today. How much money from the vaults of the Treasury that was not there in April will be available to give LEAs and schools as a direct result of the announcement? On the 4 per cent. uplift promised for every child and school and the mandatory increase in the SFSS, how much will be cash in hand for the LEAs, how much will be cash in hand for the LEAs to give to schools, and how much has to be found from the council tax payer? The way in which that is divided up really does make a difference.

On the modelling, does the right hon. Gentleman accept that last year there were losers and some winners? This year, according to him, everyone gets a prize, but inequities will be perpetuated. Schools with severe problems that fell back on their capital last year do not get differential treatment. LEA flexibility is not noticeably assisted. He has made £120 million available as a grant—I am not sure whether it has to be repaid to LEAs—but where have those resources come from? Is that new money from the Treasury, and what strings are attached to it?

Finally, has the new modelling taken proper account not only of the forthcoming teachers' pay settlement but of the progress of the workload agreement and the September uplift in pay spines? The right hon. Gentleman was supposed to have taken account of that, and told the House on 17 July that

"the commitment that I give is to make that announcement when we know the teachers' pay settlement following the proper review".—[*Official Report*, 17 July 2003; Vol. 409, c. 460.]

That is not what is happening today, and I wonder which aspect of the commitment he does not understand. Either he is psychic, as well as being a good modeller, or the pay review is his poodle, or we cannot trust ministerial statements.

Mr. Clarke: The statement addresses many of the issues that arose last year. One of the three key issues that arose then was the distribution of resources between local authorities. Today's announcement establishes floors to deal with that situation directly and explicitly. A second cause of the problems was the reduction in the standards fund. I have reversed the cuts in that fund to put the money back, which was not the case in the current year. A third issue was the way in which local education authorities decided to allocate money to individual schools and their central funds. I have put a cap on central funds and I require a per pupil minimum guarantee for schools.

In those three specific cases, I have made changes to try to deal with the situation that arose this year. I acknowledge that the subject is complicated for all of us, and it is difficult for colleagues who have only just seen the statement to make a detailed analysis. However, I do not accept the charge, because it is not true, that we have not sought to address the issues that arose this year. In fact, we have set out specifically to do so. In addition, we have sought to address a point made to me by many teachers and people in local government: that one of the core problems this year was the short time scale for addressing the issues and changes that were taking place, which affected their ability to plan school budgets effectively. I am establishing today a time framework for the solution of those problems that will allow schools and local authorities to plan, which is a positive development.

I am grateful to the hon. Gentleman for saying that the implications of the announcement remain to be seen. That is a fair point, and it is fair, too, for local authorities and schools to ask what the statement means for them and how they should analyse it. My political request, which he may or may not be prepared to go along with, is that he and his Liberal Democrat colleagues do exactly what he said—look and analyse before drawing conclusions. My criticism of the Conservatives is that they have jumped the gun. The Liberal Democrats have not behaved like that to the same extent, so I hope that the hon. Gentleman is prepared to look directly at the situation.

The extra money will go into the standards fund and the transitional fund, as we have said, and comes from DFES budgets. There is substantial LEA flexibility. The difference between the 4 per cent. minimum per pupil for schools and the 5 per cent. minimum rising to 6.5 per cent. for LEAs represents a significant resource, and the regulations that we are publishing will give LEAs more capacity to use it to target particular problems. May I tell the hon. Gentleman and his colleagues in local government that it is important that LEAs take on that responsibility, analyse the problems in the LEA and use the flexibilities that I have outlined and the extra resources that they can draw down in certain circumstances to address them? That is the LEAs' responsibility, and it is one that they should welcome, as it is the right way to move forward. We have made assumptions about the final position of the pay review

[Mr. Clarke]

body, but I do not have any inside information. Like everybody else, I await its announcement later this year to see what its proposals will be.

Mr. George Stevenson (Stoke-on-Trent, South): In spite of the Opposition's negative carping, may I warmly welcome the positive way in which my right hon. Friend addressed fundamental issues in his statement?

I have three brief questions for my right hon. Friend. First, can he assure me that needs and deprivation will figure prominently in the consideration of affected areas? Secondly, on pupil numbers, will authorities such as my own in Stoke-on-Trent that are addressing that issue through the closure and amalgamation of schools be given every encouragement and direct assistance to create modern, 21st-century facilities? Thirdly, on LEA flexibility, is it not about time that we considered rolling some of the standards fund into LEAs, which, after all, are required to match funding?

Mr. Clarke: I am grateful for my hon. Friend's general support, and can give him the assurances that he seeks. Needs and deprivation will continue to be a major consideration in funding for all the reasons that he gave. We will work with authorities that have to deal with falling rolls to try to assist them. My hon. Friend the Minister for School Standards is keen in his capital programme to focus on getting brand new schools to deal with those problems, and I am sure that he will pay particular attention to Stoke's needs.

Mr. Edward Garnier (Harborough): The right hon. Gentleman will know that Leicestershire LEA is at the bottom of the funding table. Consequently, schools in my constituency are among the worst funded in the country. What are the implications of the statement, both for our relative position in the funding league and the absolute funding from Whitehall to schools in Harborough?

Mr. Clarke: I met an all-party delegation of colleagues from Leicestershire to discuss those precise matters, and I have tried to respond to their concerns in today's statement on transitional funding. Leicestershire is one of the third or so of authorities that will benefit from the settlement.

Claire Ward (Watford): My right hon. Friend will be aware that schools and parents in Hertfordshire have been led to believe by the Tory-controlled county council that they face significant budget cuts next year. Can he give them an assurance that that will not be the case? Can he assure my constituents that the funding plans that he outlined today will ensure that they have continued improvement in education in Watford?

Mr. Clarke: I think that I can give that assurance. I am disappointed by the material that Hertfordshire county council has put out. On its website there is a range of information, but it is full of "ifs", "coulds", "shoulds" and "risks". None of it is based on genuine information and assessment. I urge my hon. Friend and her colleagues in Hertfordshire—I do not mean her political colleagues but colleagues throughout Hertfordshire—to give my statement a fair assessment, as I think that I can give the assurance that she is seeking.

Sir Nicholas Winterton (Macclesfield): A little earlier this year, the Secretary of State kindly met me, the education chairman of Cheshire county council, Councillor David Rowlands, and the schools manager, Joan Feenan, to discuss the Macclesfield learning zone, which is warmly and strongly supported by all its partners and stakeholders, including the county council, the borough council, the learning and skills council, local schools and the local college. As that project is critically important to my constituency, will he tell me how his very informative and encouraging statement will affect it?

Mr. Clarke: I enjoyed my meeting with the hon. Gentleman and his colleagues. The assurance that I have given today means that his county council and local education authority can discuss their future plans in a much more structured way, and therefore look at the Macclesfield project with a sense of confidence about future funding. I hope that that reassures the hon. Gentleman.

Linda Gilroy (Plymouth, Sutton): I welcome the fact that my right hon. Friend's announcement covers the next two years. That will help schools to plan ahead. Last year, Plymouth schools were among those facing the most significant difficulties in making ends meet. I therefore welcome the targeted transitional help in the hope that it might be available to some of them. Can he assure parents, students and teachers in Plymouth that he will, as he helpfully did last year, listen to our representations on the continuing challenges that lie ahead?

Mr. Clarke: I can give my hon. Friend that assurance. Her campaigning on behalf of Plymouth, like that of hon. Friends in other parts of the country, was one of the most effective factors in convincing me and my colleagues that we needed to address the transition issues as we have. Plymouth will be one of the authorities that benefit from that. I hope that that deals with her concerns, but I am of course always happy to listen to future representations.

Mr. David Tredinnick (Bosworth): I acknowledge that the Secretary of State met Leicestershire Members this year, but did not that meeting have to take place only because his Department so completely miscalculated the needs of the county? Is it not the case that 4 per cent. will not be enough for schools such as Barwell Church of England junior school and others in Hinckley in my constituency? Can he confirm that the targeted transitional grant applies to Leicestershire and that the most disadvantaged schools in my constituency will get the special relief to which he alluded?

Mr. Clarke: I can confirm that Leicestershire, like Plymouth, is one of the authorities that will receive the targeted transitional grant. The 3.4 per cent. figure for school costs increases is an average, so there is variety around it. I have set the minimum per pupil guarantee at 4 per cent., which is significantly above that. I have

also—this is most significant—given local education authorities the ability to deal with cases where there may be even greater variation from the 3.4 per cent. average as a result, for example, of the school's staffing structure. I do not know the details of the school that the hon. Gentleman mentioned. That will be a matter for the LEA within the framework that I have set; I hope that it will be able to take it up in the proper way.

Clive Efford (Eltham): I welcome my right hon. Friend's statement, and particularly its early nature, because that offers the opportunity for further consultation. The statement is inevitably complex because we were confronted with a complex situation earlier this year, so schools will take a cautious approach to it. Crucial to its success will be the reassurance that their problems and those of LEAs will be listened to in order to tackle the financial difficulties that they have faced this year. That is particularly true in areas such as London, where a considerable amount of the available resources had to go into employment budgets because of the difficulties caused by the cost of living, including housing. Those issues facing London need to be considered further as part of the complex problem that we face.

Mr. Clarke: My hon. Friend is right. Like many in London, he will have welcomed the announcement by my right hon. Friend the Deputy Prime Minister about housing for teachers in London: that will help to move the situation forward. Let me be clear. Within the framework that I have set, it is the responsibility of the LEA to talk to schools in its area about the best way of dealing with their financial situation. My aim is that those discussions should be constructive. Meanwhile, we are happy to continue to consider the issues that he raised.

Mr. James Clappison (Hertsmere): Behind the byzantine complexity of the Secretary of State's announcement, is not there one straightforward fact—that the Government's new local government funding formula has created serious funding difficulties for authorities such as Hertfordshire, which next year faces a shortfall of £25 million, or the equivalent of 600 teaching posts? Can he do better than to dismiss that as scaremongering, given that earlier this month the Labour group of Hertfordshire county councillors joined in that scaremongering by taking part in an all-party delegation to complain to the Minister who knows all about this? Can the Secretary of State say to what extent his announcement will make good that shortfall?

Mr. Clarke: I urge the hon. Gentleman to ask his political colleagues in Hertfordshire to look at the statement and to analyse what it means before rushing to judgment. The Hertfordshire website says that schools might face a gap of as much as £25 million—a completely invented figure, by the way—that a £15 million gap could mean a funding shortfall, and that if schools have to make further cuts they risk a whole set of different consequences. That is a scaremongering approach that has been deliberately taken by the Conservative leadership of Hertfordshire county council. I urge them, as I would urge others, to analyse the statement and to come to a mature and considered view about what it really means for the hon. Gentleman's local education authority and schools in his constituency.

Ms Karen Buck (Regent's Park and Kensington, North): Westminster city council, which is Conservative-controlled, found £21 million extra this year for a street cleaning contract and call centre, while failing to passport money to schools in the education settlement, which resulted in cuts and redundancies in schools. I welcome the minimum guarantee and the additions to the standards fund, but can my right hon. Friend assure me not only that he will ensure that that money is delivered to Westminster schools, but that—in recognition of the cost pressures in my boroughs and elsewhere in London—non-statutory, vulnerable and vital services such as early years and the youth service are protected when he negotiates with his colleagues in other Departments?

Mr. Clarke: I am delighted that my hon. Friend asks that question. I simply repeat for Westminster, in terms, what I said to the House. The Deputy Prime Minister and I will write to authorities, including Westminster, to set out the Government's clear expectation that every LEA passports in full its SFSS increase into a matching increase in the schools budget. That is a message for Westminster as much as—in fact more than—it is for many other local authorities, whose job it is to ensure that they do that. In addition, as I announced, we are protecting from central Government resources the amount of money allocated to children's social services, and rightly so. The spotlight will be on local education authorities such as Westminster to ensure that they deliver for children in their borough as they are obliged to.

Mr. Michael Fallon (Sevenoaks): Does the Secretary of State understand that he is simply trying to clear up a mess that he and his Government created by switching money from southern councils and imposing extra employer contributions? Does he accept that his 4 per cent. per pupil guarantee will be meaningless unless it means that no Kent school will be in budget deficit next year?

Mr. Clarke: I cannot accept the premise of the hon. Gentleman's question. The 4 per cent. per pupil guarantee is not meaningless—it has great meaning for schools in Kent, as in every other part of the country. It is fully funded. The extra resources for LEAs—in this case, Kent—can and should be targeted on dealing with situations where budget deficits have arisen. Kent will take that decision. All the conversations that I have had with the leadership—dare I say it, the Conservative leadership—of Kent county council suggests that they will take those responsibilities seriously, and so they should. That is what shared funding means.

Mr. Ronnie Campbell (Blyth Valley): Last year, Northumberland's education authority had some trouble: I am keeping my fingers crossed that my right hon. Friend's statement will put all that right. On funding for free school meals, he may be aware that some of my hon. Friends and I tabled an early-day motion pointing out that people receiving working

[Mr. Ronnie Campbell]

families tax credit do not qualify for free school meals, even though they are below the £13,000 threshold. That is giving with one hand and taking away with the other.

Mr. Clarke: I have seen the early-day motion that my hon. Friend and others tabled. I am considering its terms carefully to ascertain how we can deal with his points. More generally, I hope that Northumberland can work with schools in the county to tackle the issues effectively.

Mr. David Laws (Yeovil): I thank the Secretary of State for taking the time to see a cross-party delegation from Somerset a couple of months ago to discuss the subject that the statement covers. Although I accept his earlier comments that we must consider the detail before leaping to judgment, he will recall that Somerset local education authority said that it needed an increase of 6 per cent. not 4 per cent. next year to deal with cost pressures and accumulated deficit. Will his statement therefore disappoint the LEA or does it contain something that I am missing?

Mr. Clarke: My lengthy experience of the hard wheel of politics shows that statements usually disappoint local authorities and I confidently expect representations about disappointment. However, Somerset will receive targeted transitional grant, which will help with some issues. I am also acutely aware of some of the sharp party political antagonisms in Somerset about the approach to such matters. The LEA will want to work closely with schools to deal with them.

Ms Oona King (Bethnal Green and Bow): I thank my right hon. Friend for a comprehensive statement. There is no doubt that the average school whose budget was affected by the 3.4 per cent. figure will be vastly assisted by the measures announced. Indeed, all schools will be helped, but some were hit harder than others. Those in Tower Hamlets have average cost increases of 12 per cent., despite the LEA passporting more than 100 per cent. Will my right hon. Friend assure us that any schools that continue to face serious budget pressures after the measures have been implemented will receive further help with funding so that we can continue to drive up standards, which have seen Tower Hamlets register the greatest educational achievement in the country?

Mr. Clarke: I join in with my hon. Friend's tribute to the tremendous achievements of the local authority in Tower Hamlets. We met a delegation to discuss the very points that she raised. As I said in the statement, resources—in the form of grant or loan—are available to address matters in schools in Tower Hamlets, but on condition that the local authority works with schools to deal with the financial issues in the appropriate way. I know that Tower Hamlets authority will work constructively on that agenda, but the qualification is important. The extra resources are available on the basis of the LEA working properly with schools to improve financial management and deal with problems.

Richard Ottaway (Croydon, South): Given the shambles in education funding in Croydon this year, the Secretary of State will be interested to know that I managed to obtain a copy of an internal document from Labour-controlled Croydon council. It estimates that underfunding this year is £7.5 million and that an extra £8.5 million is needed next year after wiping out the reserves this year to pay the deficit. Will he confirm that his encouraging but complex statement means that Croydon will have the extra £16 million that it needs to make up the shortfall this year?

Mr. Clarke: I want to make two comments in response to that. First, the statement is complex and I hope that all political and other colleagues in Croydon will examine the precise implications for Croydon before reaching a judgment about the way in which to proceed. Of course, I acknowledge that there were difficult problems in Croydon this year; the hon. Gentleman raised them specifically. I hope that the announcement will enable them to be tackled effectively.

Secondly, I shall not simply take a figure that has been generated from an internal working document in a local authority and say, "Aha, all is as it should be." We should have a discussion and dialogue and I hope that that will take place—although I cannot guarantee it, given the hon. Gentleman's role—in a non-partisan way and in a spirit of doing our best for schools in Croydon.

Judy Mallaber (Amber Valley): Although I do not want cuts in other local authorities or schools, will my right hon. Friend assure me that the overall impact of the measures will not perpetuate the unfairness whereby pupils in authorities such as Hertfordshire and Hampshire get so much more money spent on them than pupils in equivalent schools in authorities such as Derbyshire? Will he continue to try to redress that balance?

Mr. Clarke: My hon. Friend makes an important, powerful and true point. I am glad to be able to say that the variation between a floor for LEAs of 5 per cent. and a ceiling of at least 6.5 per cent. shows that progress to try to deal with some of her points continues, at least in education.

Mr. Andrew Lansley (South Cambridgeshire): Does the Secretary of State accept that the acid test is the accuracy and validity of his estimate of cost pressures on schools? He must recall that Philip Hodgson, chair of Cambridgeshire schools forum, wrote to him on 17 July and set out in detail the anticipated cost pressures. He said that the unavoidable pressures would mean an increase of 10 per cent. in the schools budget elements of Cambridgeshire's education formula spending. How does the right hon. Gentleman reconcile 3.4 per cent with the 10 per cent. pressures on the LEA? Even if Cambridgeshire is on the ceiling of 6.5 per cent.—I hope that it is—there will be a further funding gap in the coming year to add to this year's gap.

Mr. Clarke: To be frank, there are a series of issues about Cambridgeshire's relationship with its schools that need to be examined in promoting good management. Staff salaries in some schools in Cambridgeshire take more than 90 per cent. of a school's budget. That is not the best position and the LEA needs to examine it.

Let us consider the assessment in the letter in July to which the hon. Gentleman refers. What assumptions does it make about teachers' pay and so on? I do not believe that my correspondent was in a position to know the detail at that point. As I said earlier, I hope that people will consider what we have said carefully, assess what it means for their authority and schools, and form their judgment.

The figure of 3.4 per cent. was reached after substantial discussion, including with local government representatives and head teacher associations, to try to get a shared view of appropriate average inflation. As the hon. Gentleman said, it is an average and there is therefore variation.

Jonathan Shaw (Chatham and Aylesford): I thank the Minister for School Standards for meeting a delegation from my constituency to discuss the schools budget earlier this year. I agree that Kent county council has discussed schools funding in an unhelpful way, scaremongering among head teachers. However, I agree with my right hon. Friend that we should enter into dialogue and discussion sensibly and maturely. Will he confirm that Kent and the Medway towns are among the authorities that receive additional support?

Mr. Clarke: After being advised by my hon. Friend the Minister for School Standards, I can confirm that Kent and Medway are on the list of authorities that will receive targeted transitional support. More important, I want to echo the comments of my hon. Friend the Member for Chatham and Aylesford (Jonathan Shaw) about the nature of the discussion now. It must be weighed, considered and based on the facts. I hope that Kent county council will behave in that way. I shall attempt to do that, too.

Gregory Barker (Bexhill and Battle): East Sussex has fared badly under the settlement in recent years. What hope does the statement hold for solving the chronic overcrowding in classrooms in my constituency? For example, at key stage two in Battle and Langton primary school, we have classes of 37 and 36 in temporary huts. In Seddlescombe primary school, there are three classes with a total of 86 children who share two small classrooms and an activity area. At King Offa school in Bexhill, an excellent new headmaster is struggling with an historic deficit and faces the loss of his entire information technology suite because the leases are up for renewal. Apart from simply incremental increases in pupil funding, what measures does the statement contain to tackle chronic overcrowding?

Mr. Clarke: First, I do not believe that incremental increases should be sneered at. Many schools have been exercised by not receiving a regular incremental increase. Establishing a per pupil guarantee for the first time is important. Secondly, I confirm that East Sussex will benefit from the transitional grant. Thirdly, the position of the specific schools, with which I am not familiar, is a matter for the LEA to consider directly and decide how to tackle. There are hard decisions involved, but I, as Secretary of State for Education and Skills, am not going to decide precisely how the funding arrangements should affect the particular schools in the hon. Gentleman's constituency. It is for East Sussex, with the headroom that it has, to decide how to target its resources to deal with the ills that the hon. Gentleman has described.

Mr. Andy Reed (Loughborough): I welcome the statement and, in particular, its early nature, which will give schools in my constituency and elsewhere time to get to grips with the complexity of what has been announced today. I have also been reassured by the discussion on the transitional elements, but as my right hon. Friend knows, Leicestershire is the worst-funded local education authority in the country and it has had specific problems this year related to the funding formula and to difficulties that exist elsewhere in the country. Will he assure me that the transitional relief will make a substantial difference to many of the schools—not just individual schools in my constituency—that have enormous deficits from this year? That would not involve little 4 per cent. or 6 per cent. increases, because those schools have seen enormous changes. We would then get back to the position that we were in before 2002–03, because we have seen an enormous £630 per pupil increase since 1997. We want to get back to having those increases, rather than cuts.

Mr. Clarke: I can give my hon. Friend the reassurance that he seeks. As I said earlier, Leicestershire is one of the authorities that receive a transitional grant. However, I say to the LEA through my hon. Friend, rather than to him, that it is important to appreciate that Leicestershire has to manage its budgets well. It must work carefully with its schools, address the problem of deficit budgets and face up to these issues. Any local education authority can choose either to be a formula calculating machine through which money goes to its schools, or to be the leader of the education system in its area. I understand that most LEAs want to be leaders of their system, and what I have announced today will enable them to do that. They will, however, have to seize that responsibility and not regard themselves simply as a transmission belt either for complaints from schools to me, or for money going into schools. They will have to exercise leadership in transforming the education system in their locality.

Mr. Michael Jack (Fylde): I have just completed an exercise in writing to all the schools in my constituency, and all those that have replied have said that this year their budgets are too low to meet their cost pressures, and that they anticipate that being the case next year as well. The Secretary of State will therefore realise that a 4 per cent. increase at school level in budgets that are already deemed too low will not generate sufficient cash to get those schools out of their difficulties. However, in deference to his request that we consider carefully what he has said today, may I ask him whether he would willing to commit himself to coming back to the House early in the new year to debate these matters, once the schools have had the opportunity to work out exactly what his statement means for them?

Mr. Clarke: I am very happy to continue to debate this matter in a variety of forms. We have already had a variety of debates on the subject in the House and I am sure that we shall continue to do so. I do not know what

[Mr. Clarke]

letters the right hon. Gentleman has been writing recently, but it is important that those that he writes to his schools should give a flavour of the actual situation. He used the word "anticipate", and I understand why people anticipate that bad things are going to happen when many people tell them that that is going to be the case. I urge him, however, to acknowledge the reality that anticipation needs to be based on facts and proper assessments. I repeat what I said earlier in that regard. I hope that he, as a former Treasury Minister, will acknowledge that it is important for his party to come clean about what it is going to do about school funding. A 20 per cent. cut in education funding, which is his party's policy, would not help schools in his constituency.

Points of Order

1.34 pm

Michael Fabricant (Lichfield): On a point of order, Mr. Speaker. I notice that Staffordshire did not get a look-in in that debate, although the hon. Member for Stafford (Mr. Kidney) was rising—

Mr. Speaker: Order. Perhaps Staffordshire will do well next time.

Mr. David Wilshire (Spelthorne): On a point of order, Mr. Speaker. The first item of business this afternoon is a programme motion on the European Parliamentary and Local Elections (Pilots) Bill, but there is no provision for debate. Is there any way of making the House aware that this matter has to be brought before the House because the Government were defeated yesterday in the Bill's Standing Committee?

Mr. Speaker: The hon. Gentleman has made mention of it, so it is now on the record.

Orders of the Day

European Parliamentary and Local Elections (Pilots) Bill (Programme) (No. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 29 October 2002],

That the Order of 21st October 2003 (European Parliamentary and Local Elections (Pilots) Bill (Programme)) shall be amended by the substitution in paragraph 2 (time for conclusion of proceedings in Standing Committee) for the words "Thursday 30th October" of the words "Tuesday 4th November".—*[Joan Ryan.]*

The House divided: Ayes 332, Noes 144.

Division No. 343] **[1:35 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Baker, Norman
Barrett, John
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Beith, rh A. J.
Berry, Roger
Best, Harold
Blair, rh Tony
Borrow, David
Bradley, Peter *(The Wrekin)*
Breed, Colin
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keetch, Paul
Kelly, Ruth *(Bolton W)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
Öpik, Lembit
Organ, Diana
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*

Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Gillian Merron and Jim Fitzpatrick

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Anderson, rh Donald *(Swansea E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Cameron, David
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Conway, Derek
Cormack, Sir Patrick
Curry, rh David
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Johnson, Boris *(Henley)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Salmond, Alex
Sayeed, Jonathan
Selous, Andrew
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Weir, Michael
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Angela Watkinson and Mr. George Osborne

Question accordingly agreed to.

Dangerous Drugs

[Relevant documents: The Third Report from the Home Affairs Committee, Session 2001–02, on The Government's Drugs Policy: Is it Working?, HC 318-I, and the Government response thereto, Cm 5573, together with the Home Office Departmental Report 2003, Cm 5908, and the Sixth Report from the Northern Ireland Affairs Committee, Session 2002–03, on The Illegal Drugs Trade and Drug Culture in Northern Ireland: Interim Report on Cannabis, HC 353, and the Government response thereto, Sixth Special Report from the Committee, HC 935.]

1.48 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I beg to move,

That the draft Misuse of Drugs Act 1971 (Modification) (No. 2) Order 2003, which was laid before this House on 11th September, be approved.

The order will reclassify cannabis as a class C drug on 29 January 2004. The use of illegal drugs and class A drugs in particular is one of the greatest scourges of our times. Drug misuse impacts on the well-being of individuals and families, as well as striking at the very fabric of our communities. Most hon. Members see too many cases in their constituencies where drugs have destroyed lives and fed the cycle of crime, violence and decay. Having been in this job for some months now, I can say that drugs and the crime connected to them are most prevalent in some of the poorest and most disadvantaged communities in the country.

When some 250,000 people are hooked on heroin or crack, a group responsible for 60 per cent. of acquisitive crime; where many street robberies are driven by the urge for money for the next fix; where the presence of one addict can create a neighbourhood crime spree that leaves dozens of victims and consumes many hours of police time, this Labour Government are absolutely right to focus on the most dangerous drugs, to intervene most vigorously in the most damaged communities, to seek to break the link between addiction and the crime that feeds it and to reduce the harm that drugs cause by addressing the chaotic lifestyle of those users who are harming themselves and others.

Mr. Brian H. Donohoe (Cunninghame, South): Is the Minister aware, in respect of what she presents as statistics, that she is using surveys relating to 16 to 19-year-olds, when it is 14-year-olds who are most at risk? In taking cannabis, those young people are 60 per cent. more likely to damage their brain. Have the Government taken that into account in making these proposals to the House?

Caroline Flint: I can assure my hon. Friend that the Government are considering and have considered all the relevant evidence. More importantly, we have taken into account the work of the statutory advisory committee, which provides the scientific evidence on which to base our decisions. I tell my hon. Friend that I am acutely aware of the conditions that lead young people to start using drugs, to misuse alcohol and cigarettes, and to end up with teenage pregnancies or a life of crime. The Government are taking steps to deal with those problems, whether it be through sure start; getting money through to the poorest income families; or trying to raise the opportunities and aspirations of those who feel that the education system does not offer them enough. Those are all part and parcel of trying to give our children and young people the skills and confidence to assert themselves and not end up abusing themselves through drugs and, unfortunately, becoming involved in crime.

Educating young people about the dangers of drugs, preventing drug misuse, combating the dealers and treating addicts are the key elements of the Government's drugs strategy. Our programmes of intervention bring those arrested into treatment so that we can begin to break the cycle of committing crime to fuel a drug habit.

Mr. Martin Salter (Reading, West): Does the Minister recognise that there are three essential components to any credible drugs policy: enforcement, education and treatment? If our education policy is not credible and we tell young people—whether they are 14, 15, 16, 17 or 18—that all drugs are the same and that there is no difference between cannabis and heroin or between cannabis and the evil of crack cocaine, we are doing young people of this country a grave disservice.

Caroline Flint: I thank my hon. Friend for that contribution. We have long had a system of classification for class A, B and C drugs and our proposals are about having a more informed view today, in the 21st century, of the comparative harms that various drugs can do. On that basis, we can have a better dialogue with those who may be tempted to take drugs and protect them from the worst abuses.

Mr. David Marshall (Glasgow, Shettleston): The order applies to the whole of the UK, but is the Minister aware of the great concern about it in many parts of Scotland? Has she consulted Ministers in the Scottish Parliament and, if so, what was their response? Can she understand why some Labour Members cannot support the order here today?

Caroline Flint: I totally understand the passionate views on all sides of the debate. It is a complex issue and a complex area. I assure my hon. Friend that in talking to my predecessor, consultation was held with Ministers in Scotland and there was support for the reclassification. Discussions were also held about Northern Ireland. I appreciate that passionate views are held on both sides of the House—

Several hon. Members *rose—*

Caroline Flint: I hope that if I am allowed to continue my speech, I can elaborate more fully on why this strategy is the right way forward.

Mr. Graham Brady (Altrincham and Sale, West): The Minister has called for an informed debate. In that spirit, does she agree and accept that the cannabis that is freely available today is between 10 and 15 times stronger than that available 20 or 30 years ago? Is it not therefore perverse to be downgrading its classification in legislation?

Caroline Flint: I am afraid to tell the hon. Gentleman that the scientific evidence does not fit his analysis. The evidence of our forensic science unit is that the cannabis that it has sampled is not stronger than it was some years ago. Many of the statements made about the strength of cannabis do not fit the facts in respect of the largest supplies of cannabis that come into this country.

Several hon. Members *rose—*

Caroline Flint: I give way to my hon. Friend the Member for Walsall, North (David Winnick).

David Winnick (Walsall, North): Although I would rather people did not take cannabis, it is a fact that many do so without going on to hard drugs. Is not it also a fact that the last survey undertaken showed that more than 120,000 deaths in a single year were caused by smoking, in addition to the deaths caused through alcohol abuse? Should not the people who are condemning what the Minister is suggesting also take that into account?

Caroline Flint: People take all sorts of substances either in moderation or in excess, which can create different levels of harm. We are trying to debate the different levels of harm produced by controlled drugs. As I was telling the hon. Member for Altrincham and Sale, West (Mr. Brady), the Forensic Science Service suggests that new growing techniques in the late 1980s and 1990s have led to some new products coming on to the market with average tetrahydrocannabinol levels two or three times greater than for other cannabis products. However, in general, the THC content—the particular content that affects the strength of cannabis—varies widely, but much of it does not differ significantly from the cannabis used years ago.

David Burnside (South Antrim): Does the Minister have any sympathy with a constituent, a father of young children, who rang me last night and implored me to vote against this measure? What a bad example the House is going to set to parents who are trying to protect young children who are constantly targeted at the school gate in both primary and secondary schools. Does the Minister sympathise with that example?

Caroline Flint: I have sympathy with all parents who want to protect their children from the harms that exist in our society—whether it be drugs or other pressures and dangers that they face along the way to adulthood. However, I say to the hon. Gentleman that we need to have an honest discussion with our children. We have to make them better informed. Children and young people talk to each other and can see for themselves the different effects of drugs, so if we do not conduct an honest discussion, they will not listen.

I reaffirm to the House what I said in parliamentary questions earlier this week, which is that the measure is not about legalisation, but about having a mature discussion on the relative harms of drugs.

Several hon. Members *rose—*

Caroline Flint: If I may continue with my speech, I hope to elaborate on how the guidance of the Association of Chief Police Officers will provide greater clarity on how to police this matter.

John Robertson (Glasgow, Anniesland): Does the Minister not accept that the message going out to young people is that cannabis is no longer as dangerous as it was before?

Caroline Flint: I can tell my hon. Friend that the whole point of having three categories of classification is to assess scientifically the relative harms of different sorts of drugs. That was why we examined the various effects of cannabis in comparison with stimulants and then with class A drugs. I believe that that represents a credible way forward.

Mr. John Bercow (Buckingham): Given that the annual report of the European Monitoring Centre for Drugs and Drug Addiction found that 42 per cent. of 15 to 34-year-olds experiment with cannabis at least once, and that it must be desirable to break the link between the soft drug user and the hard drug pusher, will the Minister undertake at least to reconsider the arguments for legalisation, taxation and regulated sale as advocated eloquently two years ago by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley)?

Caroline Flint: I am afraid that I would not concede that point. We have already considered the matter. I am aware that some hon. Members want full legalisation, while some want to maintain the status quo and not reclassify at all. Our evidence suggests that legalisation—the order is not, as the hon. Gentleman's question makes clear, about legalisation—would lead to an increase in the consumption of cannabis. I should reiterate that cannabis taking does cause some harm, though not as much as other drugs.

Several hon. Members *rose—*

Caroline Flint: I want to make some progress with my speech, which might well answer some of the questions. I have already taken several interventions. I shall make some progress and see whether I can give way again later. I want to get to the end of my speech and I am aware that other hon. Members want to contribute to the debate.

As I said, young people are our highest priority. Direct expenditure on tackling drugs has risen to more than £1 billion this financial year and will rise to nearly £1.5 billion from April 2005—an increase of 44 per cent. Much of that money will go towards prevention, education and working with young people to dissuade them from taking drugs, as well as with those for whom drugs has already become a problem. We have launched the FRANK campaign, using carefully researched

advertising designed to affect attitudes to illegal drugs. The message is that drugs are not cool and can ruin lives. Education policies are now in force in 96 per cent. of all secondary schools, and drug action teams have developed young people's substance misuse plans. The right strategy must use what works. We must be honest and credible and rely on science, not prejudice.

Mr. James Wray (Glasgow, Baillieston): I used to run a rehabilitation centre. All those who attended it started on cannabis. Will the Minister explain whether a child who gives a cigarette to a friend will be committing a crime?

Caroline Flint: With respect to my hon. Friend, there are many reasons why people start to take drugs, or get involved with them. Many start by smoking tobacco, or misusing alcohol. I have met a number of drug users over the past four months who not only use class A drugs, but are also alcoholics. A number of different issues are involved. The evidence is not conclusive that cannabis is a gateway to class A drugs. In fact, the evidence is that the vast majority of cannabis users never move on to class A drugs.

Pete Wishart (North Tayside): The Minister will have seen the recent EU report that suggests that 35 per cent. of 15 and 16-year-olds have taken cannabis. If we are to address the problem, we need drugs laws in this country that are credible to young people and which they can understand and respect. Young people are routinely breaking the law, and that leads to a lack of respect for law and authority. Should not we address that as a matter of priority?

Caroline Flint: I am grateful for that intervention, and I endorse the hon. Gentleman's remarks.

I have spoken about the underlying themes necessary for securing the right strategy. Those themes led my right hon. Friend the Home Secretary to announce to the Home Affairs Select Committee in October 2001 that he was asking the Advisory Council on the Misuse of Drugs to consider the classification of cannabis under the Misuse of Drugs Act 1971. The fact is that cannabis use has increased steadily over the past 30 years, in spite of its being a class B drug. The treatment of all drugs as equally harmful and dangerous has lacked credibility with young people and devalued the educational message about its harmful effects, as hon. Members have noted. Individual police forces have developed disparate policies on the policing of cannabis possession, based on their own view of the relative seriousness of the offence. That has led to inconsistency and a lack of proper political accountability.

David Cairns (Greenock and Inverclyde): My point follows on from the intervention of my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall). This order applies throughout the UK, but policing has been devolved to the Scottish Parliament. Is it the Minister's understanding that the effect of the order will be to allow the police to free up more time to target drugs such as heroin? In my constituency, heroin is far more damaging, pernicious and destructive to communities than cannabis.

Caroline Flint: Absolutely. These are the pressures and challenges that face us as we get to grips with the most vicious outcomes of taking class A drugs, in respect of both individuals and communities, because of the crime that is thereby created.

Our drugs laws and educational messages to young people must reflect the scientific assessment of the advisory council if they are to be credible, convincing and, ultimately, effective. The reclassification of cannabis will help the Government to convey a more effective and credible message, to young people in particular, about the dangers of misusing drugs.

Mr. Bill Tynan (Hamilton, South): Will my hon. Friend the Minister comment on the fact that drug dealers obviously have targets? When the Government take the decision to reclassify, will not those dealers find it easier to persuade young people to use cannabis?

Caroline Flint: The message must be clear—cannabis is illegal. *[Interruption.]* I am sorry that Opposition Members laugh at what is a very serious point. After reclassification, cannabis will remain illegal, and possession will remain an arrestable offence. The Criminal Justice Bill raises the penalties for dealing and trafficking to 14 years. That is a pretty strong message to those who would encourage young people to take drugs.

Lady Hermon (North Down): I am grateful to the Minister for taking another intervention. A few minutes ago, she referred to consultations with relevant authorities in Northern Ireland. I am sure that she is aware that the trade in, and exploitation of cannabis, by paramilitary organisations—and especially by loyalist paramilitaries—funds their lavish lifestyles and their military activities, for want of a better term. Will the Minister say what consultations she had with the Chief Constable of the Police Service of Northern Ireland, and what their outcome was? I am sure that it was not in favour of the reclassification of cannabis.

Caroline Flint: I understand that the Organised Crime Task Force in Northern Ireland is paying a lot of attention to the issue of drug trafficking. As I said in response to an earlier intervention, the Criminal Justice Bill increases the penalty for dealing and trafficking to 14 years. That runs alongside reclassification, and sends a strong message to the paramilitary organisations, gangsters and others about how seriously we take trafficking and dealing in these drugs. However, I repeat that we need to send a credible message to young people—in Northern Ireland, just as much as in England, Scotland or Wales.

We want to get across to young people the simple message that cannabis remains illegal and that it is harmful. That is not helped by some hon. Members, who are attempting to distort the debate and to dilute that very strong message. Alongside schools, drug action teams and other bodies, we want to make sure that we make information available to young people, and that we get it to them. That involves using the media, and going to places where young people meet. We need them to listen to the credible message that we want to put across. We do not accept that a high level of cannabis use is inevitable. We want to make an impact on that usage through advertising and education, but we

[Caroline Flint]

need an honest debate as well. We want to begin to turn young people away from becoming regular cannabis users.

Ann Winterton (Congleton): Does the Minister accept that the result of this honest debate, which is fairly sophisticated, will fly over the heads of young children? Recent polls taken among older children in junior schools show that those pupils believe unequivocally that the Government are not just reclassifying cannabis, but making it legal. Sophisticated arguments do not wash when it comes to getting drug prevention measures across.

Caroline Flint: The hon. Lady and others contribute to that confusion. The more such people say that reclassification is legalisation, the more the message is distorted.

Ann Winterton: On a point of order, Madam Deputy Speaker. Will the Minister reconsider her words? I did not say that reclassification was legalisation. I was asking her a question and making a point about what young children believed, according to recent polls.

Madam Deputy Speaker (Sylvia Heal): That is not a point of order for the Chair. It is a matter for debate, and the Minister will have heard what the hon. Lady said.

Caroline Flint: I am delighted that the hon. Lady's remark should be on the record, and I shall make sure that I use it extensively.

My point is that young people form their views about our drug laws according to the messages that they receive from people in positions of responsibility. Unfortunately, the view has been expressed continually—I have read it myself, and heard hon. Members repeat it—that reclassification is somehow about legalisation. We must work hard to deal with that, but young people know about drugs and they know people in their communities who take drugs. They may have rather more information than we might consider appropriate, but they are informed by their peer groups. We cannot attempt to influence young people if we do not have a credible message.

Angela Watkinson (Upminster): The Minister has been generous about giving way, but does she accept that downgrading cannabis from class B to class C will lead to an increase in use? Does she agree that, because of its gateway properties, the use of cannabis will in due course lead to the greater use of hard drugs such as cocaine and heroin?

Caroline Flint: I do not think that the evidence for that stacks up. We should view the position as it currently is, and drug use has increased. That applies to class A and class B drugs. We have not had a strategy that has worked, and in particular we have had no strategy to which young people are prepared to listen. That is what we are trying to deal with.

As I said earlier, I believe and the Government believe not just that we need better information and education, but that reclassification will provide an opportunity to introduce a consistent and properly thought out regime for the policing of cannabis in line with its status as a class C drug. As I also said, we have introduced proposals in the Criminal Justice Bill to retain the power of arrest for the possession of cannabis; but following extensive debate during the Bill's passage through this House and another place, the Government have agreed to table an amendment providing for the power of arrest not to apply to other class C drugs such as tranquillisers and anabolic steroids.

Over the past 18 months, the Association of Chief Police Officers has worked hard to compile guidance for forces on the policing of cannabis. It published the guidance on 12 September. I pay tribute to the constructive way in which it approached its task, and to the end result, which is very clear and straightforward.

Under the guidance, which applies to all persons aged 18 and over, there will be a presumption against arresting a person who is found in possession of cannabis. A police officer may, however, arrest when a person is smoking in public view, when a person is locally known to have been repeatedly dealt with for possession of cannabis, when there is a locally identified policing problem or when the person in possession is in the vicinity of a school or other premises used by young people. It is important for people to read that guidance, and to see how clear and straightforward it is.

Mr. Mark Oaten (Winchester): Can the Minister justify the treatment of class C drugs in a different way when it comes to arrest?

Caroline Flint: We considered the way in which the other class C drugs are used and provided. Having listened to the debates here and in the other place, we felt that the issue was not clear-cut enough for those drugs to be included in the same category as cannabis.

The ACPO guidance provides for people under 18 to be dealt with under the statutory warning scheme set out in the Crime and Disorder Act 1998. In most cases a formal reprimand will result for a first instance of cannabis possession. It will be administered at the police station. That is very important. We want to engage young people who are using illegal drugs such as cannabis, in order to establish whether there is any misuse problem.

Over the past few months, I have been pleased to observe how, through arrest referral, the police on the front line are working with their drug action teams and referral workers to tackle issues related to arrest and charge. Expertise shared with the police and others will make it possible to establish whether a young person has an underlying problem that needs to be investigated, and whether that person needs to be referred for appropriate help.

The proposed policing regime must not be misinterpreted as toleration of unrestricted public use of cannabis without consequences. It is not, as one Member suggested, a "baby step" towards legalisation. The overall regime for policing cannabis possession will ensure that action is properly taken by the police against someone who is causing a problem or who needs help, while avoiding the needless charging of large numbers of young people. It makes sense for parents as well as law enforcement.

The regime will also enable the police to redeploy their resources for the tackling of more serious offences, including dealing in the class A drugs—heroin and crack cocaine—that do the most harm. Last year's Lambeth experiment provided good evidence that when police resources are deployed to key priority areas, results can be achieved. During that pilot, the number of arrests for class A dealing offences increased by some 10 per cent.

Kate Hoey (Vauxhall): I thought the Minister might get round to the Lambeth experiment at some point. In fact, were not more people attracted to hard drugs because of a feeling that there was no policing in relation to drugs generally? People who were not normally likely to be in contact with hard-drug criminals were put in contact with them because of their easy access to cannabis.

Caroline Flint: Many issues arose during the Lambeth experiment. As I hope my hon. Friend recognises, it led to a lot of joined-up discussion among a number of people and agencies—MPs, local authorities, the drug action teams, police and others—about how to tackle drug misuse in communities. The ACPO guidance has given us a clearer understanding of how cannabis use in particular can be better policed and dealt with.

Dealing in any illegal drug remains a serious crime. I have already mentioned an increase in the maximum penalty for dealing in a class C drug from five to 14 years' imprisonment. The penalty for dealing in cannabis will remain at its current level following reclassification.

There are many different views in the House on the correct response to the cannabis issue. Some Members advocate complete legalisation, arguing that it would cut the link between young users and criminal dealers. As I said earlier, the Government believe that that would inevitably lead to a massive increase in the use of cannabis and in health problems. Others believe that cannabis should remain a class B drug, arguing that it is a gateway to class A drugs, that it is smoked in higher concentrations than it was 20 or so years ago, and that it may be linked to mental illness and lung cancer. There has been a huge debate on those issues.

The issue of whether cannabis is a gateway to class A drugs has been debated for many years. The Advisory Council on the Misuse of Drugs looked at that and concluded that no causal link had been established, since many other factors act as gateways. I said a bit about that earlier in my speech. As for the suggestion that cannabis smoked today is up to 20 times as strong as that smoked 20 years ago, I have already pointed out that that does not match the evidence that the Forensic Science Service has analysed from cannabis seizures.

Research on a possible link between cannabis use and the development of mental illness, particularly schizophrenia, was published in the *British Medical Journal* as recently as last November. The advisory council considered the issue in depth, but concluded that no clear causal links had been demonstrated. On the other hand, the council believed that cannabis use could unquestionably worsen existing schizophrenia. It will continue to monitor any research developments, but it is important to distinguish between worsening and causing mental illness.

Mr. Gordon Prentice (Pendle): Will my hon. Friend give way?

Caroline Flint: I want to continue my speech, as I am conscious of the time that I have already taken up. [HON. MEMBERS: "He is on your side."] In that case, I may change my mind.

As for the possible link between cannabis use and the development of lung diseases, clearly the smoking of any substance is dangerous and a real health risk. However, those who seek to draw inferences from the number of premature deaths caused by tobacco smoking need to be very cautious. While the smoking of cannabis is undoubtedly harmful, it should be borne in mind that in general cannabis users smoke fewer cigarettes per day than tobacco smokers and that most give up in their thirties, thus limiting the long-term exposure that we know to be the critical factor in cigarette-induced lung cancer.

Paul Flynn (Newport, West): Will my hon. Friend give way?

Caroline Flint: No, I will give way to my hon. Friend the Member for Pendle (Mr. Prentice).

Mr. Prentice: I am grateful to my hon. Friend.

I am interested in the therapeutic use of cannabis. It was available to doctors—in the medicine chest—before 1973. Many people out there take it because conventional medicines do not relieve their pain. What advice will the police be given when they find someone taking therapeutic cannabis?

Caroline Flint: My right hon. Friend the Home Secretary agrees that we need to work on that. We are currently awaiting the outcome of scientific research into whether cannabis can be used medicinally to alleviate pain. We shall have to deal with the issues as they arise, certainly in the context of policing.

No approach to the drugs problem is simple or problem-free, but I hope that the strategy I have outlined will provide the best possible opportunity to introduce credibility to our drugs education, sharpen our messages about cannabis and give priority to law enforcement and treatment directed at class A drugs. The strategy has widespread support, not just from the Advisory Council on the Misuse of Drugs and the Home Affairs Committee but from the police and all major organisations that work with drug misusers.

I commend the changes proposed in the order, and hope that the House will support it.

2.19 pm

Mr. Oliver Letwin (West Dorset): The motion is, in practice, only part of the jigsaw that the Government have constructed. The purpose of the jigsaw is clear: to get to the point at which there is crypto-legalisation of cannabis, in the sense that most young people will be only marginally deterred from taking it. They may be arrested, and they will be warned—and the warning will

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be that if they are subsequently arrested they will be warned. At the same time, the Government intend to strengthen the prohibition on the sale of cannabis, or rather to retain its present strength. The Minister made it clear that that is the admitted effect of the policies that she announced today.

I recognise the force of the arguments of my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley). We may hear the same thing from the Liberal Democrat Benches in a moment. It is perfectly plausible to argue that there could be a significant beneficial impact by doing what my hon. Friend the Member for Buckingham (Mr. Bercow) referred to a moment ago, namely, taking cannabis outside the field of drug dealing by hard drug dealers, legitimising it properly and allowing people to buy it under regulated conditions. I do not favour that policy, but I understand the rationale for it. It is also possible to argue that we should try to prevent young people from taking cannabis by doing what is done in Sweden—trying to take more effective measures to deter young people from taking it.

The policy that the Minister announced today is neither of those two things. It will have a clear effect, which relates to the questions about the gateway. I am not making an argument about whether cannabis as a substance, in any of its forms, is in principle a gateway drug. I accept the Minister's point; my experience, too, is that people with addictive personalities, who are on heroin, crack or cocaine, have typically moved through a cocktail that began with tobacco and alcohol and went on through cannabis, amphetamines and many other things. I am not making the argument that cannabis as a substance is more of a gateway than any of those other drugs but, and this is the critical flaw in the Minister's logic, there can be no doubt at all that if the only legal way to obtain cannabis in England is through buying it from a person who is, ipso facto, a very serious criminal—the Minister is ensuring that anybody selling the substance is exposed to a maximum sentence of 14 years, making the crime equivalent in its severity to some of the worst crimes currently committed—the Minister is putting young people in touch with very serious criminals—[HON. MEMBERS: "No."] She is. If the Minister makes it the case that young people believe that she is crypto-legalising the substance and that they cannot obtain it except from a serious criminal, she is taking steps that irresponsibly ensure that a larger rather than a smaller number of young people will be in touch with serious criminals.

John Mann (Bassetlaw): Will the right hon. Gentleman give way?

Mr. Letwin: I will in a moment, but not until I have finished the logic.

The purpose of those serious criminals will be to drag those vulnerable young people upwards from cannabis to the hard drugs in which the money can be made—*[Interruption.]* Yes, it will. The hon. Lady for some part of Lambeth—[HON. MEMBERS: "Vauxhall."] Forgive me. The hon. Member for Vauxhall (Kate Hoey)—I am her constituent so I should know—was right to point out that the evidence of the Lambeth experiment was that serious criminals moved into the area in an effort to drug people up from cannabis into hard drugs. There is no escape from that reality.

John Mann: Is not the right hon. Gentleman living in the past? There has been an increase in hydroponically grown cannabis. Estimates made in Australia by Hemp Embassy, major proponents of the legalisation of cannabis, are that 80 per cent. of cannabis is hydroponically grown, and that the vast majority of that is grown by people in their homes for their own supply. Health is the issue for the vast majority of people, rather than the buying of cannabis from so-called drug dealers.

Mr. Letwin: I fear that the person living in an unreal world is the hon. Gentleman. I know that he shares my passion about hard drugs, and if he were to go to our inner cities—*[Interruption.]* The hon. Member for Rhondda (Mr. Bryant) says that he does not know what I mean. I mean that the hon. Member for Bassetlaw (John Mann) shares my passion to do something to get off hard drugs the many young people whose lives, and the lives of those around them, are being destroyed by them. We share that ambition, but the hon. Gentleman is living in a fool's paradise if he believes that it is not the case that large numbers of very serious criminals—made very serious criminals by the Government's legislation—want to sell cannabis to people in order to lead them into the hard drug world. That is a fact which cannot be denied.

The House's purpose should be not to deny that fact, but to argue about whether the Government's policy makes sense, and it certainly cannot make sense to let young people be led in that direction. I do not know by how much the legislation will do that, and nor does the Minister. We do not know how far the guidelines and their effects on police behaviour will lead young people to take more rather than less of that substance, but we know that that must be the direction and that much of the cannabis will be sold by serious criminals who are engaged in hard drug dealing. The tendency, therefore, will be for more rather than fewer young people to be led into hard drugs.

John Mann *rose—*

Mr. Letwin: I will take the hon. Gentleman's intervention, although there is still another step in my logic.

John Mann: The right hon. Gentleman suggested that we should go to the inner cities. I have not done that, but I have visited my own community. I have spoken to 16-year-olds in all the schools in my constituency and I have talked to at least half of the current heroin users. They outline a straightforward position: five years ago, and before, people bought cannabis and heroin from the same dealer, but now they do not. People do not buy cannabis from heroin dealers or pushers but from different people. Indeed, on health issues, a great deal of cannabis is not even being sold—it is being given away. Many young people are producing it at home and giving it to their friends.

Mr. Letwin: I think that the hon. Gentleman knows that he is not describing the only pattern of activity. The

fact remains that hard drug dealers are still in the business of selling cannabis. Even if his suggestion were right, he would have to explain how it could be rational that the young people he has just described would be subject to a maximum term of imprisonment of 14 years for that activity. The Government are turning those young people into very serious criminals. The hon. Gentleman cannot escape that fact. The Government's policy is a dreadful muddle.

Why have the Government introduced this policy? Do they deny the logic that I have described? Before the debate, I thought that might be possible, but the Minister has told us that legalisation would increase use. How, then, can she suppose that crypto-legalisation will not, to some degree, also increase use? Before the debate, I thought that the Minister would take the view that, under the proposals, people would not feel that they were routinely breaking the law. However, she has told us that young people are routinely breaking the law at present and that she intends cannabis to remain an illegal substance. She is saying that she is legislating in such a way that when young people buy, possess or take cannabis they will know that they are acting illegally. She knows that she is turning the people who sell the drug to them into serious criminals. She does not deny a single step of my logic, so what is the point of the policy? Why do not the Government introduce either proper legalisation of, or a proper clampdown on, cannabis? Why this muddled middle?

I do not specialise in saying such things about my political opponents, but in this case I think that the Home Secretary—who has chosen not to attend the debate for reasons that only he can tell—is seeking spurious, short-term popularity.

The polling evidence shows that the Home Secretary is on to a winner and that this policy is popular. Considerable numbers of our fellow citizens believe that selling the stuff should be highly illegal and almost equal numbers believe that not too much should be done about people who are buying the stuff. The Home Secretary is in line with current public opinion, and I think it is for that reason—I can find no other explanation—that he has chosen to adopt this tactic. That is not a responsible way to conduct the government of this country. We should not have, in a country like ours, a Government who adopt a policy about a matter like this on the basis of seeking spurious short-term popularity. We should consider the fate of our young people.

Brian Iddon (Bolton, South-East): We have had this debate for countless decades. There have been endless reports. Does the right hon. Gentleman accept that the Runciman committee, the Home Affairs Committee and the Advisory Council on the Misuse of Drugs all made this recommendation? How many more committees must we have before we make a rational decision based on scientific evidence?

Mr. Letwin: I do not think that a thousand committees will ever diminish the fact that when this order—I realise that the Government will use their majority to get it through—and the accompanying legislation have gone through the two Houses of Parliament, young people will be enticed to buy more, or more often, a substance from dangerous criminals, and they will then be led into hard drug use. That is not a rational policy and no number of committees will persuade me that it is.

Mr. Gordon Prentice: The right hon. Gentleman has not read the report.

Mr. Letwin: Of course I have read the report.

Mr. Oaten: The right hon. Gentleman has given us a critique of the system and outlined all the problems, but he has not once said what the Conservative party would do to tackle the issue.

Mr. Letwin: I apologise to the hon. Gentleman and the House if that is not clear. I have made my position clear. I believe that there are two rational possibilities, one of which—

Ian Lucas (Wrexham): Which is the right hon. Gentleman's?

Mr. Letwin: I will say which in 15 seconds, if the hon. Gentleman can contain himself.

There are two rational positions—one is total legalisation and the other is a Swedish-style effort to prevent use. I prefer the latter. If I need to spell it out, that means that I believe that Sweden is right—that it has a better policy than the Netherlands—but I accept that either of those positions can be argued for rationally, and the Government's proposals are the sole middle ground which cannot be argued for rationally. Indeed, the Minister put up no rational defence of it; she was all over the place. I continue to believe that the Home Secretary does not want to make the argument because he does not have an argument. What he is seeking is short-term popularity, and that is a very bad thing.

David Winnick: Will the right hon. Gentleman give way?

Mr. Letwin: I was about to end my speech, but I will of course give way to the Chairman of the Committee.

David Winnick: I am grateful. If it is only the Home Secretary and his colleagues who are in favour of these proposals, why is it that when the matter came before the Home Affairs Committee and the Committee divided on the motion:

"We do not, therefore, support the Home Secretary's proposal to reclassify cannabis as a class C drug",

only one Conservative Member, the hon. Member for Upminster (Angela Watkinson), who has just put her hand up, voted for it? The other Conservative Members did not. If there is no logic in what the Home Secretary is doing, why is it that not all the Conservative Members on the Committee voted with the hon. Lady for that motion?

Mr. Letwin: The hon. Gentleman will obviously have to ask them, not me. I am very clear in my mind—and I think that over time the British public will be very clear—that this is not a sustainable system. There are hon. Members in the House who see this as a stepping

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stone on the way to full legalisation. I can understand their logic, although I think that the number of young people who will suffer on the way is intolerable. However, the Minister does not even make that argument. She has not even made the argument that this is the greatest political courage the Government can currently summon up on their way to full legalisation. I think that she has not made that argument because the Home Secretary does not believe in it—I think that he believes that this is a resting point, and a popular resting point. That is irresponsible.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. Time for the debate is limited and many hon. Members are hoping to catch my eye. I remind hon. Members that Mr. Speaker has imposed an eight-minute time limit on Back-Bench speeches.

2.34 pm

John Mann (Bassetlaw): If I were to be persuaded by one of the arguments—I am sad to see that, entirely inappropriately on an issue such as this, there are three-line Whips all round the place—the Government's argument is not the one that would persuade me.

I remind myself that in any vote in this place it is important to look at the text and the substance of the vote rather than the arguments posed, and at the heart of this debate is the question, why cannabis? Why is there this obsession with cannabis? I surmise that probably it is because it is the only illegal drug that a majority of Members have sampled in the past and therefore feel most competent to speak about. However, cannabis is not the only drug used by Members—tobacco is used far more widely, and I confidently predict that the main drug that will have been misused by Members is alcohol.

The Swedish policy on drugs for young people is straightforward. It does not distinguish in any way between behaviour in respect of alcohol or of cannabis, because the health risks are increasingly evident, and are great, from both. Where the Government have failed, with a good opportunity—

Mr. Julian Brazier (Canterbury) *rose—*

John Mann: I wish to develop my argument, but then I will give way.

The Government have failed to take the opportunity to reclassify all class B drugs, not just cannabis. There is no logic that says that amphetamines and methamphetamines should be class B rather than class A. They are the main drugs in respect of criminal behaviour and hard drugs in Australia, South Africa and New Zealand, and they are spreading across America. Therefore, they should be in class A.

That codeine is a class B drug is also nonsensical. The main problem with opiates in New Zealand comes from over-the-counter codeine-based prescription drugs that people then bake and turn into morphine. The Government and their advisory council have got themselves into a bit of mess, and a presentational mess, by picking out cannabis as opposed to all the class B drugs, and instead of reclassifying and removing class B drugs.

We should have three classifications of drugs. The first should be hard drugs—drugs that in themselves will seriously damage health and may kill, and the taking of which leads to criminal behaviour. For example, the taking of amphetamines and crack cocaine leads to a range of criminal behaviours, including violent crime. With heroin, because of the nature of the addiction, the result is acquisitive crime. That should be the first classification—hard drugs that lead to both ill health and crime.

The second classification should be illegal drugs such as anabolic steroids. In the headlines tomorrow and in the playgrounds of Britain, the talk will be not about cannabis, but about another class C drug: anabolic steroids, and the decision made or not made by the Football Association today on the use of, or the avoidance by top sportsmen of testing for, anabolic steroids. We call those drugs class C at the moment. They should be, and can be, called soft drugs—the taking of which does not lead to criminal behaviour, but will cause a serious health problem. Cannabis is one—the new and hydroponic forms of cannabis, skunk in particular, even more so. Anabolic steroids, and things like codeine, should similarly be class C drugs.

The final classification of drugs should be tobacco and, in particular, alcohol. Tobacco kills millions, and alcohol—which, in terms of drug misuse, causes greater policing problems and probably greater criminal activity than any other single drug—is, of course, misused more by Members and by the general public than any other drug.

Those should be the three classifications, and the Government should get out of the muddle of having classes A, B and C by removing class B.

Mr. Brazier: I am grateful to the hon. Gentleman for making his case. He has accidentally misled the House about the position in Sweden, where they take a tough line on alcohol abuse, as he said, and on binge drinking. They also regard all cannabis taking as illegal, while the moderate and sensible consumption of alcohol is legal. The Swedish model seems very successful to Conservative Members.

John Mann: For young people, the Swedish model is the same as that in this country—the taking of alcohol by young people is illegal. As regards health, in Sweden they have in-patient detox. Conservative policy on rehabilitation is based on the Swedish model. Regardless of whether it is cannabis, alcohol or any other drug, if people are taking drugs irresponsibly and have health problems they are automatically sectioned. They are put into detox centres compulsorily and treatment follows.

That is a good model and we could develop it here. It will be difficult to sell to the British people the idea that young people who are falling over in the streets because of excess alcohol consumption should be treated on an in-patient basis for five days in a secure detox centre. We are a stage away from taking the general public with us.

An improved classification of drugs that identifies alcohol as a major problem along with other drugs is fundamental.

Pete Wishart: Does the hon. Gentleman accept that we should be expanding the classification of bands of drugs? Does he share my concern that when ecstasy is a class A drug along with heroin and cocaine, that exaggerates the danger of taking ecstasy while diminishing the danger of heroin and cocaine? We must have a classification system that is credible to young people. The hon. Gentleman has forgotten that in his equation.

John Mann: We need to have a system that is credible to young people, but an expanded litany of classifications will confuse them. I have talked to young people in my constituency—it is not just 40 or 50 per cent of them using cannabis; in most of the schools in my constituency recreational use of cannabis is 100 per cent. among 16-year-olds. It is the main drug of recreational use, even more than alcohol. The reason is the price. At the moment, it is much cheaper than alcohol and much more easily available. That has some serious health consequences, and it is the health issues that we need to address.

Will we treat young people as fools? There are 600 heroin addicts in my constituency. I have mothers whose sons have died from overdoses and constituents whose brothers have hung themselves because of heroin. I am not soft on drugs. We try to suggest to young people that these drugs are all the same and that they should say no to drugs. Say no to which drugs? We do not mean alcohol, because that is legal at 18. The problem is that drugs will create health problems, and some drugs will create far more than that. That is why in my constituency there are 600 heroin addicts whose lives have been ruined—although increasing numbers are in treatment, I am pleased to say. There were 12 deaths from overdoses last year, there are mothers who fear the deaths of their sons, and there are individuals who fear for their own health and lives and who do not see such a separation or difference in the drugs market.

We need to separate the drugs market in people's eyes. That is not a weakening of drugs policy. I appeal to my colleagues who are thinking of voting against that model to look at the detail and think of the precision—rather than a weakening of drugs policy, it is a clarification and a strengthening. If we can move on from our obsession with cannabis, we can deal with the fact that treatment for those addicted to class A drugs remains wholly inadequate compared with the rest of the world, and we are only slowly getting people into effective treatment.

I will not take up the time of the House. I will write to hon. Members to expand on my views and my experience of how what we are doing in Bassetlaw with a GP-led treatment procedure is beginning to work. That is the model that should be used in the rest of the country. That should be the mainstay of drugs debate in this House.

2.44 pm

Mr. Mark Oaten (Winchester): I will try to be brief as a number of hon. Members wish to speak. It is a pity that we have only an hour and a half to debate such a fundamental issue, because we could have expanded many of the arguments during a longer debate. That said, I welcome today's opportunity because the Liberal Democrats have argued for many years that we should at least have a grown-up debate on drugs in this Chamber. I welcome the fact that the Government have decided to move away from focus groups to an evidence-based approach, having heeded the work of the Home Affairs Committee, the advisory groups, and the Runciman committee. Our view is that although there are issues about the way the Government plan to operate the process, we will support them this afternoon because what is on offer is a step in the right direction.

The Liberal Democrat party has been a lone voice for far too long arguing that drugs policy should be reconsidered and, over the years, we have received horrendous press headlines when we have talked about the subject. At last the Government now seem prepared to face up to some of these hard issues, as do many Conservative Members, in particular the right hon. Member for Hitchin and Harpenden (Mr. Lilley), who has very progressive views. It is members of the public, not politicians, who also need to face up to those issues. Five or 10 years ago, they may not have been prepared to consider decriminalisation or legalisation but now they are very engaged with the problem indeed. I am talking about parents in particular. They do not want to be hard on drugs; they want the right policy in place to tackle what they see as a growing problem.

The extent of that problem has been acknowledged by the report of the European drugs monitoring centre, to which reference has already been made, which shows that this country has the biggest problem in Europe, but that we also have some of the toughest laws. Clearly, our policy is not working. That is why I say to the right hon. Member for West Dorset (Mr. Letwin) that it is important that we engage in this debate. The status quo is clearly not satisfying the public demand that we should tackle the issue and that approach is causing major difficulties on the streets.

The Minister's remarks are important because she stressed that the proposed change does not represent a softening-up on drugs. That is important for two reasons. First, we have to send a strong message that if we reclassify, the gain to be had is that we will get much tougher on the harder drugs and the dealers. That strong message must come through. It must be coupled with strong education aimed at our youngsters about the harm caused by harder drugs. Secondly, we should not allow this to be seen as a green light for taking cannabis. It is important that we get that message across, too. The Liberal Democrats support that approach.

Mr. Letwin: In the light of what the hon. Gentleman said about an evidence-based approach and the growing problem—that is common ground—will he agree that there is something wrong with his policy if cannabis and hard drugs use is increasing rather than diminishing two or three years after the proposals have been enacted?

Mr. Oaten: Absolutely. I have no problem with that. We have learned from the approach that has been taken in Lambeth and that has informed this debate. Similarly, we will want to learn from this experiment. I think that there could be a number of outcomes. As has been said, moving towards some form of legalisation

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may be the way forward. The evidence may well suggest that we have all got it wrong and we need to think again. One option that is not acceptable is a do-nothing approach. However, I certainly support the idea that we should reconsider the matter in two years' time.

On a cautionary note, which contradicts the approach that the Liberal Democrat party has taken, there is a slight danger of our taking a middle-class approach—that of *The Guardian* or *The Independent* reader. On some estates and in some areas the arguments that are being propounded do not make any sense.

Three years ago, I spent 24 hours in a drug rehabilitation centre—not for personal reasons, but because I was interested. I went in my jeans and T-shirt and I slept the night. No one knew who I was—one of the advantages of being a Liberal Democrat is that one can go under cover. None of the 17 folk I chatted to, who had serious drugs problems, favoured the legalisation of cannabis or relaxing the law on cannabis. I had gone in there with my cosy and comfortable upbringing, thinking that that was the solution. I left with some serious doubts and I have struggled with them. However, I have looked at the evidence and I have listened to some of the arguments that have been put forward. I have come to the conclusion that this re-classification is a step in the right direction.

I want to consider some of the arguments. Let us deal first with the critical argument about whether the proposal will result in a redirection of resources to dealing with hard drugs. The Minister could have told us more about that, and I would have welcomed hearing more about how the Government want to redirect police time. We did not hear enough about that. At the moment, 40,000 individuals are apprehended, which involves a lot of police time. If there is a fall in the number of those apprehended, where will the resources then be spent?

In Lambeth, for example, there was a 44 per cent. increase in arrests for cocaine—good news—and a 10 per cent increase in tracking trafficking, good news. If that can be replicated across the country, the policy change will have been a good move. About 85 per cent. of residents in Lambeth supported such a change—*[Interruption]*—the hon. Member for Vauxhall (Kate Hoey) should let me develop this point—but there were some difficulties. Certain individuals came into the area, and there was some increased drug use. It seems to me, as a layman, that that happened probably because it was a pilot site and that there would not be a flood of such individuals going to a certain area if the proposal were rolled out nationally.

Research done by Rowntree shows that it believes that the police time spent on dealing with cannabis costs about £50 million, which represents about 500 full-time police officers. I should like to hear from the Minister how the Government intend to shift those resources to get tough on harder drugs.

Let us briefly deal with whether such a change will act as green light and increase the number of individuals using cannabis. At the moment, about half of 16-year-olds have tried cannabis at some time, so we already have a bad situation. If that figure was perhaps 10 or 15 per cent., there would be some interest in arguing that the change would send a green light and there would be a flood of yet more individuals taking cannabis. However, we seem to have a problem already, and it is unlikely that the change will increase usage. In fact, lots of the evidence from other countries shows that reclassification does not significantly increase the number people who suddenly decide that they will take cannabis.

Let us touch on the health issue—and we all know the arguments that have been made. It is not my place to consider in depth the scientifically based evidence, but I am happy to buy it, and I am pleased that the Minister acknowledged some of mental health concerns. However, we need more research on that issue.

Caroline Flint: I understand that there will be no winding-up speeches, so I will take a note and get in touch with the hon. Gentleman, but it is our absolute desire that such work will concentrate on class A drugs. That is why we are tackling the criminal justice interventions programme and identifying those people who commit crime who have a class A drugs problem, so that we can break that cycle. We will monitor what happens after reclassification and work with police forces and the crime reduction and disorder partnerships to ensure that we get some results on which we can report.

Mr. Oaten: I am grateful to the Minister for that intervention because that evidence is crucial if we are to persuade the public that this is the right shift.

I have most difficulty with the gateway argument. I entirely understand the concerns that hon. Members have raised about access to dealers. I too struggle with that issue. Again, the evidence suggests, however, that about 50 per cent. of cannabis used is home grown, so the exposure to dealers is becoming limited. We need to consider two key arguments to tackle the gateway to drugs.

First, we can reduce the move to the next, harder drug by using this opportunity to have a serious, mature and grown-up debate with youngsters about the harm done by those drugs, so that youngsters then fear them. We can have that debate because if we are prepared to be honest and upfront about the dangers associated with cannabis, youngsters are more likely to believe us when we talk about some of the harder drugs. Again, evidence from the Netherlands suggests that that gateway to harder drugs has just not materialised.

Dr. Iddon: I refer the hon. Gentleman to an excellent research document, produced by DrugScope, entitled, "Cannabis and the Gateway Hypothesis", and I shall read this paragraph from that document:

"Gateway theory is often misunderstood. It is not about cannabis leading to harder drugs, it is about common profiles, environment, experience and access."

Mr. Oaten: I entirely agree with the hon. Gentleman. I met representatives of DrugScope on Monday, and they made that very point to me.

Having supported the thrust of the Government's proposals, I want to probe them a little more—I accept that the Minister may not be able to respond formally, but I would appreciate a response in writing—about

why they have decided to link reclassification with changes to the power of arrest and sentences. At no point did the Select Committee on Home Affairs suggest that the proposals should be linked with new powers of arrest or increased sentences. In fact, that was not mentioned in the Government's drug strategy and, as far as I am aware, the Government have consulted no one about that, other than the police. That is an error because there are knock-on consequences.

Liberal Democrat Members are concerned that those changes will send a very confused, mixed message and that that will lead to the police taking all sorts of different approaches. Frankly, if there is a gain as police time is shifted to dealing with harder drugs, I am concerned that we will lose some of that gain by maintaining such powers of arrest and, indeed, increasing them. I do not understand why the existing powers, under which people who are found unlawfully in possession of a class C drug can be warned, cautioned or issued with a summons to appear in court to face charges of unlawful possession, are inadequate. The police can confiscate the substance. On conviction, those individuals face a maximum penalty of two years in prison for possession, or five years in prison for supply. Surely the existing power to handle class C drugs use is sufficient. Why have the Government chosen to increase those powers?

Mr. Letwin: I am grateful to the hon. Gentleman for giving way again. Does he not recognise that what happened in the Lambeth experiment was that the Metropolitan police discovered young people who were openly smoking joints in the faces of the police officers and saying, "We are breaking the law, and you can't do anything about it. Ho, ho"? That is why the police asked for the power of arrest. Does that not demonstrate the kind of problem with which we are dealing in making something quasi-illegal or quasi-legal?

Mr. Oaten: I do not think that we differ on this issue. It seems absolutely clear that, under existing class C powers, if people are smoking cannabis and walk into a post office and blow smoke into a policeman's face, the police could do as I just said: warn, caution, issue and, ultimately, take the case to court. So those powers are in place already, and I do not understand why the Government want to increase them in this way.

The Minister said in her opening remarks that there will be an amendment to change the power of arrest, so that there will be no power of arrest for some drugs currently in class C, but there will be a power of arrest for cannabis, which is now going into class C. I do not understand the logic of having different forms of arrest for the same class. Surely the point of having such a class is to say that certain drugs are similar, but the Government suddenly want to attach a different form of arrest to one of those drugs. The Government need to make up their mind: is cannabis now B2, or are they moving those other drugs into a class D? There is no logic at all in having a different form of arrest in the same classification.

Lady Hermon: I am grateful to the hon. Gentleman for taking an intervention just as he is about to conclude his speech. Since the Liberal Democrats often represent their sister party—the Alliance party in Northern Ireland—will he clarify, for my own purposes, whether the views that he has expressed today in support of the legislation to reclassify cannabis are also shared by that sister party in relation to Northern Ireland?

Mr. Oaten: The honest answer is that I have not got a clue and I have not spoken to the Alliance party.

In conclusion, we will support the Government on this issue, but we would welcome their thinking again about some of the confusing messages on arrest that they are sending out because this positive step forward has been slightly spoilt by those messages which will make progress difficult in the future. If it turns out that some of the new powers cause confusion, I hope that the Government will think again about those issues, perhaps as part of a wider review of how the changes are operating in two years.

2.58 pm

Kate Hoey (Vauxhall): I shall be very brief because I should like some of my colleagues from Scotland to be called to speak.

It is quite disgraceful to put through something as important as this measure in one and a half hours. I do not blame the three Front-Bench spokesmen—the Minister gave way—but it is wrong to allow only half an hour for Back-Bench speeches. I am disappointed that the Home Secretary is not here. A very important issue is being debated, and it would have been nice if he had been here today.

I have heard so much rubbish talked today about the Lambeth experiment that it would take me a very long time to deal with it all. I will not refer to that experiment other than to say that it was not a success. It was one of those schemes that was doomed to success from the beginning because the Home Office had decided that it would be successful whatever the outcome. As for the statistics, you know, Madam Deputy Speaker, what we can all say about statistics.

We keep hearing about the Advisory Council on the Misuse of Drugs, and the implication is that it is made up of most eminent and respectable people—I do not disagree—and the font of all wisdom. It is important to point out, however, that it is part of the Home Office, it is not a scientific advisory panel, and many of its members have no scientific qualifications. It has about 32 members, of whom a substantial number—about 13—are committed to liberalisation of the drugs policy. It has no members from any organisations that have publicly said that they are not in favour of liberalisation. I therefore treat with a little bit of caution the assumption that everything that it says is right. *[Interruption.]* It has been suggested to me that I treat that assumption with a big bit of caution.

Reclassification is sending out a mixed message. It sends out a signal to our young people—whatever the Minister says, and whatever she wishes—that taking cannabis is not harmful and that it is legal. We have seen already, since the Home Secretary's statement in the House, that increasing numbers of young people are taking cannabis, and when confronted by teachers, parents or police, they simply say, "But it's legal." The message that that gives to young people—especially to those whose parents are keen to urge their children not to be involved with drugs that can be harmful—is to

[Kate Hoey]

challenge their parents on the grounds that the House of Commons and the Government say that it is okay. We are sending out a very wrong message, which is also being sent out to the hard criminals and the real drug dealers. Whatever we say about people growing cannabis in their homes not having any dealings with such people, many people in my constituency would not even have the capacity to grow it in their own homes, so the only way that they will get it is through the criminal drug dealer.

Mr. David Marshall: Does my hon. Friend share my concern that this order will result in a much greater use of cannabis, which will consequently impose much greater strains on the national health service, and will also lead to people combining cannabis with alcohol and a significant increase in the number of road traffic accidents? Statistics and information are available that indicate that that is already happening.

Kate Hoey: I agree with my hon. Friend. I do not have time to discuss the health risks, but anyone who has listened to those who treat youngsters at the sharp end in the health service cannot fail to see that this order sends out a message that will lead, perhaps not immediately but in the long term, to more people taking cannabis and to a huge strain on our national health service. The fact that it is being reclassified, which effectively means that people think that it is legal, means that the peer pressure among young people will be much stronger. At the moment, at least young people can say, "This is not legal," if drugs are pushed at them—at least they have that kind of excuse if they do not want to take the drug but are not feeling particularly confident. Again, this order sends out the wrong message on that.

I have mentioned the link with the criminal element, which I saw in my constituency. What I want to ask the Minister is: why are we doing this now? What is the point of it? We need to look properly at the issue of classification. I agree strongly with some of the points of my hon. Friend the Member for Bassetlaw (John Mann)—we need to examine this issue carefully and on the basis of proper argument. We should not go ahead with introducing this measure glibly. I genuinely cannot understand why we are going down this line. Reclassification will move us further down the route of considering drug abuse as normal, and I am not prepared to support that today.

3.4 pm

Mr. Michael Mates (East Hampshire): The Northern Ireland Affairs Committee, which I chair, has been conducting a report into the illegal drugs trade and drug culture in Northern Ireland. We published an interim report, because we knew that this order was coming before the House, to try to help the House in its deliberations. I want to make one or two brief points.

First, drug use in Northern Ireland is different from in the rest of the United Kingdom. Cannabis is by far the most widely used illegal drug, and while street prices for most drugs are higher in Northern Ireland than in Great Britain, cannabis prices are comparable, which suggests that there is a reasonably regular supply to meet the level of demand. As other Members have mentioned, considerable confusion exists about the current status of cannabis, and since the Government's announcement to reclassify, individuals have begun to smoke cannabis openly on the streets and in the clubs and pubs.

The Committee did not look at the health risks, but we expressed concern, as has been expressed by others, about the message that the Government are sending, both to drug traffickers and to international enforcement agencies, about the importance now being accorded to cannabis as an illegal substance. It is widely recognised that Northern Ireland has a serious problem with the growth of serious and organised crime, which has arisen as a legacy of the conflict. The criminal gangs, many of whom are linked to the paramilitary organisations, will exploit any opportunity for illegal profit. Demand for illegal drugs, particularly among the young, and particularly in relation to cannabis and ecstasy, has been growing over the last decade, and if criminals identify an increase in demand they will seek to meet it. The additional profits that they make will go to fund other criminal enterprises, such as fostering a market for heroin and cocaine, which at the moment barely exists in Northern Ireland, or possibly to fund further terrorist activity.

While we welcome the fact that cannabis remains a priority for the enforcement agencies in Northern Ireland, the traders and the traffickers must still be caught before they can be punished. In making those points, the Committee in no way seeks to undermine what the Government are trying to do in focusing on class A drugs. What we are saying is that Northern Ireland is slightly different, and does not yet have a major class A drug problem, and we want to keep it that way. Northern Ireland does have a problem with serious criminality, however, and those criminals will exploit any opportunity that is given to them, such as the confusion that arises over the status of cannabis, for their profit and to the detriment of society there.

I ask the Minister to reflect on those concerns. We would be grateful for a further assurance that action is being taken to ensure that the message that cannabis is still illegal, and for good reasons, remains clear, and that the greater significance of the cannabis trade within Northern Ireland is recognised by the enforcement authorities throughout the UK and abroad. There is much more that I could say, but time is short and I know that others want to contribute.

Pete Wishart: On a point of order, Mr. Deputy Speaker. Is there anything that you could do at this late stage to extend this debate? It is unsatisfactory that we have had only one and a half hours to debate this important UK-wide issue. The debate on the Mersey Tunnels Bill is coming up next, which could continue until any hour. Surely it is within our scope and within the responsibility of the House to debate this issue properly.

Mr. Deputy Speaker (Sir Alan Haselhurst): I am afraid that that is not a matter that is in the power of the Chair. I understand the hon. Gentleman's concern.

3.8 pm

Mr. Chris Bryant (Rhondda): I concur wholly with what has just been said by the hon. Member for North Tayside (Pete Wishart). To have only one and a half

hours, and only half an hour for Back-Bench speeches, on an issue that affects every constituency in the land, and which is being debated by every young person in the land, seems to me to be folly.

If we were devising a drug and alcohol strategy for the United Kingdom from scratch, knowing what we know today about the health effects of alcohol and tobacco compared with those of cannabis, I am almost certain that we would not be starting from where we are. As we know, alcohol and tobacco are far more addictive and injurious to people's health. Every year, 120,000 people are killed because they smoke tobacco, and half of all people who continue to smoke for most of their lives die of the habit and lose 16 years of their life. The medical legacy of alcohol is every bit as pernicious: hepatitis, cirrhosis, gastritis, gastrointestinal haemorrhage, pancreatitis, hypertension, cardiomyopathy, mouth, oesophagal and liver cancer, foetal alcohol syndrome, blackouts, fits and neuropathy are all part of the problem—as I am sure that many Members know—to say little of the social damage in terms of domestic violence, marital breakdown, absenteeism and aggression.

By contrast, cannabis is a saint, not a sinner. However, that does not mean that cannabis is harm free, because real health concerns exist. The tar yield from marihuana is precisely the same as that from tobacco, so smoking cannabis can pose a long-term health hazard. Indeed, a report by the Royal College of Psychiatrists and the Royal College of Physicians published only a few years ago said:

"the smoke from a cannabis joint contains most of the same constituents as tobacco smoke, including the carcinogens. It is not surprising, therefore, that regular cannabis smokers develop chronic bronchitis and squamous metaplasia of the respiratory tract and it is likely that in time, it will become apparent that they are at increased risk of cancer"—

compared with the risks from tobacco.

As my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) said, there is a further problem owing to the effect of intoxication, especially for people who drive. It is difficult to assess the precise problem, although a recent assessment showed that 10 per cent. of a sample of 284 drivers who had been killed by fatal accidents had cannabis in their blood stream. Of that proportion, 80 per cent. had not used alcohol, so it is quite probable, although not certain, that their intoxication was solely the result of cannabis use. Unfortunately, there is no roadside test to measure cannabis intoxication, which is why Professor Gold's "Comprehensive Handbook of Alcohol and Drug Addiction" says:

"The role of marihuana in road traffic accidents and other types of accident is vastly underestimated."

I think that that is pretty much the accepted view. A report by the House of Lords Science and Technology Committee accepted that cannabis could worsen the course of schizophrenia, although there is little real evidence that it may precipitate the disease.

The honest truth is that the medical evidence thus far is entirely uncertain. We cannot know the full human pathology of cannabis, which is why the Government's reports for the Department of Health are vital and we look forward to reading what they say.

There is some evidence that cannabinoids can be therapeutic, as has been mentioned, and Dr. Philip Robson's Department of Health report in 1998 made that pretty clear. The Multiple Sclerosis Society estimates that between 1 and 4 per cent. of the UK's 85,000 multiple sclerosis patients are illegally using cannabis. Trials to date have been small and the results uncertain.

Dr. Iddon: This point has not been mentioned in the debate, but has my hon. Friend noticed that the order will reclassify tetrahydrocannabinol from class A—believe it or not—to class C? THC will be the principal constituent of the new medicines that will come out of the cannabis era.

Mr. Bryant: I was about to talk about precisely that, and hope that I can pronounce the word as well as my hon. Friend.

There is more evidence suggesting that cannabis and cannabinoids, most notably THC or delta-9-tetrahydrocannabinol, can relieve pain and be used as an anti-emetic, which is why they can be especially useful for the treatment of HIV/AIDS. Most controlled studies offer secure proof that marihuana and THC are effective appetite stimulants, which is important for people with cancer as well as those with AIDS. Indeed, cannabis appears to have no immunosuppressant effect on people with HIV, although the largest study, which involved 5,000 people, took place in 1989 and the pathology of HIV/AIDS is now known rather better.

Anecdotal evidence from several of my constituents supports the use of cannabis in the treatment of epilepsy, although it is ironic that cannabis was shown to have convulsant and anticonvulsant effects on animals, which were the subjects of the only substantial trials. It is suggested that cannabinoids can lower pressure in the eye, which would be useful when treating glaucoma. I represent the constituency with the highest level of glaucoma and blindness in Wales, so that is obviously a matter of interest. However, it seems that one would have to smoke 10 cannabis cigarettes a day to achieve the constant level of intraocular pressure that would be beneficial.

As other hon. Members have suggested, there are those who believe that cannabis is a gateway to other drugs. They believe that taking cannabis of itself leads ineluctably, medically and physically, to the taking of harder drugs such as cocaine, crack cocaine and heroin. Simply put, that is not logical. The link is not direct or causal, but there is a link. As Drugscope told the Home Affairs Committee:

"Cannabis use puts individuals in social situations and supply transactions where they are more likely to experience people using, accepting and supplying more harmful drugs than others in the population."

In other words, people buy cannabis from dealers and dealers also sell heroin—that is certainly true in the Rhondda.

John Robertson: Will my hon. Friend give way?

Mr. Bryant: I will not because I am conscious that I have little time.

Some people suggest that the answer is to license cannabis and sell it at Boots. However, when similar policies have been tried or police have tacitly allowed coffee shops to exist in other countries, major dealers

[Mr. Bryant]

have hung around outside the shops because they know that the most likely new clients are existing cannabis users.

Moreover, there is a more direct link between cannabis and other drugs. Professor C.H. Aston's report for the Department of Health on the clinical and pharmacological aspects of cannabis in 1998 said:

"with chronic use, especially of high doses, tolerance develops to some of the effects of cannabis (including the euphoric effect) and can lead to physical and physiological dependence, withdrawal effects on cessation of use and possible escalation to other more potent drugs of abuse."

All that leads me to three central points. First, the Minister is right that we should proceed on the basis of sound medical advice as much as possible, rather than on simple prejudice or anecdote, but that means that we still need further hard empirical medical evidence and the Department of Health should work further on that. Secondly, it is only logical that a drug that produces significant medical problems, but ones that are minor compared with the effects of cocaine and heroin, should be treated differently in the law, which is why the order might be right. Thirdly, however, we should not encourage the use of cannabis. Cannabis is not okay and although it does not kill, it does matter.

3.17 pm

Mr. Peter Lilley (Hitchin and Harpenden): I reiterate that it is a scandal that we have so little time to debate the order. I have barely 90 seconds in which to speak, so I shall reassert a point that I have made before. Unless and until we are prepared to move from reclassification to providing legal outlets, we will not break the link between the suppliers of hard drugs and the suppliers of soft drugs. We will continue to drive soft-drug users into the hands of hard-drug pushers, and we will not achieve the advantage of breaking the link, restoring respect for the law and enabling a health warning to be put on a legally available product and displayed in outlets in which the product is available.

The Government have got the worst of all possible worlds. They will simultaneously encourage more people to use the drug because people will know that there is no effective punishment for its use, but it will remain illegal and thus be available only through illegal gangs—

Mr. Deputy Speaker: Order. I can confirm to the House that the ruling that I gave a moment ago was in accordance with the Standing Orders.

It being one and a half hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to the Standing Order.*

The House divided: Ayes 316, Noes 160.

Division No. 344] **[3:18 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barrett, John
Battle, John
Beckett, rh Margaret
Beith, rh A. J.
Bell, Stuart
Berry, Roger
Best, Harold
Blunkett, rh David
Borrow, David
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*

Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keetch, Paul
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNamara, Kevin
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Munn, Ms Meg
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Palmer, Dr. Nick
Perham, Linda
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robinson, Geoffrey *(Coventry NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(CWyd W)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Younger-Ross, Richard

Tellers for the Ayes:
Mr. John Heppell and
Mr. Jim Murphy

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Campbell, Gregory *(E Lond'y)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Davies, rh Denzil *(Llanelli)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dobbin, Jim *(Heywood)*
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoey, Kate *(Vauxhall)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hurst, Alan *(Braintree)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McGrady, Eddie
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Marshall, David *(Glasgow Shettleston)*
Mates, Michael
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Mudie, George
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Picking, Anne
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*

Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Sheridan, Jim
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wray, James *(Glasgow Baillieston)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Noes:
Mr. John Randall and Mr. Robert Syms

Question accordingly agreed to.

Resolved,

That the draft Misuse of Drugs Act 1971 (Modification) (No. 2) Order 2003, which was laid before this House on 11th September, be approved.

Mersey Tunnels Bill

As amended, further considered.

Schedule 1

AMENDMENT OF THE 1980 ACT: LEVYING, REVISION AND APPLICATION OF TOLLS

3.34 pm

Mr. Christopher Chope (Christchurch): I beg to move amendment No. 19, in schedule 1, leave out lines 35 to 37.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this we may take the following amendments: No. 16, in page 3, leave out lines 38 to 41 and insert—

'(e) where necessary, to make compensatory payments and payments to provide appropriate noise insulation for residential properties at the entrance of the Kingsway tunnel.'.

No. 3, in page 3, leave out lines 38 to 41.

No. 4, in page 3, line 41, at end insert—

'taking into account that monies spent on such policies should relate to the relative proportions of the origin of traffic using the tunnels.'.

No. 5, in page 4, line 2, leave out 'paragraphs (d) and (e)' and insert 'paragraph (d)'.

No. 6, in page 4, line 8, leave out '(a) to (c)' and insert '(a) and (c)'.

No. 8, in page 4, line 11, at end insert—

'(c) unless paragraph (b) of that subsection has been wholly complied with to the extent that monies borrowed for the purposes of the construction and operation of the tunnels have been wholly repaid.'.

No. 9, in page 4, line 15, leave out 'paragraphs (d) and (e)' and insert 'paragraph (d)'.

No. 10, in page 4, line 16, after 'tunnels' insert—

'interest groups, trade unions, the Liverpool and Wirral Chambers of Commerce, the North West TUC and local representatives of Merseyside and neighbouring local authorities'.

No. 11, in page 4, line 24, leave out 'paragraphs (d) and (e)' and insert 'paragraph (d)'.

No. 12, in page 4, line 33, leave out 'paragraphs (d) and (e)' and insert 'paragraph (d)'.

No. 13, in page 4, line 33, at end insert—

'(d) it has sought confirmation by the Secretary of State for its plans, to which end it must submit copies of all such objections and representations and such information and particulars as the Secretary of State requires in approving the desires of the Authority as set out in paragraph 5(a)(i) and (ii).'.

Mr. Chope: The essence of the amendment is to remove new section 91(3)(d) and (e) and therefore to remove the authorisation for the Merseyside passenger transport authority to make grants to

"the Merseyside Passenger Transport Executive in connection with the Executive's ferries services operating on the river Mersey"

and to use tunnel income to make payments to

"the Authority's general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in its local transport plan, or for other purposes."

The Bill has been discussed extensively in the House, but the amendment encapsulates the main concern about it.

To remind hon. Members of the background, in August 2001, a consultation was conducted by Merseytravel that, although it has been criticised, produced some interesting responses. One question asked whether surplus toll income should be used to cross-subsidise and improve local public transport services, thus benefiting the wider Merseyside community. Of the 312 respondents, 23 per cent. were in favour, 208—or 67 per cent.—were against, and 10 per cent. were undecided. The proposals in the amendment are therefore in line with the wishes of respondents, the majority of whom do not believe that people who use the Mersey tunnels should have to pay extra charges to fund wider travel interests beyond the tunnels. It is a simple issue of cross-subsidy.

Another question asked whether there should be a requirement to reduce tolls when the tunnel debt is paid off or whether that should be removed. The requirement is an inherent part of the tunnels' history, as it was believed that the time would come when the tunnels would be paid for, and those who used them would no longer have to pay for any costs other than running costs. In response to the question in the consultation, 71 per cent. said that the requirement should not be removed and only 17 per cent. said that it should. That is another clear expression of will by people who were consulted on that important issue. If the part of the schedule that we are debating had not been included in the Bill in the first place, its passage through the House would have been a lot smoother, as it goes to the heart of people's concerns.

Mr. Frank Field (Birkenhead): That view is widely shared not just in the House but on Merseyside as a whole. If the transport authority had not included the power to tax in the measure, it would have had its Bill many moons ago.

Mr. Chope: I am grateful to the right hon. Gentleman for that confirmation, and I know that he is trying to bring sanity to the issue. When dealing with private legislation, the House works best when there is a spirit of compromise. I do not understand why, disappointingly, we have not seen any of that spirit from the Bill's promoter. One of the weapons available to hon. Members involves trying to delay Bills. There is no point trying to delay Bills just for the sake of it—the purpose is to try to provide extra time for consideration so that people can respond to arguments and concerns. It is sad that, despite the time that has been given to the Bill's promoter to reflect on the wisdom or otherwise of this part of the Bill, it has declined to meet concerns expressed not just in the House but by the wider electorate in Merseyside and the Wirral.

I am not going to say much more about the matter, because most of the points have already been made and will be no better for repetition. That is not to suggest that I and other Conservative Members do not feel strongly about it. We record our surprise that throughout the Bill's passage the Government, instead of abiding by the conventions that private legislation should be dealt with as unwhipped business and that hon. Members should be able to decide such issues on their merits, used their majority to force the measures through. That is most regrettable, because it is unnecessary, unhelpful and does not benefit the people of Merseyside. I hope that today we will have the chance, on a free vote, to determine the real will of the House so that it can take a view on the merits or otherwise of using toll income to cross-subsidise other transport projects.

Mr. Ben Chapman (Wirral, South): I want to speak to amendments Nos. 4, 6, 8 and 19, which are tabled in my name and in those of my hon. Friends the Members for Wirral, West (Stephen Hesford), Ellesmere Port and Neston (Mr. Miller) and Liverpool, West Derby (Mr. Wareing), and which deal with the various purposes for which the tolls may be applied. I contend that the Bill provides Merseytravel with too great a power when it comes to spending tunnel tolls and that the powers that it already possesses regarding the use of tunnel tolls are poorly applied.

I shall deal first with amendment No. 19. The Bill provides Merseytravel with the power to use tunnel toll receipts for projects other than the tunnels—the principle of cross-subsidy to which the hon. Member for Christchurch (Mr. Chope) referred. In one sense it already does that in relation to the Mersey ferries. The amendment, although essentially probing, would strike from the Bill the provision that allows revenue from tunnel tolls to be redirected to fund the ferries. That is not intended to harm or question the ferry service, which is famous across the globe as a loved and lauded part of Liverpool's image and heritage. I am sure that the ferries will be a key component of the capital of culture status that Liverpool has acquired.

Mr. Frank Field: My hon. Friend may recall that a previous Member for Wirral, West, who is now in the other place—Lord Hunt—was involved in the Bill through which the forerunner of Merseytravel tried to abolish the subsidy of the ferries. It had to give up in the end, having failed to win the measure. When the Bill leaves this House today, it goes to the other Chamber, where presumably Lord Hunt will be waiting for it.

Mr. Chapman: I was not aware of that, but I can see why he failed, given the emotional attachment of the people of Merseyside to the ferries.

Everything has its place and its purpose, and Merseytravel's is to cater for the public transport needs of the people of Merseyside. It is not entirely clear where the ferries fit into that. Most people would acknowledge that they are not the most efficient form of commuter transport—indeed, they are primarily geared towards round trips and tourism. A quick glance at the website confirms that they are first and foremost a tourist vehicle—and, of course, a successful one. The North West tourist board tells us that they are the second most visited paid admission attraction in the north-west, and they were recently accredited by the north-west visitor attraction quality service.

3.45 pm

Merseytravel's function, however, is to

"co-ordinate public transport through partnership initiatives, with the aim of delivering a fully integrated and environmentally friendly public transport network".

[Mr. Chapman]

The Mersey tunnels, which are primarily for private vehicles and subsidise a commuter service, are an anomaly. Yet the anomaly pales when one considers that Merseytravel operates a tourist attraction with public funds as part of its stated aim of co-ordinating a public transport network. That is at least questionable.

Only one third of ferry passengers are commuters and instead of making a profit, the ferries cost £2.1 million a year, of which £700,000 is made up from tunnel tolls. The nature of investment in the ferries shows that they are a tourist attraction. For example, there has been investment in Seacombe to incorporate an international astronomy and space centre. There is also to be an expanded leisure and corporate entertainment programme in a new terminal building at Pier Head.

The logic of Merseyside passenger transport authority's avowed motives for the Bill is that tunnel users should pay more money now to prevent people in the outlying areas of Merseyside from having to support the tunnels, which, by and large, they do not use. I reject that logic because the Mersey tunnels are the principal commercial artery of our conurbation and they therefore have an impact on the whole of Merseyside and beyond, in Lancashire, Cheshire and north Wales. The tunnels do not simply serve the people who live immediately at either end. Even if the logic held true and tunnel users should pay more money now to prevent people in outlying areas from having to support the tunnels, why does the same not apply to tunnel users being called upon to subsidise the ferries?

The ferries are a long-standing and endearing symbol of Liverpool. Would not it be more fitting if they were funded from the precept? At least in that way, everybody would pay equally rather than some people being unfairly taxed for the purpose. However, Merseytravel

"works to promote the interests of Merseyside's travelling public while providing value for money for its local tax payers".

In the case of the ferries, neither stipulation is fulfilled. Imposing on people who use the tunnels to subsidise the travel of the ever-diminishing number of commuters who use the ferries is hardly in the interests of the wider "travelling public". An operation that loses £2.1 million a year cannot be classed as "value for money".

The charter that obliges Merseytravel to operate the ferries offers no get-out. It might say that it has no choice but to bear the loss with which the ferries are saddled. However, there should be other ways and the amendment is designed simply to pose some questions. For example, could the Mersey Partnership play a wider role? Could the North-West regional assembly or the regional development agency have such a role? Is there a role for the private sector?

Amendment No. 4 proposes greater proportionality of the cost and benefit burden for tunnel users. According to Merseytravel, 65 per cent. of tunnel users come from the Wirral area, 16 per cent. from Liverpool, 10 per cent. from Cheshire and north Wales, 7 per cent. from Sefton and 2 per cent. from Knowsley. Those who support the Bill have long argued that people who by and large do not use the tunnels should not have to fund them through their council tax, as happened in the late 1980s. I believe that that is a false contention. If the argument were accepted, I hope that the Bill's proponents would see fit to ensure that those who pay the most in tunnel tolls reap the funding benefits from the receipts. Amendment No. 4 would therefore create such a quid pro quo.

Merseytravel's spokesman at the Opposed Private Bill Committee suggested that the prospective Mersey tram scheme was an example of a project towards which MPTA might wish to direct toll revenues. It is a top priority for the authority. However, regardless of the tram project's merits, I do not agree with taxing and exploiting tunnel users to build that or any other project from which many of them will not directly benefit. They are ordinary people who work in hospitals and factories. They go to visit friends and relatives, and devote their energies and investment to Liverpool and the wider Merseyside sub-region, yet they are being taxed to pay for a facility from which they will not benefit.

The Mersey has no viable road crossings within transferable distance, so to speak, and there is not adequate public transport to absorb the massive numbers of people who could be forced to abandon using their private vehicles to get to work if the tunnel tolls increase. Merseytravel has not shown how it would invest in providing viable alternatives for those displaced tunnel-users, the majority of whom, coincidentally, hail from the Wirral peninsula.

There must surely be other sources of funding available. Manchester managed to get its tram system without taxing a particular portion of its populace; nor does it have the benefits, in funding terms, of being an objective 1 area. The Wirral gains little or nothing from the allocation of excess tunnel tolls, yet it will bear the bulk of the burden of cost. I can see no justification for that imposition, but I stress that it is the principles of the Bill, and the cost to the whole of Merseyside, that worries me most. This issue does not affect one side of the Mersey more than the other; it is a unitary problem.

Amendments Nos. 6 and 8 propose to restrict spending on other projects until such time as the debt has been paid off. If tunnel tolls are regularly to be increased, at least let it be done in the name of financial propriety. The tolls have been a millstone round the neck of the people of Merseyside since the first half of the last century, and the long and short of it is that the tunnels cost £44 million to build, have collected £500 million from users, yet have debts of £100 million. If it were not for the way in which the tunnels have been managed, and for the money that has been siphoned off, they would now be debt-free and part of the normal road system.

If Merseytravel's current private Bill becomes law, it will be the 13th private Act to deal with the tunnels. Those Acts have served various purposes, including authorising the construction of the tunnels. Many of them also contain sections that have had the effect of postponing the time at which the tolls could be reduced. Under this Bill, that perpetually distant promise would be erased altogether.

Mr. Chope: Will the hon. Gentleman expand on the interrelationship between what he has just said and the fact that there is to be a public inquiry later this year into raising the tunnel tolls with effect from 1 April 2004?

Mr. Chapman: It is indeed curious that the Merseyside passenger transport authority is applying for an increase under the old regime at the same time as it is applying for automatic increases through the Bill. Merseytravel might have good cause to seek increases under the present system, for purposes for which it claims at the time, and in the past, it has always secured such increases, albeit after a public inquiry. I have no problem with tunnel toll increases that are justified and rationalised. I do have a problem with increases that are automatic and unjustified, except for the fact that the price of a loaf of bread has gone up. On that ground and others, I believe that this is a bad Bill.

Whichever way we view it, the debt is a dreadful burden, and the traditional tactics of prevarication and procrastination must stop. Acknowledging the permanence of the debt's presence is not the answer. Each administration sought to pass the buck to the next, and delayed the fabled time of completion to another distant day. It is my hope that amendments Nos. 6 and 8 might focus minds better and that Merseytravel might even work to pay off the debt faster than is currently required. I suggest that a more formalised relationship between the raising of tolls and the repayment of debt is needed.

Stephen Hesford (Wirral, West): Has my hon. Friend noticed that the sponsor of the Bill has sat on the Liberal Democrat Bench and on our Bench, and has now disappeared from the Chamber? My hon. Friend's important points are not being listened to and, I assume, will not be answered.

Mr. Chapman: I have been remiss; I had not noticed what my hon. Friend tells me. I am sure that my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), who is absent from the Chamber, will read the record of the debate assiduously.

Mr. Frank Field: It is not so much a question of reading it; we want answers today to take back to our constituents.

Mr. Chapman: Indeed. I hope that my hon. Friend the Member for Crosby will reappear shortly to take part in the debate.

There needs to be a more formal relationship between the raising of tolls and the repayment of debt. Following the repayment, should the consultation that the Bill obliges it to stage agree to MPTA using the tolls for other projects, it would then have a healthy pot to work from.

Stephen Hesford: It may be that my hon. Friend knows something that we do not. Are the Bill's promoters conceding these points?

Mr. Chapman: It may be that the quality of my argument obliged my hon. Friend the Member for Crosby to leave the Chamber in despair, but I have my doubts about that.

One would think that if one did what I was proposing, it would be big enough to sate even Merseytravel's burgeoning appetite, and that some thought could be given to reducing tunnel tolls and acting in the best interests of tunnel users. It might also mean that the five authorities received the lost money, which would be of benefit to council tax payers all over Merseyside. I will, of course, not hold my breath.

Mr. Frank Field: I rise to speak to amendment No. 16, which stands in my name and that of my hon. Friend the Member for Wirral, West (Stephen Hesford). I welcome back to our proceedings and to our Benches my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) who represents the promoter of the Bill. I am sure that she will bear down with her normal forcefulness upon the probing amendments tabled by my hon. Friend the Member for Wirral, South (Mr. Chapman) so that we can perhaps understand the mind of the Bill's promoter better than we have hitherto.

The amendment would ensure that the residents in the area surrounding the newer of the two tunnels in Merseyside—the residents of Wallasey—were able to claim to have the cost of insulating their homes met by tunnel users. My hon. Friend the Member for Wirral, West and I tabled the amendment so there could be no misunderstanding locally over that issue.

Some Labour Members may have a wider brief in terms of their disputes with Merseytravel, but mine is narrowly drawn. There are many aspects of Merseytravel's activities of which I approve, none more so than its efforts to provide a more adequate bus service for my constituents while running a system whereby they cannot control those people to whom they give licences. That is the equivalent of the NHS buying treatments from the private sector, but the private sector saying, "We will decide what operations we do on the patients you send us."

We have the ludicrous state of affairs in which Merseytravel has to pay taxpayers' money to private suppliers of bus transportation but cannot dictate how that money is used in the best interests of our constituents.

On all those fronts, I have no dispute with Merseytravel, but I do have a central dispute with the Bill, which I want to put on record. The Bill is a taxing measure, so I wish to underscore the points raised earlier by the hon. Member for Christchurch (Mr. Chope) who, for once, did not make the most of the evidence that he put before the House.

4 pm

Usually, when voters are asked in surveys whether they would like someone else to pay tax increases so that they can benefit, most of them say, "Yippee, that is a rather good idea". That used to be the attitude of the Labour movement towards increases in income tax when most of our supporters did not pay it. We were rather in favour of increasing income tax in those days. When the tax threshold fell and practically all voters paid direct taxation, sadly, after a rather long spell, we had to learn the lesson that our voters, like everyone else, do not like tax increases. The consultation of people in Merseyside was amazing and it says something about the generosity of character of fellow voters on the other side of the river that, when they could have taxed Wirral residents to their own benefit, they thought that

[Mr. Frank Field]

it was not a good idea. That also tells us something about the measure before us.

I may be corrected by my hon. Friend the Member for Crosby when she replies to the probing amendments, but I believe that we should have some list to demonstrate the way in which the Bill's promoter has tried to meet the reasonableness of many, if not all, of the amendments. As the hon. Member for Christchurch said, it is a custom of the House—though sometimes broken—that the promoters of private Bills try to engage with those who are worried about certain aspects and, where possible, do a trade-off with them. How does the Bill differ at this stage of its proceedings from when it was introduced? I suggest that the promoter of this Bill has not conceded a dot or comma to the alternative views put forward.

Stephen Hesford: Does my right hon. Friend recall from previous debates that the hon. Member for Castle Point (Bob Spink), whom I see in his place, sat on the Committee considering the Bill? Not only has the promoter failed to engage with those who have an interest in the issues, I recall that it did not engage very satisfactorily with the Committee. My right hon. Friend made a similar complaint on a previous occasion.

Mr. Deputy Speaker: Order. It would be helpful if hon. Members dealt with the particular group of amendments rather than previous history.

Mr. Field: The message goes out that if we have another private Bill from this source, it would be suitable for some Members of Parliament to object so that they do not have to withdraw at a later stage. The House must be able to give proper consideration to a measure of this sort.

I end where I began. I support much in the Bill, but it is a taxing measure. I am puzzled that the Government have allowed it to go forth without trying to have it amended. I am puzzled that the Government are prepared to use not only the payroll vote to whip the Bill through, but the Standing Orders of the House to allow us to debate it to any hour. Given the danger of a Labour Government being seen as a tax-raising body, the only reason that I can see why the Government are allowing the Bill to go ahead is that they do not understand what is in it. If they did, I suspect that they would have objected to the same provisions to which we object.

Mr. Robert N. Wareing (Liverpool, West Derby): Does my right hon. Friend agree that, if the Bill is whipped through by the Government—although they say that that is not what is happening—it will be the Government who will bear the blame for the cross-financing of services on Merseyside, and not the Merseyside passenger transport authority?

Mr. Field: Some of us are doing our best to ensure that individual hon. Members are not to blame when our constituents are taxed in the manner proposed. If I represented Crosby—I have no wish to do so, as I love representing my constituency—I might have been tempted to introduce a Bill to tax people in Birkenhead to the benefit of voters in Crosby. However, even if I did that, in some muddled moment, the Bill would still not be fair or sustainable.

The Government will get this measure for Merseytravel today, but the Bill will then travel to another place. It has aroused such opposition from some local Members that the Government have had to invoke the new procedure that allows a Bill to be carried over to a new Session of Parliament. It is clear that this Bill will begin to break records, in that it will have to be carried over to a third Session of Parliament. We will not be able to stop the Bill today, but the Government and Merseytravel may run into a lot more trouble in the other place.

I hope that that is the case. I shall be working with those forces in the other place to make sure that the Bill does not become law.

Bob Spink (Castle Point): I rise to support amendments Nos. 19 and 16.

Daily users of the Mersey tunnel now pay £500 a year more than most other motorists in Britain. The tunnel was meant to be free: that provision was in the original Bill. Most users want it to be free, and they expect the House to honour the original intention. That would be consistent and fair, and that is why I oppose this Bill.

My hon. Friend the Member for Christchurch (Mr. Chope) explained amendment No. 19 extremely well, so I shall not repeat his arguments. However, the right hon. Member for Birkenhead (Mr. Field) raised a very important matter in relation to amendment No. 16. The amendment would remove the provision in schedule 1 allowing payment to be used for

"the Authority's general fund for the purpose of directly or indirectly facilitating the achievement of policies relating to public transport in its local transport plan, or for other purposes."

That is an extremely wide provision. Normally, general taxation would be used for that purpose. That is what happens in all other areas of the country. The Bill represents a further tax measure imposed by the Government. We have had 60 tax rises since 1997, and this would make the total 61—or is it 63 now? I lose count. Moreover, the tax would be a stealth tax, according to any definition. The proposal would amount to an odious tax, and should be resisted—not least because the tax-raising power cannot be removed once granted. It does not have to be reaffirmed by the authority of this House, which is what normally happens with tax-raising powers.

Mr. Andrew Miller (Ellesmere Port and Neston): Is the hon. Gentleman giving a commitment on behalf of the new leader of the Conservative party that tunnel tolls will be abolished under a Conservative Government?

Bob Spink: I am delighted to be reminded that there is a vote on that matter this afternoon. I have not voted yet, and must not forget to do so. I am not authorised to give any such commitment.

Amendment No. 16 may be one reason why this private Bill has suddenly become, in almost all respects, a Government Bill. The tax proposed is yet another Government tax, as the right hon. Member for

Birkenhead noted. The amendment would replace lines 38 to 41 in schedule 1 and insert a provision allowing the payments to be used to provide

"appropriate noise insulation for residential properties at the entrance to the Kingsway tunnel."

If there is one aspect of this whole sorry Bill on which we can all be united, it is the need to provide decent noise insulation for local residents. In Committee we began to get round to defining the area affected, its distance from the tunnel, who would benefit from the work and who would not. Unfortunately there was a stitch-up, and we could not consider those important matters in detail. I agree wholeheartedly with the right hon. Member for Birkenhead, however, and hope that if the Bill is passed—although I do not want it to be—his amendment will be incorporated.

I am sure that the Mersey Tunnels Users Association would also agree with the right hon. Gentleman. It says:

"We believe that the Tunnels are making a profit and there is no need for any Toll increases."

It states cogently:

"Large numbers of people use the Mersey Tunnels to get to work, and lots of small businesses need to use it several times a day. The tolls are a barrier discouraging movement between the Wirral and the rest of Merseyside."

That sums it up well.

I hope that the House will support amendments Nos. 19 and 16.

Mr. Miller: Amendment No. 3 was tabled by me and also by the hon. Member for Christchurch (Mr. Chope). It is an unusual alliance: I think we have travelled together but once—on a train but not, as I recall, through a tunnel.

The purpose of the amendment, and of related amendments, is to enable us to explore an issue that I raised in Committee. It relates to the many users who live outside the catchment area of the shareholders. As we have heard from my hon. Friend the Member for Wirral, South (Mr. Chapman), a significant number of them come from my constituency, from Chester, from north Wales and from further afield.

I understand the logic of the position adopted by the passenger transport authority in its survey—a survey that may be accurate in so far as it has canvassed the opinions of people in the catchment area. Where it falls down, however—I make this point to the Minister in particular—is in its failure to address obligations in respect of best-value legislation. It is clear from best-value legislation introduced by the Government in recent years that, when examining matters relating to public services, any public authority must consider the impact on all users of those services, and also consult users' representatives. In my opinion, if the passenger transport authority does not accept that obligation in future, within the framework of the Bill, it will be acting ultra vires in respect of the best-value legislation. That will provide an opportunity for the Mersey Tunnels Users Association, for instance, to seek judicial review of the tunnel operators' actions. That puts an obligation on my hon. Friend the Minister because if that were really possible, as plenty of lawyers suggest, the Government would have to point out to the transport authority that it must consult users further afield and must find a proper mechanism for doing so.

4.15 pm

It is no surprise that, as the hon. Member for Christchurch said, the survey showed that only a small percentage of people in the authority area did not accept that there should be cross-subsidisation. The hon. Member for Castle Point (Bob Spink) will recall the questions that Speaker's counsel posed to Mr. Owen in the Committee. In one exchange, counsel asked Mr. Owen:

"would you agree that it is fair to characterise the Bill which your clients are promoting as being innovative?"

Mr. Owen replied that cross-subsidies were provided for in other legislation, but the Speaker's counsel returned to the point, which was never challenged, that such a provision was a first for a private Bill. That raises some interesting challenges, so the Government should be wary; they need to give the transport authority careful advice.

The essence of the best-value legislation was debated fiercely in the House, but all Members are firmly committed to the law, so I ask my hon. Friend the Minister to keep those obligations in mind.

Although the conclusions of the consultation process show that my views are a reflection of only a minority of current public opinion in the five authorities that comprise the shareholding group, I am certain that I express the views of the vast majority of tunnel users, who believe that their opinion should be taken into account when determining future tolls.

Bob Spink: Is the hon. Gentleman familiar with the term "No taxation without representation"?

Mr. Miller: I have read debates on that subject held both in the UK and in Washington DC. The people of Ellesmere Port and Neston, whom I represent, make a substantial contribution to the economic wealth of the region in which we are privileged to live. They have a right to be consulted about these matters. I do not accept that they should have a veto, but their views should be heard and I urge my hon. Friend the Minister and my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), who represents the promoter of the Bill, to take that point on board.

Mr. Wareing: I want to refer especially to amendments Nos. 10 and 13, which deal with consultation. Before I do so, however, I want to express my agreement with those hon. Members, including my right hon. Friend the Member for Birkenhead (Mr. Field), who have commented that it is regrettable that the Government have taken sides on the Bill and have only come clean to the House at almost the last moment. Had they made their opinion clear at the outset, perhaps we could have had meetings with Ministers and some real consultation with central Government—which, in the light of what has happened since, would have been highly desirable.

I shall address many of my remarks to the Government. I am glad the Minister is present. I do not think that at this stage, while the Bill is in the House, we can change anything, but I hope that my hon. Friend will take some of these points back to Ministers in the other place, and that when the Bill comes before the

[Mr. Wareing]

House of Lords there will be some consideration of Government amendments dealing with some of my arguments.

There is a real need to reinforce the rights of toll users to be consulted. I know that Merseytravel will say, rightly, that it consults widely already. I concede that it does, but the problem is that, as my right hon. Friend the Member for Birkenhead mentioned, it takes little heed of what is said. It may well listen, but it takes no real notice. It has already made up its mind, although I think that it came under pressure during consideration of the first Bill. You will recall, Mr. Deputy Speaker, that there was an earlier Bill, which was removed and replaced by this one, no doubt because Merseytravel felt that the people of Merseyside were opposed to the privatisation of the Mersey tunnels.

My wish is that the Merseyside passenger transport authority should be required to justify its plans for the debt-free but tolled Mersey tunnels to the Secretary of State, and to listen and act on the ideas and views of consumers' representatives. In the year 2000, Merseytravel began a five-year programme of consultations, through its local transport plan, but those consultations have largely been ignored, particularly in respect of the Mersey tunnel. It is wise to remember whose money finances those consultations.

In the consultation programme, four core objectives were identified. The first was to ensure that transport supports sustainable economic development and regeneration. The second was to moderate the upward trend in car use and secure a shift to more sustainable forms of transport, such as walking, cycling, and the use of public transport. The third was to secure the most efficient and effective use of the existing transport network. The fourth was to enhance the quality of life for those living and working in Merseyside.

On the first point, economic development, I do not think it is at all conceivable that economic growth can be encouraged by a year-by-year increase in the tax that toll payers have to meet. On the second point, we all want an improvement in public transport—there is no difference between us on that—but I do not believe that that should be achieved by methods that would, in effect, impose a tax on toll users and local businesses.

I do not think that the third objective—to secure the most efficient and effective use of the existing transport network—can be met by the sort of cross-financing that has been referred to by my right hon. Friend the Member for Birkenhead: paying for the ferries out of the funds raised from toll users in order to benefit other services. In any event, I do not believe that to be necessary. Like my hon. Friend the Member for Wirral, South (Mr. Chapman), I have great affection for the Mersey ferries. "Ferry across the Mersey" means to me something even more important than the song, and I do hope that with the year 2007, when we shall celebrate the 800th anniversary of the city of Liverpool, and the following year, when the city becomes European city of culture, that investment will come—but not by these means—into the Mersey ferries. That is one of the most attractive means of bringing tourists to Merseyside, and not just to Liverpool.

The final point was about enhancing the quality of life for those living and working in Merseyside. Many workers who live in the Wirral and work in Liverpool use the Mersey tunnels to get to their work. Many Liverpool people and many of my constituents travel to work at the Vauxhall plant "over the water", as we say on Merseyside, in the Wirral. Many of the constituents of my hon. Friend the Member for Wirral, South commute to Liverpool each day. How can their quality of life be improved by these year-by-year increases in taxation? Incidentally, there is a possibility that they will exceed the increases in the retail prices index.

The hon. Member for Castle Point (Bob Spink) mentioned taxation without representation—he will know all about that because it was a Tory Government, under Lord North, who were told that when the colonies parted from the British empire. I often think that that was one of the greatest disasters in history in view of American foreign policy today, but that is another matter.

In its 2001 consultation, Merseytravel asked, first:

"Should the Mersey Tunnel toll levels be index-linked with inflation?"

The majority of people said no, which shows that consultations are merely something to be gone though, in the view of Merseytravel. Secondly, Merseytravel asked:

"Should the requirement to reduce tolls when the Tunnel's debt is paid off be removed?"

Seventy one per cent. said no. Furthermore, Wirral borough council was among that number—at least one of the local authorities was firmly against that proposal.

Although I accept that no Parliament can bind its successor, confidence in Parliament is undermined when a retrograde move such as that being proposed is made. The treatment of the promise made way back in the early 1930s—that once the debt was covered there would be free runs through the Mersey tunnels—is to be regretted. Incidentally, the tunnel is very much part of the Merseyside economy. It is often said that we are all affected by it. We have a nasal accent and people ask why that it is so—some say it is because of the draught from the Mersey tunnel. The point is that no consideration was given to the case against maintaining tolls, presumably from now until kingdom come, irrespective of whether the tunnel is profitable or makes a loss.

Thirdly, in its consultation Merseytravel asked:

"Should surplus toll income be used to cross-subsidise and improve local public transport services, benefiting the wider Merseyside community?"

Sixty seven per cent.—a majority again—said no.

What is the point of spending public money on consultations if they are never acted upon or are never considered with any serious intent? If the MPTA is to have increased powers and freedoms to spend and charge, it must be made far more accountable. It can be argued, of course, that there is accountability because the MPTA is made up of councillors from all the boroughs on Merseyside. It is a very indirect form of

accountability, however. It is very difficult—also, it is rather unusual—for constituents to raise MPTA matters with councillors because only a few members of each of the councils are MPTA members. That is a rather indirect way to keep in contact with the people of Merseyside. The MPTA must be accountable not only to the local people of Merseyside, but ultimately to the Secretary of State.

4.30 pm

There was once an all-party river crossing group—perhaps the hon. Member for Christchurch (Mr. Chope) remembers it—and Eric Heffer, a Labour Member, was one of its leading lights. Many hon. Members believe that the day should come when no tolls are charged. I am opposed to road tolling. Indeed, it is an 18th century concept that goes back to the turnpike trusts, all of which were abolished by 1895, but here we are today debating tolls on a major traffic route that is important not only to Merseyside, but nationally. That is absurd.

We should take our cue from what happens with other natural monopolies. In a 1998 Green Paper entitled "A Fair Deal for Consumers", the Government recommended—and, indeed, later established—a general duties diktat on the regulators, which was enshrined in the Utilities Act 2000. The regulators were to put the interests of consumers first—all consumers: industrial, business and domestic. None of that applies statutorily to the MPTA.

When the Utilities Act 2000 was passed on to the statute book, it dealt with the activities of the gas and electricity industries. The Gas and Electricity Markets Authority was set up, and it can impose financial penalties on utility companies that are in breach of their statutory requirements. Nothing like that exists for the Mersey tunnels. The Secretary of State appointed three members of that authority. The Minister should consider what was done then and what could be done now to ensure real accountability and consultation by the MPTA.

Under the Utilities Act 2000, the Competition Commission was given powers to act if it found that the gas and electricity authorities were not remedying adverse effects on consumers. Nothing like that exists for the Mersey tunnels.

Mr. George Howarth (Knowsley, North and Sefton, East): I am anxious not to extend this debate and my hon. Friend's speech any longer than is absolutely necessary, but does he accept—he admitted as much earlier—that by no stretch of the imagination are the tunnels a monopoly?

Mr. Wareing: I certainly reject the idea that the tunnels are not a monopoly; of course they are a monopoly. In fact, they are probably one of the most perfect examples of a monopoly that can be found in the British economy. Indeed, there are signs of competition in the gas and electricity industries, particularly since privatisation, so there can be competition between such companies. There is no competition with the MPTA. If my hon. Friend thinks that there is, perhaps he swims regularly across the River Mersey. There is no other way in which heavy traffic can cross the River Mersey at that point. Heavy traffic cannot cross unless its goes all the way round to Runcorn and Widnes to deliver goods or collect materials.

Mr. Howarth: I hesitate to intervene again, and I promise to behave myself for the remainder of the debate, but to put the matter straight, as my hon. Friend rightly said some moments ago, there are ferries and, as he has now conceded, the Widnes to Runcorn bridge, which my constituents use far more regularly than the tunnels, as well as the rail system that runs under the river. I cannot see how, by any stretch of the imagination, that can constitute any kind of monopoly.

Mr. Deputy Speaker: Order. Before the hon. Member for Liverpool, West Derby (Mr. Wareing) responds, I should direct him back to the scope of these amendments. We are not discussing the Bill as a whole. There may be an opportunity to do that on Third Reading, and it would be a pity if the hon. Gentleman stole his own thunder at this stage. I urge him to look at the terms of the amendments in concluding his remarks.

Mr. Wareing: Thank you, Mr. Deputy Speaker.

My argument, of course, is that there should be bodies to represent the consumers of Merseyside. In one of the amendments I refer to a number of organisations, such as trade unions and the Liverpool and Wirral chambers of commerce, which should be consulted. What I am suggesting is that some form of consumers council, such as that set up under the Utilities Act 2000 for other utility services, could be a model for consultation on the Mersey tunnels. Despite what my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) says—I am glad that he is going to behave now, which he usually does, but one never knows with him—we are considering a monopoly rather than an oligopoly, which exists in certain other utility services.

I do not expect that we will come to a conclusion on this matter tonight. When the Bill goes to the other place, however, the Government should consider seriously—I cannot understand how such a rational idea could be opposed—including the question of consultation and a consumers body in a new Government amendment. It seems to me that there is no reason why both sides of our argument about the Bill should not come together on that. I hope that the Minister's reply will at least come close to what I have been recommending in all good faith.

Mrs. Claire Curtis-Thomas (Crosby): I have listened carefully to the arguments presented by my hon. Friends and other hon. Members this afternoon, and I cannot agree with them about the consultation. I have worked with the promoter of the Bill for a number of years, and I am satisfied that it executes the requirements of its work with regard to consultation with a diligence for which I have a great regard. I therefore ask my hon. Friends and other hon. Members to withdraw their amendments.

Mr. Ben Chapman: I would be grateful if my hon. Friend could elucidate that point by giving a couple of examples of how the Merseyside passenger transport authority has responded positively to points made in consultation.

Mrs. Curtis-Thomas: I can understand my hon. Friend's desire to extend this debate for as long as possible, but I believe that all the points that have been raised with respect to consultation have already been covered.

Mr. Miller: Is my hon. Friend saying on behalf of the promoter of this Bill that people resident in Cheshire, outside the catchment zone of the five district councils that are shareholders, have no rights in consultation? Is she satisfied that that does not breach the statutory duty in respect of best value legislation?

Mrs. Curtis-Thomas: I thank my hon. Friend for that intervention, but I believe that the door to Merseytravel has always been open and that it is always responsive to reasoned arguments about improvements and the service available.

Mr. Chope: I am afraid that the contribution made by the hon. Member for Crosby (Mrs. Curtis-Thomas) has left rather a nasty taste in the mouth. Does she really think that when summing up a serious debate in which many hon. Members from both sides of the House have participated, all she need do is assert that all the points relating to consultation have been covered, so that is the end of the argument? She does a disservice to the House because we have put pertinent points cogently and coherently—but not extensively—to the promoter of the Bill. In so far as she speaks for the promoter, we assumed that she absented herself from the Chamber for some of debate to take instructions from it so that she could give us responses.

Stephen Hesford: Has it occurred to the hon. Gentleman that the surprising reticence of my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) mirrors exactly the instructions that she has probably been given by Merseytravel? Merseytravel does not want to say anything or engage in debate.

Mr. Chope: I do not know what instructions the hon. Lady received, but I am aware that she has strong views of her own. If she had received instructions with which she disagreed, I am sure that she would have spoken out. She has fearlessly spoken out on several issues in the House—I agree with that. That is why her reticence when responding to points from the debate is so bizarre.

Bob Spink: Does my hon. Friend think that that is even more extraordinary given that the withdrawal of the opposing petitions in Committee meant that there was no light shone on the matter? There was no clarification, investigation or probing, so it was extraordinary of the hon. Member for Crosby (Mrs. Curtis-Thomas) to make no comment on the well reasoned amendments.

Mr. Chope: My hon. Friend makes the same point as me.

I doubt very much whether the other place will allow the promoters of the Bill to get away with such an arrogant approach. The conventions that used to apply in this House still apply in the other place, so Members of the other place who respond to a debate actually deal with points that have been raised. Some Ministers and hon. Members in this House have not complied with that convention for some time. If Members of the other place make points that are not answered, they expect to be able to debate them at greater length on another occasion.

Mr. Frank Field: Does the hon. Gentleman agree that the point is not only that the conventions that used to apply here will apply when the Bill reaches the other place? The Government find it more difficult to get legislation through the other place than this House.

Mr. Chope: The right hon. Gentleman makes a powerful point.

The hon. Member for Crosby is not the only person who has refused to participate at length in the debate. The spokesman for the Liberal Democrats, the hon. Member for Southport (Dr. Pugh), has not said anything. That might be because the Liberal Democrats have a different policy on congestion charging in different parts of the country. London Liberal Democrats say that they are in favour of it, but we are not sure of the Liberal Democrat position on Merseyside. We know that the Liberal Democrats are against tolls for the Skye bridge, but perhaps that it because the leader of the party represents the constituency in which the bridge is situated.

Mr. George Howarth: Does the hon. Gentleman agree that the way in which he is trying to trivialise the debate only goes to prove the pointlessness of trying to engage him in debate?

Mr. Chope: The hon. Gentleman will have to judge whether he thinks that I am trivialising the debate. I am trying to be serious, and I have expressed my concern that we have not heard the view of the Liberal Democrats, although that is not unusual.

It is appalling that the Government have not joined in the debate. Why has the Minister not spoken? The hon. Member for Liverpool, West Derby (Mr. Wareing) made a good contribution in which he laid down a number of challenges to the Government. Why is the Minister not earning his keep by responding?

4.45 pm

The explanatory memorandum says that the Bill will

"assist the Authority in implementing this Government's policies on integrated public transport facilities."

Many of us think that that is a total misreading of the situation. Does the Minister believe that the Bill will assist the authority in implementing the Government's policies on integrated transport? Does it have the overt support of the Government, or are they neutral on it? The Government Whips have been determined to force the measure through. In such circumstances, it is even more despicable that the Minister is not prepared to stand up at the Dispatch Box and allow himself to be exposed to questions from his right hon. and hon. Friends who want to know where the Government stand.

I do not usually get angry in the House, but the past few minutes of the debate have made me extremely cross. The suspicions of people in Merseyside, and on the Wirral peninsula in particular, who think that they are victims of a ghastly conspiracy to do them down and

to tax them heavily for their use of an essential route to work are well founded. The behaviour of the promoter and the Minister bears that out.

The hon. Member for Liverpool, West Derby made excellent pertinent points. I hope that he will table parliamentary questions to his ministerial colleague to get some answers. Alternatively, perhaps he will complain to his Whips that it is not conventional for a Minister not to respond to points raised by a Labour Member. No one can say that we are short of time. The hon. Member for Wirral, South (Mr. Chapman) spoke extensively in earlier debates and there was no chance for others to join in before the motion for closure was moved. Ironically, the Government were able to hide behind the closure and not explain themselves. That is not possible today because the debate has only been going on for just over an hour. The Minister has every opportunity to explain for the first time the Government's opinion of the Bill and the amendments, but he has manifestly declined so to do. That is typical of the Government's arrogance. If they and the sponsor are not prepared to listen to their own Members, all we can do is hope that they will be forced to change their attitude in another place.

I am grateful to my hon. Friend the Member for Castle Point (Bob Spink) for contributing to the debate. He brings a special expertise because of his experience of serving on the Committee that discussed the Bill before it was withdrawn. The hon. Member for Ellesmere Port and Neston (Mr. Miller) asked some important questions that have not been answered. The right hon. Member for Birkenhead (Mr. Field) was right to say that I did not make the most of the strong arguments that should be deployed on how the Bill is a taxing measure, which it is: it is a stealth tax—a stealth congestion charge. It is clear that there is no intention to pay off the debt on the tunnels by using the proceeds of the tolls. The purpose is to try to raise extra charges to deter people from using the tunnels and to transfer money from tunnel users to other parts of Merseyside for various public sector projects. A number of hon. Members have referred to the fact, which is inherent to the debate, that the people of Merseyside will not get good value for money out of the tunnels.

Dr. John Pugh (Southport) *rose—*

Hon. Members: Ah.

Dr. Pugh: Well, in the interests of consistency I am required to draw something to the hon. Gentleman's attention. He said that the Bill's object is to deter people from using the tunnels, but the promoter hopes to have lots of money to spend on other causes. How can the Bill achieve both?

Mr. Chope: If that is the sum of the hon. Gentleman's contribution, I am sorry that he did not make a speech. That is exactly what is set out in the explanatory memorandum, and a number of us think that it contains inherent inconsistencies, including the one to which I just referred.

The Bill's promoter has provided no clarity about the objectives. It says that, on the one hand, it wants to have the power to increase tunnel charges by the rate of inflation as a matter of convenience, and it wants to be able to pay off the debt. On the other, it says that the Bill will be extremely useful in assisting the authority in implementing the Government's policies on integrated public transport facilities. But it does not say how it will pay off the enormous overhanging debt that we know to be associated with the tunnels, and surely the first objective should be to use the tolls to meet the costs of the tunnels, rather than to cross-subsidise other public transport activity.

This is a stealth tax, and it is part of the Government's congestion charging programme. The toll will be increased well beyond what is reasonable, and the tunnel users will not be able to avoid it. The cavalier way in which the Bill's promoter and sponsors have failed to respond to the debate is significant, and I hope that it will result in the sponsors losing the vote that I hope we will have on the amendment that I have tabled.

Mr. Frank Field: Has the hon. Gentleman noticed that the Government Whips are in place for a coming Division, so the Government's fingerprints are all over the Bill, a tax-raising measure?

Mr. Chope: The right hon. Gentleman is absolutely right and he does the House a service in pointing that out. There will be people on the Wirral, in his constituency of Birkenhead and elsewhere in Merseyside who find it quite enlightening to see how the Government operate.

The Government are unwilling to come forward and openly justify the Bill, but they are determined to push it through the House against the wishes of many people on Merseyside, including those who were consulted about the measure and who overwhelmingly voted against it. I hope that the amendment will be carried. If it is not carried here, I hope that it will be carried in the other place.

Question put, That the amendment be made:—

The House divided: Ayes 108, Noes 209.

Division No. 345] **[4:53 pm**

AYES

Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Bercow, John
Beresford, Sir Paul
Berry, Roger
Boswell, Tim
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Burns, Simon
Burt, Alistair
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Corbyn, Jeremy
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Duncan, Peter *(Galloway)*
Fabricant, Michael
Fallon, Michael
Field, rh Frank *(Birkenhead)*
Flight, Howard
Forth, rh Eric
Gale, Roger *(N Thanet)*
Garnier, Edward
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Greenway, John
Hayes, John *(S Holland)*
Heald, Oliver
Hendry, Charles
Hesford, Stephen
Hogg, rh Douglas
Howard, rh Michael
Iddon, Dr. Brian
Illsley, Eric
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie

Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
McDonnell, John
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Pickthall, Colin
Redwood, rh John
Robertson, Hugh *(Faversham & M-Kent)*
Ruffley, David
Sayeed, Jonathan
Selous, Andrew
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Skinner, Dennis
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Wareing, Robert N.
Waterson, Nigel
Whittingdale, John
Wiggin, Bill
Willetts, David
Wilshire, David
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Ayes:
Mr. John Randall and Angela Watkinson

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Janet *(Rossendale & Darwen)*
Bailey, Adrian
Baker, Norman
Bayley, Hugh
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Benton, Joe *(Bootle)*
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Breed, Colin
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Cairns, David
Campbell, rh Menzies *(NE Fife)*
Caplin, Ivor
Casale, Roger
Chidgey, David
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cook, rh Robin *(Livingston)*
Cotter, Brian
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Hawkins, Nick
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Holmes, Paul
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hutton, rh John
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Joyce, Eric *(Falkirk W)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Laws, David *(Yeovil)*
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McDonagh, Siobhain
MacDougall, John
McFall, John
McIsaac, Shona
McNulty, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Glasgow Shettleston)*
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Moonie, Dr. Lewis
Moran, Margaret
Mountford, Kali
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Oliner, Bill
Öpik, Lembit
Organ, Diana
Palmer, Dr. Nick
Perham, Linda
Pike, Peter *(Burnley)*
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Pugh, Dr. John
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Rendel, David
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Bob *(Colchester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smyth, Rev. Martin *(Belfast S)*
Spellar, rh John
Starkey, Dr. Phyllis
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Straw, rh Jack
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Touhig, Don *(Islwyn)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
Whitehead, Dr. Alan
Wicks, Malcolm
Willis, Phil
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Younger-Ross, Richard

Tellers for the Noes:
Charlotte Atkins and Vernon Coaker

Question accordingly negatived.

Stephen Hesford: I beg to move amendment No. 33, in page 6, line 27, leave out from the beginning to the end of line 42 on page 7.

Mr. Deputy Speaker (Sir Michael Lord): With this we may take amendment No. 34, in page 7, line 45, leave out

'or Section 92 (Further revision of tolls)'.

Stephen Hesford: Amendment No. 34 is consequential on amendment No. 33. Amendment No. 33 would remove existing section 92 of the County of Merseyside Act 1980, which the Bill re-enacts.

We are trying to deal with overkill. The amendments would make the Bill honest. The measure is currently dishonest because it is a con perpetrated on the people of Merseyside, especially the people of the Wirral—my constituents, those of my hon. Friend the Member for Wirral, South (Mr. Chapman), those of my right hon. Friend the Member for Birkenhead (Mr. Field), and, in a wider sense, those of my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller).

However, we are considering a wider Merseyside issue. The hon. Member for Christchurch (Mr. Chope) was right to remind us of the consultation exercise. It made me recall the Mersey tunnels' current financial position. I am not talking about fantasy finance; I shall read out Merseytravel's comments on the Mersey tunnels' finances in the consultation document, which has already been mentioned. Paragraph 2.3 states:

"The Tunnels are currently breaking even financially, i.e. the toll income is sufficient to meet annual operating costs of about £12 million, debt (capital financing) charges of £13 million, and refurbishment (safety and renewal) costs of about £7 million. The debt charges stem from the use of borrowing to finance the cost of constructing the Wallasey Tunnel (£44 million), and subsequent operating losses incurred between 1968 and 1992 (£116 million). The current volume of debt outstanding is about £106 million, which is being repaid at the rate of about £4.5 million per annum together with interest charges of about £8.5 million."

It is said that the Bill and the section that I am seeking to remove are before the House because those responsible for operating the Mersey tunnels need access to extra finance. The House has already debated at some length the reason for raising that extra money, not least in relation to the cross-subsidy for other purposes on the wider Merseyside transport front. Some of the extra money is said to be needed for refurbishment and safety work, but I am not entirely convinced by that argument. It is an easy argument to make, because it throws upon those who do not take it at face value the unpleasant suggestion that they are not interested in the safety of the tunnels. I reject that entirely. It would not be an honest or proper position for the promoter to take, and it may be that it does not do so.

A group that has been formed in my constituency and elsewhere to look at the finances of the Mersey tunnels has carried out some research. I am grateful to the group—and in particular to Mr. McGoldrick—for furnishing me and my hon. Friends with certain information. On the question of safety, the group found that the Eurotest 2002 report rated the Wallasey tunnel the safest of those tested in Britain, and that the Birkenhead tunnel was the third safest. That could put to bed the idea that there needs to be access to extra funds, certainly for that purpose.

Mr. George Howarth: Will my hon. Friend give the House some more information about the group that has provided him with that research? Specifically, will he tell us what its members' qualifications for making these assertions are?

Stephen Hesford: I do not think that it would be helpful for me to go down that particular road, attractive though the question is. Those on whose behalf my hon. Friend speaks—if I may put it that way—know very well who these people are, and he knows very well that they know that. They have had substantial correspondence with the group.

Mr. Ben Chapman: Does my hon. Friend agree that the principal qualification of the group's members for making these statements is that they are users of the tunnel and that, as such, they make representations to the passenger transport authority? Would it not be good if—in these circumstances, if in no others—the authority were, for once, to listen?

Stephen Hesford: My hon. Friend makes a relevant point. The principal qualification of the group's members is that they are users of the tunnels, and as users—and, indeed, as taxpayers—they have tried hard to seek basic information from Merseytravel so that they can understand the situation better and make a genuine and dispassionate observation of the finances of the operation. They found, however, that those responsible for keeping that information were not forthcoming; they said that it was like getting blood out of a stone. It is wrong of my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) to ask what their qualifications are. They are simply users trying to understand the situation as best they can.

Mr. George Howarth: I am mystified as to why this is such a big secret. My hon. Friend says that I know who these people are, and he knows who they are, but no one else is to be given this information. Would it not be sensible, if my hon. Friend is praying in aid a group that has provided information, that he should tell us who its members are? He knows that these minutes will be read in another place and that people will expect to be told exactly what the qualifications of those providing that information are.

5.15 pm

Stephen Hesford: The group calls itself the Mersey Tunnel Users Association, which answers my hon. Friend's question, a blind alley down which I am sure he did not take me purposely.

Why do we need a twin-track approach? The operators of the Mersey tunnel can use the section 92 procedure to raise tolls, a matter that the House has discussed previously. Curiously, while asking for a further toll-raising measure, the operators are also seeking to use the old procedure. As the hon. Member for Christchurch (Mr. Chope) said, there will be a public inquiry on that soon.

Current practice can deal with increasing tolls, but the Bill's promoter seeks to retain the section 92 power—I am seeking to remove it—while having the new, more flexible power that can raise money more easily. I ask a simple question that the promoter has so far not even bothered to address; why does it need both?

[Stephen Hesford]

If the promoter is sure that the new system will provide flexibility—with a 10p toll rise every three years—without a public inquiry, fine. I am against it having the new power, but why does it need the existing power as well? If the Bill becomes law and the promoter can raise the funds that it thinks it can—bearing in mind that the tunnel, as I said, is breaking even—why does it need the fallback position? It adds insult to injury for it to have both.

In an ideal world, I would want the Bill to go away, and that we left in place the current system, which is being used successfully to increase tolls at the moment. I suspect that my wish will not be granted, and the House must deal with the point about section 92.

It is not as though the Secretary of State—his assistance must be sought—after having a public inquiry to raise money has ever disappointed anyone. When people went to the Secretary of State under the old system seeking the money to secure the finances of the tunnels, their request was always acceded to. It was never refused. Indeed, the point needs to be reiterated, so I do so. The tunnel tolls have never been denied under what I call the old, or the current, system. Clearly, it works well, because if it did not, the tolls would not be in financial equilibrium. Under existing legislation, the terms are broadly for the tunnel to break even—to pay its way, so that eventually the running costs, the debt and other costs are paid off and the tunnels become free.

Of course, there is another element of my objection to the re-enactment of section 92, which would provide for the current system and the new system. I look forward to a response, which we did not have in the previous debate—*[Interruption.]* I hear a sotto voce indication that there might be a response this time, and I am pleased about that. I look forward to it, if it comes. It seems objectionable because I have not had an answer to the basic question, "Why both?" Is it because the Bill's promoter has a suspicion that the new system that it wants will somehow not be effective? Does it think that something will go wrong with it? If so, I would be interested to know what that might be.

I am sure that the House would also want to know if it is passing a measure whose promoter believes that there is an inherent probability of something going wrong or an element of mismanagement. I do not mean purposeful mismanagement, but a problem inherent in the system. The system might throw up a set of circumstances that requires the promoter to use a fallback position to raise extra cash.

In opting for the new fast-track procedure, as I call it, to raise money more easily, the promoter has criticised the current system as old-fashioned, cumbersome, dated and responsive to an era that has now gone. I believe that those criticisms still exist, so is it not strange that the promoter wants to keep such an archaic system? Why does it envisage that, at some as yet unspecified time and in some unspecified circumstances—the promoter says that its fears are genuine, so they must be—the despised old-fashioned system will be used?

The promoter calls the current system into question, but it remains on the statute book, even though for one purpose it hates it. It wants the House to believe that it is useless and works against the people of Merseyside and the Mersey tunnels in general, but it wants it to stay on the statute book to use as a fallback position, with all the problems that it acknowledges that it has. Those problems include requirements to publicise the matter in the newspapers, to go to the Secretary of State and to hold a public inquiry. That causes delays and means that the promoter does not get the money when it needs it.

I have said that I do not understand why there are two parallel systems for raising money. The current, criticised system is the fallback position, and it takes a long time. What is the rationale for retaining it?

I and my constituents could understand the Bill better if it contained one simple proposition. My right hon. Friend the Member for Birkenhead has dealt with elements of the Bill, such as insulation, so I shall not discuss them. My constituents might be more sympathetic if the Bill stated that we need a new system because the current one gets gummed up and does not work, and is an old-fashioned and expensive waste of time. That is a simple proposition that we could all understand, but that is not what we are faced with.

Why do we need to keep section 92? That is my simple question. I do not understand why the Bill contains that provision.

I am sure that the Under-Secretary of State for Transport, my hon. Friend the Member for Harrow, East (Mr. McNulty), is listening with care to my speech. We have not heard from either the promoter or the Government about this matter. From the point of view of business management, the Government want the Bill to go through today, as this is the third or fourth time that it has been discussed on the Floor of the House. The Bill is like a bad penny that keeps coming back. The Government want it to get through, and they will use the heavy hand of whipping to ensure that that happens. The fact that the debate is not time limited means that the business will almost certainly go through in the manner that they envisage.

I oppose the Bill and so do not find the Government's approach attractive, but there is more to it than that. I do not believe that the Government have not read the Bill and do not know what it is about. In fact, I know that that is not the case, as a delegation of which I was a member met the Under-Secretary of State for Transport, my hon. Friend the hon. Member for Plymouth, Devonport (Mr. Jamieson), and talked about it face to face. The Government know what the Bill is about.

I have addressed my propositions to the Bill's promoter and to the House in general. I hope that the House has some sympathy with what I have said, but I now address my comments to the Government.

What is the Government's logic in this matter? The rules laid down in the original Act are currently being used by the Bill's promoter to raise the tunnel charges. In one way or another, those rules have been used successfully for about 70 years. What are the Government sanguine about, given that the Bill wants not just the new fast-track procedure but the retention of the current procedure as a back-up? If they are, in fact, not sanguine about the use of two parallel tax-raising measures, perhaps my hon. Friend the Minister will tell us now.

5.30 pm

My hon. Friend the Minister remains steadfastly seated. It would be easy enough for him to reply to me in a few words. We are not happy about a twin-track procedure for raising money at the expense of my constituents, and we are not persuaded that there is any reason for it. As my hon. Friend is not tempted by my invitation, I must assume—as my constituents must—that the Government are indeed sanguine about the forcing of the two tax-raising measures on them in circumstances that no one has yet explained. The purpose is not to refurbish the tunnels or to get the authority out of debt, because it is not in debt. It is not even to secure a more sensible way of raising tolls—a fast-track approach. If that were the case, the old procedure would not be needed.

What can my hon. Friend and the promoter point to that will go wrong? In what circumstances will the old system be used? Can someone please tell us what the fallback position is?

As I hope the House appreciates, I am doing my best for my constituents. I have asked the promoter and the Government for answers, but for the moment there is a stony silence. I do not know whether my hon. Friend the Member for Knowsley, North and Sefton, East will serve as official spokesman for the promoter, but he indicated, sotto voce, that he wished to speak. I shall sit down now, but I look forward to elucidation from someone—if not for my benefit, at least as a courtesy to the House.

Mr. George Howarth: I shall try to be brief.

Listening to my hon. Friend the Member for Wirral, West (Stephen Hesford), I was reminded of a line from a song on The Beatles' "Abbey Road". I quote from memory, but I think it ran, "You never give me your pillow, you only issue your invitations". My hon. Friend seems to have issued invitations to everyone rather liberally in the last few moments.

I think that my hon. Friend rather over-egged the pudding. He spoke at some length about the promoter, Merseytravel. I should emphasise that I represent my constituents, and do not directly represent the promoters.

Stephen Hesford: Will my hon. Friend give way?

Mr. Howarth: I have not begun to develop my argument yet.

My hon. Friend says, in effect, that the promoters of the Bill want to take a belt-and-braces approach; as well as the new powers that they seek, they want to reserve the power to continue to use the old system. That is the core of his argument, which I have managed to put in two minutes but which took him 30 minutes.

The simple answer to my hon. Friend's question is that, for all intents and purposes, in all normal circumstances, the promoters intend to use the new system. They want the straightforward power to be able to increase the tunnel tolls in line with inflation, measured by the retail prices index. Whether the increase will be 10p every three years or some other figure will obviously depend on the rate of inflation. However, the promoters want a further option in case something unforeseen happens. I do not know whether my hon. Friend has any experience in public finance, but in every public finance system that I have dealt with—whether in local government or national Government—provision is always made for unforeseen circumstances. I cannot predict what they might be, but any civil engineering project could go wrong. The circumstances might not be within the control of those responsible for managing the project; for example, there could be an act of terrorism or some engineering fault that was not originally evident. There must be some way of dealing with such eventualities.

The promoters have sensibly taken the view that the old arrangement, as my hon. Friend describes it, would be the fair way to deal with such circumstances. There would be a public inquiry. The authority would have to go back to central Government and justify why they wanted to exceed what they had asked for under the initial powers.

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty) *indicated assent.*

Mr. Howarth: I do not want to put words into the Government's mouth, but my hon. Friend is nodding in agreement. I may have saved him from the need to make a speech.

The arrangements that I have described always apply in any public finance system. Unless my hon. Friend the Member for Wirral, West seeks only to make mischief, I do not know why he could not have figured that out for himself.

Mr. Miller: My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) has half-answered the question that I was about to put to the sponsor of the Bill, my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas). I, too, spotted the Minister nodding earlier, so that was helpful.

When I added my name to the amendment, it was to enable me to probe the circumstances in which the promoters would make such an application. What are the circumstances in which the Secretary of State might be minded to accede to them?

Mrs. Curtis-Thomas: Will my hon. Friend give way?

Mr. Miller: If my hon. Friend will allow me, I shall finish asking my questions and then I shall welcome her answers.

I have made a particular examination of the reports prepared by the German automobile association—ADAC—on the safety aspects. One can see that there could be exceptional expenditure, as my hon. Friend the Member for Knowsley, North and Sefton, East described. He made a fair point. He also threw up other possibilities, though God forbid that there should be terrorism. I noticed, on a website, that the

"chairman of tunnel operators Merseytravel, says tolls will have to rise to meet the cost of the revamp"

that stems from the ADAC report, although as always in these matters, different figures are floating around.

That led me—I am sure my hon. Friend the Member for Crosby has been considering this, as she is an

[Mr. Miller]

engineer by background—to look at some of the engineering issues that have cropped up in previous tunnel incidents. Some awful tragedies have taken place around the world. Thank goodness—and I say, well done—Merseytravel has avoided some of the awful incidents that we have seen.

I looked at the ADAC report, at some work done by the Massachusetts Institute of Technology examining damage to concrete walls in the event of fires, and at an extraordinarily detailed report entitled, "The Prevention and Control of Highway Tunnel Fires" published in the United States about three years ago, which went through very detailed evidence surrounding a range of fire situations, and created models of potential fire situations that thus far had not occurred in real life. It is a scary report.

The single question that I should like answered is, am I right that the promoters envisage clause 92 being applied only in circumstances relating to safety? If there are any other circumstances, I want to know; it is a fair question to ask. If it is safety only, I am for keeping clause 92 as it stands. If it is broader and the promoters want to leave it fairly vague, that is not good enough.

Mrs. Curtis-Thomas: I thank my hon. Friend for allowing me to make this intervention. He, like me, will have heard announcements—

Mr. Deputy Speaker: Order. Is the hon. Lady intervening on the hon. Gentleman?

Mr. Miller: I have finished.

Mr. Deputy Speaker: In that case, the hon. Lady is actually making a speech.

Mrs. Curtis-Thomas: Given that I am on my feet, perhaps I can address the comment that has just been made. I believe that the exceptional circumstances are unforeseen but would be more than likely to include safety matters.

My hon. Friends will have heard today that the EU intends to formulate a directive on all manufactured chemical products and to determine their impact on members of the public. I was working in the chemical industry when the EU had its first go at that in the mid-1980s. Catastrophic shock waves travelled through the chemical industry as people began to consider the consequences of the general products that had already been produced for the public who were purchasing them. At the time, products that had been on the market for 20 years were exempted from that consideration. It is now proposed to bring all products into the EU directive, so all companies providing products must be able to provide technical appraisals and toxicity appraisals to indicate the impact of those products on the population. I do not know the likely consequences, but I can well imagine that some products that have been used in the construction of the tunnels and other structures might well have an impact on the population that we currently do not assess.

Mr. Miller: I am grateful; that is helpful.

In what circumstances might the clause be used other than to deal with emergency major engineering works that stem from things like the safety case? If there are no other circumstances, that is fine and the provision ought to remain in the Bill. If there are other circumstances, beyond safety, the House is entitled to know of them.

5.45 pm

Mrs. Curtis-Thomas: I cannot foresee any other circumstances in which those powers would need to be used. However, I have worked for 20 years in an industry where unforeseen incidents do unfortunately happen. One still has to have provisions and arrangements that accommodate those exceptional circumstances. If one does not have them in place, one is criticised by the public for failing to do so.

Mr. Miller: I agree entirely that there needs to be a contingency arrangement. It is particularly important in the context of safety—the safety of my constituents and those of my hon. Friend when travelling through the tunnel and that of the people who work in it. That is a mission critical. Is she saying that those contingency arrangements would extend to the inability of the passenger transport authority to balance its books on some other service?

Mrs. Curtis-Thomas: I thank my hon. Friend for allowing me an opportunity to clarify the situation. If there were exceptional circumstances, regardless of how they were arrived at, the matter would be referred to a public inquiry. At that point, I believe that the merits of the arguments put forward to substantiate an increase would be roundly discussed. We cannot prejudge what those unforeseen circumstances might be, but in the case of managerial neglect, huge criticisms would be made of the sponsor and justifiably so. I suspect that they would be told to look for alternative means to balance budgets.

Stephen Hesford: This has been a curious little debate. My hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) was expansive—if he gets his way, it will also be expensive for my constituents. He said that if one knows something about public finances, one always needs a fall-back position. I do not believe that that is an accurate statement of general public finance, but it appeared to be his point.

I disagree profoundly with my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller). It is my constituents who are more likely to have to pay for those contingencies. Perhaps I did not make myself sufficiently clear in the general debate. When trying to understand what might be the nature of the unforeseen circumstances, there is no substitute for considering what has happened. One of the tunnels has been in existence for 70 years and the other since 1968. None of those unforeseen safety problems has arisen. Perhaps, I did not make it sufficiently clear that, according to my information, one of the tunnels is registered as the safest and the other as the third safest in the country.

I am profoundly not persuaded by the safety argument. It is suggested that some such situation may

arise. Do the promoters not have something called insurance? Are they not insured for such things? Is not insurance designed to insure against unforeseen things? That is a rhetorical question, because the insurance industry exists for that purpose.

Mr. George Howarth: My hon. Friend has a way with words: to describe my speech, which was four minutes long, as expansive, having spoken for 28 minutes himself, seems an odd use of the English language. For the sake of the record, given the argument that he is now using, can he tell me the last time he was able to insure against a terrorist disaster?

Stephen Hesford: My hon. Friend makes an interesting point, but he knows, as I do, that those parts of the country that suffer from terrorist activity receive Government funding—for example, when Manchester was rebuilt—so I am afraid that he makes a very bad point.

Mr. Howarth *rose—*

Stephen Hesford: No. My hon. Friend has had his chance. He makes a seriously bad point because the idea that some terrorist atrocity would be paid for by such a procedure is nonsense.

Mr. Howarth: My hon. Friend argued, until I intervened, that insurance could cover all contingencies. When it was pointed out that it cannot, he changed his argument. He cannot have it both ways.

Stephen Hesford: Terrorism will not be paid for by such a procedure. When I made that point, my hon. Friend nodded because it is an obvious point. Let us not overplay this. Let us not be stupid about the idea that there is a prospect of terrorism in the Mersey tunnels; there is not. Let us not go too far down that road.

Mr. Howarth: Will my hon. Friend give way?

Stephen Hesford: No.

I described this as a curious little debate because of the frequent references to the unforeseen nature of the circumstances. I have dealt with the idea that people can insure against risk. I have dealt with the idea of terrorism. When my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) was asked whether there were any other circumstances, the answer was no. There are no other circumstances in which she could envisage the procedure being used. Therefore, in my submission—whether the House agrees with me I know not—I have heard nothing to persuade me that clause 92 needs to stay in the Bill.

Given the way the debate has been organised—that has been aired already—I do not intend to press amendments Nos. 33 and 34 to the vote tonight. Those arguments will go to another place, as has been indicated. I am sure that those in the other place will read with interest the report of this curious little debate, and I hope that their lordships will have some sympathy with my argument about clause 92. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 2

FURTHER AMENDMENT OF THE 1980 ACT

Mr. Chope: I beg to move amendment No. 20, in page 9, line 24, leave out 'in the vicinity of' and insert 'adjacent to.'.

Mr. Deputy Speaker: With this we may take amendment No. 21, in page 9, line 34, leave out

'Except when to do so would be inconsistent with the provisions of this section or otherwise inappropriate in the circumstances.'.

Mr. Chope: These are, by nature, probing amendments, and I hope that the hon. Member for Crosby (Mrs. Curtis-Thomas) realises that the essence of a probing amendment is that an hon. Member asks questions in the hope that some answers will be forthcoming.

Bob Spink: Fat chance.

Mr. Chope: As my hon. Friend says, on the basis of experience so far today, there is a fat chance of that. I hope that there is a better chance than that, because almost everyone involved with the Bill is agreed that its best part is the proposal to provide insulation. The explanatory memorandum says that the fourth purpose is

"to allow the Authority to undertake and finance noise insulation work to properties adjacent to the Kingsway Tunnel's approach roads."

I therefore cannot understand why the Bill uses not the words "adjacent to", but the expression "in the vicinity of". I wonder whether the hon. Lady, as the Bill's sponsor, could explain—it does not have to be at great length—why the definition in the explanatory memorandum seems to be narrower than the Bill; or perhaps it is not narrower. I tabled amendment No. 20 to ensure consistency between the explanatory memorandum and the Bill.

I hope that the hon. Lady can also respond to amendment No. 21, which I also tabled. It deals with the exceptions where noise insulation works and grants cannot be carried out. My amendment would remove the qualification from the beginning of proposed new section 109A(4) of schedule 2, which says:

"Except when to do so would be inconsistent with the provisions of this section".

I should have thought that that was obvious and need not be stated in the Bill.

I am conscious of the fact that the hon. Lady is now taking instructions on that. The amendments were tabled probably the best part of four or five months ago, so I am surprised that, even after that time, Merseytravel's resources could not be used to communicate with me directly or to speculate on why I had tabled them. At least the hon. Lady is now taking instructions, for which I am grateful.

Why does proposed subsection (4) include the expression

"when to do so would be inconsistent with the provisions of this section"?

[Mr. Chope]

It goes on to say:

"or otherwise inappropriate in the circumstances".

Using such words gives a subjective veto the people who provide those grants, so could the hon. Lady give us one or two examples of where such work might be

"otherwise inappropriate in the circumstances".

If she cannot explain that, perhaps she will accept amendment No. 21, which would remove that part of schedule 2.

Mrs. Curtis-Thomas: I shall respond to the two probing amendments, tabled by the hon. Member for Christchurch (Mr. Chope). With regard to the words used, he is right to note that there is a difference between the words "vicinity" and "adjacent", but, of course, vicinity can mean adjacent. In drafting the Bill, every care has been taken to ensure that the people, communities and properties that need to be afforded noise insulation receive that insulation, and they will do so because they are in the vicinity of or in proximity to the noise source.

Bob Spink: In Committee, hon. Members asked for maps that would identify the houses that might benefit from the insulation work. Although some maps were available, it was not clear which houses would be included and which would not and how the phrase "vicinity of" would be defined. It could be defined in a number of ways. Has any map been produced? Have those houses been identified?

6 pm

Mrs. Curtis-Thomas: The hon. Gentleman will be aware that extensive legislation exists with regard to noise, the emission of noise and tolerable levels of noise. I have utter confidence that Merseytravel will seek to ensure that those properties that are substantially disturbed by noise receive the protection for which my hon. Friends have argued.

The second probing amendment tabled by the hon. Member for Christchurch (Mr. Chope) introduces the words:

"Except when to do so would be inconsistent . . . or . . . inappropriate in the circumstances".

We can all envisage circumstances in which it might not be possible to introduce noise insulation. For obvious reasons, the space might not be available—noise insulation is not just a matter of a few millimetres of board adhered to property. Appropriate noise insulation to a good standard today will invariably mean a structure that needs a base on which to stand and extensive panels, and I am not sure—I do not know every property to which the provision may offer protection—whether all those properties would be able to accommodate that, or, importantly, whether the solution offered to address the problem will be wanted. I have had noise insulation installed in my constituency and the response from various constituents to what was offered varied enormously. There were those who were prepared to accept significant structures that did the job of preventing noise and others who said, "Thank you, but I prefer to leave things as they are."

Mr. Chope: Surely the point that the hon. Lady has just made is dealt with in proposed new subsection (3).

Mrs. Curtis-Thomas: Yes, it has been addressed in proposed new subsection (3), but I am trying to illustrate that the Bill seeks to accommodate factors that cannot be foreseen at the time, and that is right and proper. Frequently, circumstances arise that could not have been predicted, but the provision would accommodate such an event.

Mr. Chope: Well, the hon. Lady has not explained why the wording in the explanatory memorandum refers to properties "adjacent to" the Kingsway tunnel, whereas the wording in schedule 2 refers to properties

"in the vicinity of the approaches to the Kingsway Tunnel."

She has not explained the conflict between those two. If we were talking about

"the vicinity of the approaches",

why was that not included in the explanatory memorandum? I hear what she says, however. No doubt some intolerant Labour Members will think that this discussion is rather pedantic, but the essence of scrutiny is to ask such questions when there are inconsistencies between what is said in the explanatory memorandum and what is contained in the wording of the Bill.

The hon. Lady has not dealt with the point about not including in legislation what is obvious—clearly, if there is already an inconsistency with the provisions of the section, grants cannot be made. The important point relates to exceptions to the circumstances in which the authorities shall determine the eligibility for noise insulation work. That is an issue of eligibility. Is she saying that the essence of eligibility is that it is dependent on whether insulation work can be fitted into the particular dwelling? I find that hard to comprehend. She then said that the nature and extent of the work should be determined by the authority, which would normally take into the account the points that she has made. Under proposed new subsection (4), however, the authority should not look at the nature and extent of such works if it was otherwise inappropriate to do so. The wording does not therefore seem to deal with the situation that she describes.

I am therefore a little suspicious. It seems to me that such a catch-all phrase could result in people who think that they will benefit from noise insulation works finding out in due course that they will not benefit, and that the authority will rely on the small print in the schedule. As the noise insulation work seems to be the most sensible part of the Bill—it may be changed in the other place—it is regrettable that the wording seems to suggest that there may be scope for monkey business on the part of its promoter.

Mrs. Curtis-Thomas: I assure the hon. Gentleman that there is no intention to execute any monkey business, to use his words. I am convinced that Merseytravel will welcome the opportunity to address what is a long-standing issue for many residents in and around the tunnels. I also know, as someone who has

been involved in installations of all sorts, in many different circumstances, that occasionally there are circumstances that preclude one from doing what one wants. For example, I might ask what opportunity exists to do something for properties that are in the immediate vicinity of the Mersey tunnels, are on a precipice and exist right on the edge of an area. I do not know exactly what the circumstances are, but the geographical or geological nature of the area might preclude conventional noise insulation being used. I am sure that, in those circumstances, the Bill's promoter would look creatively at other solutions to addressing that problem. There may be trees that have preservation—

Mr. Deputy Speaker: Order. The hon. Lady will have to content herself with one example.

Mr. Chope: I am grateful to the hon. Lady for such a full explanation in her intervention. All that I can say is that it might be appropriate—rather than inappropriate—to consider this issue in more detail in the other place. It seems odd—this is not a criticism of the hon. Lady, as she does not get paid anything extra for doing this—that the Bill's promoter, who is paid large sums of money, has not been able to supply fuller instructions to her for dealing with these amendments, notice of which was given months ago.

Mr. McNulty: I simply want to say that perhaps the hon. Gentleman's first amendment should be pursued in another place. It would worry me more if a narrower definition were in the Bill rather than in the explanatory memorandum. I take his point, however, that there should be consistency between the two. That should be explored. My only other small point on the second amendment is that, if we turn to the next page of the Bill, it needs to be seen in the context of empowering the authority to carry out such works under the Noise Insulation Regulations 1975. The inconsistencies with this section and the words "inappropriate in the circumstances" all relate back to the noise regulations, and not to whether the authority should do the work or otherwise.

Mr. Chope: I am grateful to the Minister for getting to his feet and participating in the debate, and for recognising, certainly in relation to the first amendment, that there may be a point worth considering further in future. We are making progress, albeit right at the end of the Report stage. In the light of the Minister's words, it might be in the spirit of the occasion if I were to beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

6.9 pm

Mrs. Curtis-Thomas: I beg to move, That the Bill be now read the Third time.

It is with much relief that I speak on Third Reading. I am reminded that it took God only seven days to create the Earth, and my constant inadequacy is borne out by the fact that it has taken many hundreds of days to get the Bill through the House thus far.

I am immensely grateful to all hon. Members who have participated in the Bill's progress, and especially the hon. Member for Castle Point (Bob Spink), who chaired the Committee on Unopposed Bills. I am also grateful for the work of the promoter and the support that it has given to me.

The essence of the Bill will bring a problem that has existed for a long time to a head, because obtaining rate increases for the tunnels on Merseyside has been a slow and expensive process. I hope that the Bill will receive support in the other place because it will save the promoter a lot of time and money. The promoter intends to continue to manage the tunnels effectively and efficiently.

I suppose that I must acknowledge the fact that the Bill has been divisive in our region and that some hon. Members have supported it fully while others have not. However, I hope that we have reached an understanding and that we can respect each other's views. I thank the House for its indulgence.

6.11 pm

Dr. Pugh: Of course, this debate is the major political event of the day, and I shall be the first person to say that there is now light at the end of the tunnel. The passage of the Bill has been an absolute marathon. Hours have been spent on it and at times the process has been like pulling teeth, although I think that pulling teeth is a great deal quicker. The Bill's opponents have given us an impression of how arduous and lengthy the process to get a toll increase under the correct procedure must be, if robust opposition exists. Everything that can be said about the Mersey Tunnels Bill has been said in the House of Commons, although I suspect that it is likely to be repeated in the House of Lords.

In essence, the Bill puts in place a rational method of fixing tolls. It is linked to a forward-looking transport and environmental policy, and it promises no penal costs. When I went through the tunnel the other day, I was surprised that it cost only £1.20—it was an excellent ride, I have to say. If one compares that charge with the tax on my petrol, it does not form a significant element of my transport budget.

Stephen Hesford: With respect to the hon. Gentleman and on behalf of my constituents, I resent his sentiments. He does not use the tunnels every day, but my constituents do. The tolls represent significant costs for them, but he speaks in favour of heaping more costs on them.

Dr. Pugh: I said that if one compares the cost of the tolls with the taxation that the hon. Gentleman's Government impose on his constituents' petrol, it represents a small element of their travel costs, which is a slightly different point.

Mr. Ben Chapman: The cost might be a small factor in that respect but it is a large factor when one considers Merseyside's economy. To the best of my knowledge, our conurbation is the only one with a major toll route. Although the toll is only £1.20 for a car, the toll for a lorry is in the order of £8. That represents a serious taxation on our economy and creates a disincentive for people to invest in the area. Does the hon. Gentleman accept that he is wrong to try to trivialise that?

Dr. Pugh: I am not trivialising any cost on industry, but I do not think that other hon. Members or I have

[Dr. Pugh]

heard people saying that they will not invest in the area because there is a toll on the Mersey tunnels. The tolls have existed for years. Labour Members who oppose the Bill do not wish to wipe the tolls away but argue for an arcane system of fixing them.

Mr. Chapman: Will the hon. Gentleman give way?

Dr. Pugh: I shall continue, if the hon. Gentleman will forgive me.

The Bill incorporates safeguards against high penal tolls. Furthermore—this is the key point for many Merseyside Members who support the Bill—it will abolish for ever the prospect of council tax payers having to subsidise the tunnels, which they have done and could otherwise easily do again.

Three arguments of substance have been made throughout the Bill's passage. The hon. Member for Liverpool, West Derby (Mr. Wareing) argues that it represents a betrayal of some kind because it has been agreed from time immemorial that the tunnels will eventually be free to use. However, we cannot be bound by the decisions of our ancestors, and no one expects us to. The hon. Member for Wirral, West (Stephen Hesford) argues that the Bill will lead to damage to the local economy appearing on the horizon because of the prospect of unreasonably high charges. However, to be fair, many people—individual travellers, if not those driving lorries—have alternatives to the tunnels because they could use the excellent Trio system or ferries. In any case, the Bill rules out the prospect of high toll increases because if the suggested increase were above the retail prices index—an increase in line with the RPI is not unreasonable—the matter would go to the Government and the Secretary of State. I am sure that the Minister would say that no Secretary of State would impose charges on Merseyside that would be penal and damaging to its economy.

The third argument that has been put capably by several hon. Members is that the Bill will create a system of cross-subsidy. I accept that, but I do not think that any hon. Member who supports that argument would extend its principle throughout the economy. They do not argue that all money raised from road tax or fuel duty by the Government should be put directly into roads. Their position is not consistent, so the argument is entirely ad hoc.

Mr. Frank Field: We have been trying to make the point that if there is unfairness in the tax system as well as fairness, that operates universally throughout the economy. We are insistent that it is unfair for some people in Merseyside to be taxed at a higher rate than others because of where they live. We object to the selective nature of the tax.

Dr. Pugh: I accept that that is a refinement of the argument and a perfectly defensible response to what I said. However, few hon. Members would argue that cross-subsidy should not apply at any time because it must be appropriate in some circumstances.

There is no Liberal Democrat line on the Bill. I am speaking for myself and Liberal Democrats will agree with me only if they think that what I say is correct. The three substantial arguments that have been made have been debated at almost interminable length.

Stephen Hesford: The hon. Gentleman says that there is no Liberal Democrat line on the Bill but, with respect, there is. Like him, I have sat through all our debates. I have watched the way in which his senior colleagues have come out of the woodwork to go through the Lobby to vote at his behest. There is a Liberal Democrat line on the Bill.

Dr. Pugh: That was entirely due to my persuasive talents rather than any whipping. There are no good arguments against the Bill, so we should support it.

6.18 pm

Mr. Frank Field: I hope that many parts of the Bill will be supported in the other place. There is one aspect, however, to which I object most strongly, and all my contributions have centred on that single point. It is outrageous that Merseytravel should try to get a Bill through this House, which will tax my constituents and those of other hon. Members in the Wirral and those areas around the tunnel entrance in Liverpool, so that it can finance travel arrangements for people in the wider region of Merseyside. It is unfair and should not be part of the Bill. I hope that it is removed in the other place.

Government support and whipping power made it inevitable that the Bill will succeed in this place. I hope that the promoters realise, however, that it will not get through the other place if they continue to display the same arrogance. They have been wholly unprepared to meet the main objections. If the Bill goes through unamended in the other place, it will be a tax on the residents of Wirral and the inner areas of Liverpool. If that part is struck out, we will all be able to welcome the remainder passing on to the statute book.

6.19 pm

Bob Spink: Except for the noise reduction measures, the Bill is thoroughly bad. It betrays the public and dishonours the House. It denies its original intention, which was clearly set out in the Bill and cannot be cast aside, as the hon. Member for Southport (Dr. Pugh) attempted to do. It creates a toll and motoring tax precedent that is unhelpful. There is no doubt that it is a tax-raising measure. That is why the Government adopted it. It is essentially a Government, not a private, Bill.

Indeed, this is a tax-raising measure of the worst kind—a stealth tax. There are four aspects to that. First, it is an indiscriminate tax on jobs in the area. Secondly, it is a regressive tax. Thirdly, there is no representation of the majority of the people who are being taxed and, as such, we should follow the time-honoured principle that there should be no taxation. Fourthly, there is no means of renewing the tax by bringing it back to the House for further consideration. Once given, the tax will exist for ever, unlike taxes imposed by the Chancellor who must renew his taxation policy every year by going through us, the people's representatives. The tax created by the Bill will not be controlled in that way and will not be scrutinised in future.

It is a peculiar tax. Although it is to be gathered from a specific activity, it will be applied generally to displace the general taxation that should be used to develop transport policy in the area. It will hit motorists who are already paying £500 a year to use the tunnel daily just so that they can travel within the area in which they live, work and commute. That will damage the local economy.

As the right hon. Member for Birkenhead (Mr. Field) eloquently said, this so-called private Bill has been taken through the House with great arrogance. A shady and deplorable methodology was used, starting with the withdrawal of the petition without notice, which denied us proper scrutiny. We did not have the ability to shine a light on which houses would, and which houses would not, benefit from the noise reduction. Not many houses are involved in the scheme, which covers only a small area. The promoters could easily have provided a map showing which houses were covered by it. That would have enabled people outside the scheme who would not benefit to get their representatives to explain to the House why they should be inside it. That proper debate, however, was denied when the petition was withdrawn.

Debate was prevented, so we could not probe the Bill's contents and improve it. The way in which the Government have adopted it is deplorable. They have ridden roughshod over the House's fine traditions. I hope that the Lords will severely amend it or throw it out.

6.23 pm

Mr. Ben Chapman: As colleagues have said, the Bill will now move forward to another place because it has Government support. We were aware that the Government had abandoned their traditional stance of neutrality some time ago, but we have moved from covert, whispered whipping of the payroll vote to overt organisation of tonight's proceedings in order to get the Bill through the House.

The private Bill and the mechanisms behind it are, as some have said, by nature intended for a private or non-governmental organisation to obtain its ends for its general benefit. It is not Government business, and that fact places the onus increasingly on this Chamber to subject it to the utmost scrutiny to ensure that the general public are best served by its passage.

As a private Bill is not drafted by a Department, as would be the case with a Government Bill, and it does not draw on the skills of parliamentary draftsmen, a number of checks and balances, whether implicit or explicit, need to be inbuilt into any scrutiny process. Where those do not exist or, as in this case, are removed, the public, our constituents, are not being properly served by those whom they elect to represent their interests. The power of delay and repeated scrutiny is an example of such a check, but when we are faced with the juggernaut that is the combination of Merseytravel and Government support, it is difficult to see how we can resist.

The Merseyside passenger transport authority has the resources and the ability to canvass far and wide, pulling strings and exploiting contacts to attain its ends. It has exploited its contacts and, in some circumstances I am afraid, it has resorted to bullying, not least of the Mersey Tunnel Users Association, and legal or quasi-legal action. That is a doubtful use of public funds, but for the Government also to conspire to disempower an elected Member from representing his or her constituents in this manner is entirely deplorable.

The Bill has not received anything like the degree of scrutiny to which it should be subject, and the hon. Member for Castle Point (Bob Spink) made that point very eloquently. He also raised the issue of the abortive Opposed Private Bill Committee. I will not restate his points, but the fact is that the rug was unceremoniously pulled out from under the Committee's feet. Grave concerns about the Bill remained after what was in effect, or at least had the appearance of, backroom intrigue. That is a damning indictment of the process on which our constituents rely to be served in the best possible manner. To all intents and purposes, they have been disfranchised, such is the extent to which the opposition to the Bill has been hamstrung, not least this evening.

What is done is done, however, but while disregarding the manner in which the Bill will depart this House, I cannot let it leave for another place without commenting on its terms. This is a deplorable Bill. It will provide the PTA with, in effect, an arbitrary power to raise tolls regardless of circumstances, except for the retail prices index. The hon. Member for Southport (Dr. Pugh) said that that will be an effective control, but apart from the fact that there is very little relationship between the needs of the tunnel and the RPI, I must point out that the RPI need not always be at its current level. We could see the poor old tunnel user being charged a massive amount simply on the basis of the RPI.

The PTA will be able to impose increases without any need to justify its reasons for so doing and, as hon. Members have said, that is a privilege that my right hon. Friend the Chancellor the Exchequer would very much like. I am sure, too, that such a power would be far safer in his hands. In my view, Merseytravel is largely unaccountable; it is not directly elected and it is often profligate.

I might feel slightly more comfortable about this enterprise if the Bill contained an efficiency mechanism, but it does not. It strikes me that when council tax rises, for example, are under scrutiny because they are so high, we should focus our attention on increases to which authorities such as this one have contributed and their claims on the council tax payer.

There is little or nothing to hold the Mersey PTA or other PTAs to account; there is no real requirement for them to justify their actions, and there is no direct method by which the general public can remove them from power. Although the PTA does not quite match up to the generally accepted idea of a quango, as its members are elected councillors, its position in the system of government opens it to many of the criticisms often lodged at quangos. PTAs are not effectively responsible to the electorate; their functions sit uneasily with the district council in their area, and they have a number of inherent flaws.

In this instance, the PTA says that it needs the money that will be raised by the Bill, despite the fact that its own projected figures indicate quite the opposite. There is no need for the money at all. It reeks of insincerity to claim that the extra money that will be generated is needed to

[Mr. Ben Chapman]

secure the safety of the tunnels for future generations. If there were specific safety projects that Merseytravel thought necessary, it could apply for toll increases by following the public inquiry route. It certainly does not need the belt-and-braces mechanism that we have heard about.

The real intention of the MPTA in introducing the measure is betrayed by its determination to hold on to the toll increases and the mechanism by which they are executed, even after the standing debt on the tunnels is paid off. It is determined to rake the shallow depths of the tunnel user's pockets, not to make better provision for the tunnels but to finance projects, some of which are speculative. That breaks the promise, as has been said, of countless years' standing to the people of Merseyside that toll levels would one day be based purely on the amount required for the tunnels to be self-sufficient.

I have no objection whatsoever to Merseytravel getting its tramway system, but I object to the tunnel user paying for it. Tram systems have a propensity for going wrong, so I object to the fact that all the people of Merseyside may have to face the consequences. The MPTA's attempts to bolster its argument by speculating that toll rises are necessary to deter commuters from using the tunnels, while arguing in the Opposed Private Bill Committee that it needs to raise tolls in case there is a drop in tunnel patronage, is an example of both sides of the same coin being deployed at the same time. Tunnel usage is largely inelastic and, despite many toll increases, has stayed steady. People have no alternative—the tunnels, as has been said, are their only travel option. Much as one would welcome a further Mersey crossing, it would have little effect on tunnel usage.

Environmental reasons for increasing the tolls have been cited. It is said that the drop in traffic that would supposedly result from regular toll increases would have a positive effect on the environment, as fuel emissions would decrease. That would be true if there were a significant drop, but as matters stand it is a worthless argument. If Merseytravel had serious concerns about the environment it would have considered taking a proactive stance by, for example, offering a schedule of charges under which a not insubstantial discount is offered to vehicles that run on environmentally friendly fuel. However, no such proposals have been made. That is only one option—I am sure that there are many others.

The measure would have a highly deleterious, if not immediately visible, effect on the Merseyside economy, and would seriously inhibit investment. Of course, I welcome the soundproofing proposals for areas at the Wallasey end of the tunnel, and have never objected to the provisions dealing with that in the Bill. However, I greatly regret the fact that that necessary work has been delayed as a result of Merseytravel's determination to push through the more egregious parts of the Bill.

The hon. Member for Southport said that we were coming to the end of a marathon. It has been a marathon examination but, even so, the Bill has not received the scrutiny that it deserves. It is a bad Bill which is unfair, unwarranted and unwanted. It will have repercussions for the doctrine of taxation without representation and its economic repercussions will spread far beyond Merseyside. The tunnels are not a cash cow to be milked for the benefit of pet projects. If increases are to be introduced, we need a drive for efficiency rather than profitability. We need proper consultation, and it must be taken into account and listened to. Increases require justification, and users, instead of experiencing hindrance, as they appear to have done with the MPTA, should have an input in the process. There must be some right of recourse to examination and scrutiny.

Large sums of money have already been spent in getting the Bill to this stage, but it is still more about raising money and featherbedding than about need. I can only hope that the occupants of another place will see it for what it is; in so doing, they will certainly have my support and encouragement.

6.35 pm

Mr. George Howarth: First, I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on her good temper and patience in bringing the matter this far. She has had to put up with quite a bit, and has done so stoically. I also congratulate the promoter of the Bill on sticking with it, dealing with the many problems that have arisen and being patient with those of us who supported that promoter and asked a great deal from it in terms of information.

To a Merseyside Member of Parliament, it has been an unpleasant experience to have to disagree with colleagues. I specifically highlight my hon. Friends the Members for Ellesmere Port and Neston (Mr. Miller) and for Wirral, South (Mr. Chapman) and my right hon. Friend the Member for Birkenhead (Mr. Field). I am in agreement with them on almost every other occasion, and respect them highly.

It has to be said, though, that the arguments presented against the Bill at this late stage are either fatuous or specious. Let me give a couple of illustrations. Early on in the proceedings, we were treated to the unedifying spectacle of the hon. Member for Castle Point (Bob Spink) invoking the cry of the American revolutionaries, "No taxation without representation!" I shall forgo the obvious temptation to ask why the Member from Castle Point in Essex is criticising a measure that specifically affects voters and users of the tunnel on Merseyside, because he is entitled so to do.

Bob Spink: I was asked to chair the private Bill proceedings, so I was witness to the disgraceful conduct of the petition being withdrawn.

Mr. Howarth: I am well aware of the role that the hon. Gentleman played. My point is that he invoked the cry, "No taxation without representation", while representing a seat in Essex, yet it is my constituents and those of my hon. Friends in the Wirral who are affected by the Bill. It was a fatuous argument in any event, because, if he remembers his history aright, that was the cry of locals saying that the centre cannot decide what they have to pay. The hon. Gentleman has got his argument upside down. We are arguing that this matter should be determined locally, not by central Government, as is the case at the moment.

Then we come to the specious. As I say, I have great respect for my hon. Friends, but they keep saying that this is a tax. I do not intend, nor would it be appropriate,

for me to go into lengthy discussions about the definition of a tax, but any reasonable definition that I have ever heard does not cover a tunnel toll. My hon. Friends are describing what is effectively a commercial transaction on which many people completely depend. That is a far cry from a tax. The kernel of my argument is this: we are trying to achieve a system whereby the finances of the tunnel are determined locally by the proper authorities through a limited power that enables them to increase tolls only by the retail prices index—in other words, by the rate of inflation. My hon. Friends repeatedly fail to mention what happens when costs increase and the tunnel is not breaking even—I accept that it is now—or not making a small profit. In those circumstances, my constituents, few of whom use the tunnel, have to pay the difference as council tax payers. It has happened in the past and it could happen in future.

The position is even worse. The constituents of my hon. Friend the Member for Wirral, South, my right hon. Friend the Member for Birkenhead and my hon. Friend the Member for Wirral, West also have to pick up the bill. Moreover, the majority of their constituents, who do not use the tunnel regularly, will have to pay the bill in the circumstances that I described. I do not understand why that was not grasped earlier in our proceedings.

Mr. Joe Benton (Bootle): My hon. Friend's comments are accurate—the preparations for next year's council tax prove his point. Perhaps he would like to comment on that.

Mr. Howarth: As my hon. Friend knows, I greatly value his friendship and wisdom. His wisdom shines through yet again.

The hon. Member for Christchurch (Mr. Chope) represents everything that we know about the modern Conservative party. Although he has occasionally criticised my hon. Friend the Member for Crosby for inaccuracy—she has been accurate at all times—he generally takes up everyone's cry. If an hon. Member cries, "This is taxation", the hon. Gentleman takes it up. If another hon. Member says, "No taxation without representation", he does not think about or analyse the statement, he simply takes up the cry. Although I have much respect for some of the arguments that have been presented during the Bill's passage, the hon. Gentleman is pathetic.

6.42 pm

Mr. Miller: My hon. Friend the Member for Wirral, South (Mr. Chapman) has said most of what I wanted to say so I shall be brief. I have a great regard for my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth). We are old friends from many years back—we negotiated matters on both sides of the river that affected airports; we considered the Labour party's manifesto for the 1987 election and more successful manifestos in recent years. However, we fall out on the subject of our debate because of his point about the funding arrangements that prevail.

My constituents regularly use a sub-regional transport infrastructure, which is a mish-mash, owned and managed by different agencies. The missing link is an overall regional strategy to manage transport and make the case, about which my hon. Friend and I agree, for a further Mersey crossing. That needs to be incorporated in a strategic review of the area's transport needs.

I shall reiterate briefly my constituents' principal complaints. Whether my hon. Friend likes it or not, they have to use the tunnel, as he admitted. They have little choice about that. They contribute significantly to the wealth of the region, and therefore have a right to be consulted. That right is currently being denied them, and I urge the promoter of the Bill to consider that as it goes on its way through to the other place.

My hon. Friend the Member for Wirral, South put forward some interesting arguments on the environmental issues. In relation to the London congestion charge, I drive a Vauxhall Vectra, which was made in my constituency, and it runs on liquefied petroleum gas. It is therefore exempt from the charge. There are powerful arguments for introducing similar measures in relation to electric or LPG-powered vehicles in other urban centres, particularly where levies are currently involved. Many similar issues also need to be examined.

Regarding the debate on section 92, I half got the hint from my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), but when the Bill is down at the other end of the Corridor, I hope that their lordships will look carefully at the use of that section and seek to amend the Bill to incorporate conditions on the section's application. It is too loosely drawn at present.

I echo the observations of my hon. Friend the Member for Wirral, South. I too am very disappointed that the Bill has got this far, and I hope that it will be substantially amended at the other end of the Corridor, so that we end up with a rational structure that will benefit all the people of the region in which we live, and not just those who are governed on one side of an artificial boundary or the other.

6.47 pm

Stephen Hesford: My closing remarks are designed for the other place. I want to put it on the record that there was an earlier attempt to introduce a Bill. That Bill failed to come before the House and was then abandoned. I would like their lordships to consider, in the context of the second Bill, that the first Bill tried to privatise the management. The reason for doing that was to bring an element of efficiency to the running of the tunnels. I am pleased that that was abandoned, but we then had the second Bill.

I agree with my hon. Friend the Member for Wirral, South (Mr. Chapman) that this is a bad Bill. It is badly thought out, and a fig leaf in terms of the possibility of bad management in the future. No efficiency mechanism has been built into the Bill in relation to toll-raising powers, and my constituents find that very worrying. I should like to adopt a few of the words that my hon. Friend used, which are central to the argument. The Bill is undoubtedly designed to be a cash cow, in all circumstances and for all time. Again, my constituents will suffer as a result of that. My hon. Friend also mentioned feather-bedding, and I agree with the point that he made about that. I ask the other place to think about that issue. There should be no feather-bedding.

[Stephen Hesford]

The question of efficiency should be addressed, but the Bill does not address the issue of efficient tunnels run for their users by an efficient management.

My hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) mentioned clause 92, about which I want to say a few words to the other place. The retention of the section in the Bill as a fallback position is wholly unnecessary. In the previous 70 years, there was only one form of fundraising—outlined in clause 92—and there was no fallback position. The tunnels never needed one for any purpose. My hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) could not think of one example of where the fallback position would be used. There was a curious debate about terrorism, which, frankly, was nonsense. Clause 92 is in the Bill because of feather-bedding.

There has not been an honest debate in the House, although that is not for want of trying on our part. One consistent feature has been the unwillingness of the Bill's promoter to deal with the points put to it at every stage of the Bill. The only item dealt with during the 20 hours or so of debate in this place was not dealt with by the promoter, but by my hon. Friend the Under-Secretary—the question of insulation. That is lamentable when one thinks of the number of hours that we have spent on this issue inside and outside the House. It is not a good advertisement for what the House can do.

We could not stop the Bill and, reluctantly, we bow to the inevitable. It is a bad Bill, and I still oppose it. It is unnecessary; Merseytravel could exist under the current procedures if it was run properly. I ask the other place to consider the elements that we have brought forward.

6.52 pm

Mr. Chope: The Bill is provocative and contentious, and it has been quite a spectacle for Conservative Members to watch one Labour Member fighting another on this issue. The promoter has missed a great opportunity to try to reach a compromise. Clearly it believes in bully-boy tactics, and it is no surprise to Opposition Members that it has found allies on the Government Benches.

On the positive side, the debates have illustrated the importance of strong constituency representation. I congratulate the right hon. Member for Birkenhead (Mr. Field) and the hon. Members for Wirral, West (Stephen Hesford), for Wirral, South (Mr. Chapman) and for Ellesmere Port and Neston (Mr. Miller) on having fearlessly, persistently and at some considerable length deployed the arguments that needed to be deployed on behalf of their constituents. I should like to think that if those seats were represented by Conservative Members, they would have been equally diligent in defending the interests of their constituents. This is a good illustration of why proportional representation and list systems do not work, and deprive constituents of the opportunity of having people speaking out on their behalf in this House.

The Liberal Democrat spokesman, the hon. Member for Southport (Dr. Pugh), said that his party had no line on the Bill, but the hon. Member for Wirral, West put us right, saying that the Liberal Democrats had consistently voted with the Government on the Bill and against the interests of those living on the Wirral peninsula. The hon. Member for Southport would have been right to say that the Liberal Democrats had not yet found a line to explain the inconsistency between their approach to the Bill and their approach to doing away with tolls on the Skye bridge, in the constituency of the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), the leader of the party. Perhaps in due course we will have a line on that.

The Bill was conceived and started on the fallacious argument that it was needed to prevent Merseysiders having to pay a levy for a tunnel that they do not use. It has been demonstrated in the debate that that is mere scaremongering. The Bill does, however, contain powers to raise stealth taxes on tunnel users to subsidise other transport activity in Merseyside. I am afraid that it is classic double-speak, typical of the present Government.

Conservative Members believe in a fair deal for everyone. The Bill is not fair: it is strongly opposed by local Members of Parliament and local people, and it runs contrary to the results of a consultation process. Conservatives will continue to work with others in the other place to ensure that the Bill is substantially improved.

6.55 pm

Mr. McNulty: I have a few brief points. I have been happily involved in the periphery of the Bill—first as Government Whip and now in my current position—and I wish to clarify a few small points.

The hon. Member for Castle Point (Bob Spink) said that the Bill was a precedent, but I do not see how it is a precedent in any regard. If it is about the ability to set in train regular retail prices index increases, it is certainly not unprecedented: Dartford and the Severn crossing are organised in the same way. If it is about the ability to use any surplus tolls for public transport works, it is not unprecedented because of Dartford again and the Forth system.

It may be a measure of the length of time of the different stages that three Transport Ministers have come and gone—I am the third of the three—while the Bill has struggled through Parliament. The notion of implementing RPI increases has been put on a more solid footing—it has a double lock on RPI plus increases—which is all to the good. It amounts almost to an adjustment to the existing system rather than the introduction of a new system and a fallback system. I believe that it will work well for those living in the area.

A smaller point—though a major one in terms of substance and the impact on people—is the noise insulation works. It is, on the whole, a good part of the Bill, on which many people seem to have got the wrong end of the stick. It is certainly not the Government's job to define expressly in the Bill the houses on which there may be an impact at this particular time. We are talking about a Bill that is longer in duration. I shall double-check the answer, but I think that I was right in what I said earlier about the noise insulation regulations in response to the hon. Member for Christchurch (Mr. Chope). I explained why there were qualifications in the early part of the process.

People knock the private Bill process—and Government Bills more generally—and talk about arrogance, pulling strings or exploiting contracts, but I

do not agree with that. The points about honesty or dishonesty were not well made by any hon. Member. From my involvement in the Bill—tangentially or otherwise—I can say that there has been a good deal of honesty on all sides and a good deal of scrutiny ad debate and many well made points.

As I have said before, the Government's position on Third Reading is entirely neutral. The Bill does not counter any element of Government policy, hence our neutrality.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Parthenon Sculptures

Motion made, and Question proposed, That this House do now adjourn—*[Margaret Moran.]*

6.59 pm

Mr. Andrew Dismore (Hendon): This debate is entitled "The Return of Cultural Artefacts Held in National Collections", and in many ways the Government have a good record in this matter, given what has happened in connection with the return of works of art looted by the Nazis, or the return of ethnographic and anthropological remains. However, there is a glaring exception to the generous approach adopted by the Government—the Parthenon sculptures. I make no excuse for the fact that my speech will focus on them.

I should like to express my thanks to the staff in the Library, who have given me a lot of assistance in preparing for this debate.

The Parthenon sculptures, sometimes known as the Elgin marbles, are part of Greece's national identity. I have travelled in Greece over many years. Anyone with any knowledge of Greece, when asked to conjure up a mental image of the country or of Athens, will think of the Parthenon. That image of Greece's national identity is known world wide.

I am pleased that the new approach of the PASOK Government has got away from some of the old and sterile arguments over the Parthenon sculptures. The argument is not now about how Lord Elgin obtained the marbles, although the method was obviously dubious, neither is it about how they came to be in the possession of the British Museum. The issue is not now the sculptures' ownership, but their location so far from their original home. The Greek Government have waived all claims in relation to other cultural objects held in national collections here, but from their point of view, the Parthenon sculptures are not negotiable and should return to their home in Athens.

The archaeological case is very strong. Reunification of the sculptures in their original topographic, historical and cultural context would mean that they could be understood much more easily by the general public and by scholars. It must be borne in mind that not all the sculptures involved are in the British Museum. The frieze originally consisted of 111 panels, of which about 97 survive; 56 are in the British Museum, 40 remain in situ on the Parthenon or in the Acropolis museum, one is in the Louvre, and there are fragments in one or two other museums around Europe. Of the original metopes, 39 remain in situ or in the Acropolis museum, and only 15 are in the British Museum.

Some of the sculptures are broken, with heads in one museum and torsos in another. Some fragments are in Athens, and others in London. A good example is the torso of Poseidon: the front—the six pack, as it were—is in Athens, but the rear—the shoulders and back—is in London. The sculpture has literally been split in two, with the front separated from the back, top to bottom. To view the sculptures as a whole, or to see the separate parts of the same item, it is necessary to travel the 1,500 miles between London and Athens, as 98 per cent. of the remaining sculptures are split between those two museums.

[Mr. Andrew Dismore]

The Parthenon cannot come to London, so the sculptures must be reunited near the Parthenon, in Athens. It is for that purpose that the Greek Government are building the new Acropolis museum. They have made it clear that reunification will happen as a result of a voluntary effort on the part of Britain. It would not entail ceding any legal title of ownership, or any rights in connection with the sculptures.

The new museum is being built on the same alignment as the Parthenon, a little lower on the Acropolis. It will contain a shell of the same dimensions as the Parthenon, which will allow the sculptures to be displayed looking outwards. At present, in the Duveen galleries, the sculptures look inwards. The sculptures would be presented in their proper relationship to the Parthenon, and the views from the galleries would look out towards the Parthenon, allowing people to make that spatial connection.

The sculptures would be viewed in the proper light, which can never be recreated inside the British Museum. I visited the Acropolis curator, Professor Pandermelis, and he showed me how the Parthenon was lit originally. Direct light was not used: instead, Mediterranean sunlight bounced off the polished marble pavements, lighting up the sculptures from below. We could never hope to recreate that effect in London.

The new museum does not even have to be called the Athens museum, or the new Acropolis museum. The Greek Government have made it clear that they would be prepared to let the museum be known as the British Museum in Athens. Evangelos Venizelos, the Greek Culture Minister, said on 11 August that the Greek Government were looking at "either a long-term loan" or something that might take

"the form of an annexe of the British Museum in the New Acropolis Museum."

The sculptures would not be going back to the slightly scruffy city that people over the years might have perceived Athens to be. Athens is being transformed. I am a regular visitor, and I am astounded at the progress that is being made in cleaning the city up and in making the monuments there more accessible.

New vistas of the Parthenon itself have been opened up from central Athens. All the advertising hoardings have been taken down in Syntagma square, revealing a view of the Parthenon in the heart of Athens that had been hidden for many years. The archaeological sites have been pedestrianised to link all the different sites and enable people to move around them more freely. That includes, as a centrepiece, the new Acropolis museum, currently under construction.

The Acropolis itself has been undergoing major restoration. The Parthenon has, in large part, been taken down and put together again to remedy some of the mistakes made in previous restoration efforts. It has been possible to restore it with many more slabs than was possible before. The Erecthion has been restored, and is now a wonderful building in its own right.

The rebuilding of the Parthenon has been carried out in an incredibly sensitive way, involving complicated computer modelling. For example, it has been possible to match the stains in stones to make them fit together. The rebuilding has involved not just the frieze but parts of the Parthenon's physical structure: for example, one of the drums from one of the columns has been restored and is in the British Museum. Even if all the other arguments fell, it could surely be argued that that at least should be returned.

Over the years, we have heard many arguments against the return of the artefacts. We have heard, for instance, the "floodgates" argument. Greece has already said that it will waive all other claims. The fact is that the Parthenon sculptures are a unique special case: they are part of Greece's national identity. With the assistance of the Library, I have examined claims from Egypt, China and many other parts of the world. They do not have that essential quality of national identity. As I said earlier, we are already considering the return of human remains, most of which were taken during the imperial years of the 19th century.

Mr. Edward O'Hara (Knowsley, South): I congratulate my hon. Friend on the power of his argument. Does he agree that the Parthenon and the other Acropolis sculptures are not just symbolic of Greek national identity but have an enormous symbolic significance for the whole of western civilisation?

Mr. Dismore: My hon. Friend makes his point well. I know that he has been campaigning on this for many years, and feels very strongly about it.

The Department for Culture, Media and Sport has set up a working group to consider the return of anthropological and ethnographic items, so no precedent is being set in that regard. The spoliation panel for the return of Nazi-looted items, for which I campaigned, has worked very effectively. Compensation has been arranged in respect of one work of art held in the Tate. I believe that there are six outstanding claims, including claims relating to four prints held by the British Museum in its print collection.

The only difference involved is in the time that has elapsed since the objects were appropriated—200 years or so in the case of the Parthenon sculptures, 100 years in the case of some of the ethnographic items and 50 or 60 years in the case of the second world war items. Such arguments could be dealt with by legal means. Some say that primary legislation would be needed, but that is not the case. The British Museum Act 1963 prohibits disposal of items in the collection except under sections 5 and 9, which clearly do not apply in this instance, or under section 6 of the Museums and Galleries Act 1992, which allows exchange or transfer to a number of listed institutions. The list could be extended by statutory instrument under the negative procedure, and could include the Acropolis museum in Athens.

Alternatively, the British Museum Act 1963 allows the keeping of objects in authorised repositories identified in section 10 and schedule 3. That list is also amendable through the negative statutory instrument procedure, and could include, for example, the British Museum annexe in Athens, as the Act does not require the trustees to be the owners of the repository or that the repository should be in the United Kingdom. The position could be made clear and watertight by primary legislation—by, for example, specifying sculptures referred to in section 5(1) of the 1963 Act. That,

however, would be a belt-and-braces approach, and unnecessary in my view. There are plenty of easy ways in which the same end could be legally achieved.

There are wider cultural benefits too. In particular, there is the offer from the Greeks of return exhibitions. In his evidence to the Select Committee, George Papandreou said that he would not leave the galleries empty. On 11 August Evangelos Venizelos, the Greek Culture Minister, said:

"Our proposal includes the offer of a series of important temporary exhibitions of Greek antiquities in the British Museum as well as other regional museums in the United Kingdom."

I am sure that hon. Members remember the Tutankhamen exhibition in the summer of 1972. In six months, 1.6 million visitors queued for up to eight hours to visit the British Museum, paying 50p for the privilege, which would be about £4 nowadays. Applying inflation to that earlier entry fee could raise £6 million for the finances of the museum. That exhibition was the most popular in the history of the museum.

What is on offer from Greece could easily rival or even surpass that exhibition, as anybody who has visited Greek archaeological collections would know. It would also comply with the policy objectives that my right hon. Friend the Minister outlined recently. Such exhibitions would popularise the British Museum and open it to people who would not normally visit it. We already know from television programmes such as those presented by Tony Robinson how popular archaeology is becoming with children, young people and adults alike. The whole country could benefit not only from exhibitions at the British Museum but also from touring exhibitions. However, without the return of the Parthenon sculptures there is no prospect of such exchange exhibitions.

The money raised by such exhibitions could in large part be the answer to the BM's financial difficulties. There would be an income stream from special exhibitions and possibly, also, from exhibiting the Parthenon sculptures in Athens. In the museum's July 2003 accounts, it predicted staff reductions of 150 and cuts of £2 million by 2004–05. Gallery closures already occur constantly at the British Museum, including the gallery housing the Bassai sculptures from a temple, not dissimilar to the Parthenon, in the Peloponnese. All the sculptures are in good condition and much more accessible to the non-expert so it is a scandal that people cannot see them because of the museum's financial position. Exchange exhibitions could also support the BM's acquisitions fund.

There would be wider political benefits from the return of the sculptures—for example, for our Olympic bid. If we returned the sculptures this year, we would be seen to be helping another Olympic city in its Olympic year, especially by the International Olympic Committee, which is based in Athens for the games. What a boost it would give to our Olympic bid if we entered into the Olympic spirit in that way.

Britain's international reputation would be enhanced politically and culturally, throughout Europe, in UNESCO, which has raised the issue, and in the Commonwealth. The Prime Ministers of Australia and New Zealand have both written to support the case for return.

Germany has returned archaeological remains from the Philippeon, a temple at Olympia, which brought a wonderful international response and, in turn, the loan to Berlin of a magnificent touring sculpture exhibition. The catalogue itself was the same size as a telephone directory. At present, such an exhibition would never come to London.

There is popular support for the proposal. About 90 per cent. of the respondents in a Channel 4 poll were in favour of the return of the sculptures. In a poll of MPs, 66 per cent. of all Members and 88 per cent. of Labour Members supported the return. So far, there are 50 names on early-day motion 17.

I am sure that my right hon. Friend the Minister will reply that the matter is entirely for the British Museum trustees, although if she does I shall disagree. The refusal, so far, of the trustees to deal with the problem adversely affects their finances; it limits public access to their collections and the finance available to other institutions through the drain on national finances to support the British Museum and by depriving museums throughout the country of the income that they could generate through special exhibitions. The refusal affects our wider cultural life by preventing our citizens from seeing the popular and accessible exhibitions of artefacts that Greece would lend us. It has an impact on our Olympic bid, which could be enhanced by the generous gesture of the return. Furthermore, it has an impact on our international reputation, culturally and politically.

Mr. O'Hara: Does my hon. Friend agree that repatriation of the sculptures and sharing responsibility for them would be in accordance with the Museums and Galleries Commission guidelines on restitution and repatriation, which have been widely supported by the Museums Association and many museums both in this country and abroad?

Mr. Dismore: I am grateful to my hon. Friend because I was about to discuss that point. I think that the British Museum trustees have had a dog-in-the-manger approach, which is depriving museums throughout the country of the benefits that would flow from the return of the Parthenon sculptures.

Greece, under the enlightened approach of the PASOK Government, has made major concessions. It has made generous proposals, offering return exhibitions in return for the sculptures, mainly through the new museum in Athens, and it has made concessions relating to the claim for ownership. That is an offer that we cannot and should not refuse. Our Government should give a powerful steer to the British Museum trustees to stop this dog-in-the-manger approach and to allow return of the marbles to Athens for its Olympic year.

7.15 pm

The Minister for the Arts (Estelle Morris): I congratulate my hon. Friend the Member for Hendon (Mr. Dismore) on securing the debate and openly acknowledge his personal and professional interest in this matter. This is not the first time that he has raised the issue with Ministers—me and my predecessors—and no doubt it will not be the last. I also acknowledge the long-standing interest of my hon. Friend the Member for Knowsley, South (Mr. O'Hara). I was pleased that he was able to intervene because it was right and proper, given the attention that he has paid to the issue in the past.

[Estelle Morris]

Rarely have I replied to an Adjournment debate in which the hon. Member who secured the debate had already guessed what I would say. At the point when I realised that that was the case, I almost gave my hon. Friend the Member for Hendon my 14 minutes, because he is right that I will say again that it is a matter for the British Museum. I want to expand on that and respond to some of the issues that he raised, but that essentially remains the United Kingdom Government's position.

I can unite with my hon. Friends in saying that the fact that this is such a long-standing debate, and the fact that it draws such passions from both the United Kingdom and Greece, shows the importance of artefacts and of national heritage to us all, in Europe and beyond. In some ways that proves the point that I am constantly trying to make in my current role: that our past and our history and how we use that to interpret our present and plan for our future is an important part of being a human being and an important part of civilisation. It is because of the importance of the Parthenon sculptures to that part of our national and international life that they create such a strong impression and give rise to such strong feelings.

I want to put it on the record that I entirely understand the case my hon. Friend makes. I entirely understand the passions of those in Greece who want the sculptures taken back to Greece, and who think that is a proper place for them to be shown, and I understand what that means to people who live there. However, I entirely understand the feelings of the trustees of the British Museum. At the British Museum, they are trying to show not just British history but world history, and they have 10,000 artefacts there from all the continents of the planet. It is not a case of the Parthenon sculptures looking out of place among what are essentially British exhibits. It is a British Museum that gives a perspective on world development and world history for all visitors to the museum to see.

Mr. O'Hara: Will my right hon. Friend give way?

Estelle Morris: I will give way, but possibly only once unless my hon. Friend the Member for Hendon wants to intervene once as well.

Both sides speak with passion and conviction. I acknowledge that both of them are sincere.

Mr. O'Hara: Does my right hon. Friend recognise that to the British Museum collection the Parthenon sculptures are exemplars of high Greek culture—supreme examples, yes, but exemplars, whereas in Athens they are regarded as absolutely essential exhibits in the wider archaeological context that my hon. Friend the Member for Hendon (Mr. Dismore) described? The Greeks are prepared to give numerous other exemplars, which would encyclopaedically fulfil the same purpose in the British Museum collection.

Estelle Morris: In a way, my hon. Friend makes the case for me, but it is because they are so important, and such important exemplars, that the British Museum trustees think that the sculptures are such a fundamental part of their collection. There are artefacts, there are individual items and there are collections, and when it comes to the point of collections and how things are presented as a collection, it is the trustees' decision to keep them together, and keep them in the British Museum. In terms of interpreting world history, the museum feels that all the artefacts that it has from all the continents are important to the collection. If they were not there, an important part of that collection would be missing.

The director of the British Museum has said that he sees the aim of the museum to

"hold for the benefit of humanity a collection representative of world cultures and ensure that the collection is housed in safety, conserved, curated, researched, exhibited and made available to the widest possible public".

In that sense, it is a universal museum.

Mr. Dismore *rose—*

Estelle Morris: I shall give way, but only once, otherwise I will not do justice to the many important matters that my hon. Friend raised.

Mr. Dismore: This is a brief point, which I made in my speech. How can the Parthenon sculptures be looked at properly when half are in one place and half in the other? Surely that is the judgment of Solomon, which is against the interests of any true academic.

Estelle Morris: As my hon. Friend pointed out in his speech, the sculptures are not complete. Some parts have been lost and those that remain are not all in the same place. The notion of bringing them together so that the sculpture looks as it did all those years ago is not an option.

I understand my hon. Friend's argument. His judgment and, clearly, that in parts of Greece is that the sculpture holds greater cultural and historical significance there than in the British Museum. That is the case that is put forward. The British Museum case is that the sculpture is an important part of a world collection that has a clear message about world development. Therein lies the huge difference of opinion, which has been argued over for many years.

The Government's view remains that this is a decision for the British Museum and the trustees. Our relationship with the museum, as with all our national museums and galleries, is one of arm's length. In other circumstances, hon. Members would be standing here welcoming that and saying that it is right—that we do not want Governments to run national museums and galleries, and that there should be an arm's-length relationship with them under which they can take decisions about the collections and the future free from political interference. In this case, hon. Members ask for political direction, but that would be counter to the relationship that this Government and our predecessor Governments have built up with museums.

There is a general acknowledgement that, because of the deeds under which it was set up, the museum is not able to dispose of any of the artefacts to other countries or collections. That is because it rightly has an obligation to secure those artefacts and items for successive generations. I accept that museums in general can put exhibits on loan. I was at the British Museum

recently and I heard of items that had been on loan to other museums in the United Kingdom. I accept that, in legal terms, museums can loan items, but they cannot dispose of them.

I cannot go into detail here, but I have had advice from lawyers in the Department. My hon. Friend quoted certain laws and although primary legislation might not be necessary, the House would certainly have to consider statutory instruments; but those laws cover only the United Kingdom. Lawyers tell us that under both the legislation on repositories and that to which he referred, the artefacts could not go beyond the UK. A statutory instrument could be used to extend the number of places in the UK that could act as repositories, but it would not be legally possible for such places to be outside the UK.

The position is not as clear cut as my hon. Friend would have us believe. There is not an easy way for legislation to be put before the House to allow the sculptures to be loaned abroad.

Mr. O'Hara: Will my right hon. Friend give way?

Estelle Morris: No, I will come back to the matter if I find that I have time before 7.30 pm.

Even if the law allowed the sculptures to be loaned abroad, that decision is one for the British Museum. With any loan, it must take certain things into account. This is not a reflection on the work that Greece would do or the way that it would handle any artefacts on loan, and it ought not to be interpreted in that way, but the British Museum and any other institution would have to consider where the artefacts were going, who would have access to them, whether they would be curated properly, whether they would be safe and whether they would be returned. That is the proper process through which museums and galleries would need to go. That is not a slight on the Greek authorities. They have lovely institutions, given their history, and their plans for the Acropolis will be greatly admired. However, it is a matter for the British Museum and its trustees. By law they cannot dispose of items, but they can loan them.

The subject gets huge publicity in this country and in Greece. I understand its importance, but it sometimes hides the very good working relationship between the British Museum and its professional colleagues in Greece on other matters. Indeed, the British Museum is lending items and artefacts to be shown at the cultural Olympiad as part of the Olympic games in Athens. There are channels of communication; people do speak to each other. As my hon. Friend the Member for Hendon said, the debate is different now from 10 years ago. It has moved on from ownership, with the Greek authorities accepting loans in return for other artefacts. As a Minister, I will not comment on the nature of that relationship because it is a matter for the museum. We can all note, however, that the debate is moving on and taking place beyond the Chamber, among professional colleagues.

I suspect that this is not the last time the subject will be debated in the House. The nature of the debate is changing as the dialogue between our two countries changes. I am interested in that as a Minister and a citizen, and I am pleased that it takes place, but our position will remain as set out in statute. I do not want any Minister to be in the position of telling our museums and galleries what to do with their collections. They are precious and valuable. It is right that museums and galleries are guided by legislation and given direction by the Government of the day, but the arm's-length relationship is important.

Mr. O'Hara: I refer my right hon. Friend to the Museums and Galleries Bill, which I presented in February 2002. It provides an instrument for tidying up the problem encountered by museum trustees.

Estelle Morris: I shall pursue that as soon as the debate finishes and drop my hon. Friend a note because I have not perused his Bill. I suspect that if it did provide the solution, my officials would have told me about it. As I am not sure that I am giving a robust answer, I shall certainly look at it.

I understand the passions on both sides of the argument, and I applaud people who argue their case, but it is not as easy and straightforward as my hon. Friends intimate. I suspect, however, that the debate will continue. It is not the same debate as we had 10 years ago. No doubt the future debate will be different from tonight's debate. The Government's position is as I laid it out. I thank my hon. Friends for their contributions and rest my case.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Seven o'clock.

House of Commons

Thursday 30 October 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

ROYAL ASSENT

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts:

Dealing in Cultural Objects (Offences) Act 2003

Legal Deposit Libraries Act 2003

Household Waste Recycling Act 2003

Sustainable Energy Act 2003

Female Genital Mutilation Act 2003

Crime (International Co-operation) Act 2003

London Local Authorities and Transport for London Act 2003

Hereford Markets Act 2003

Oral Answers to Questions

EDUCATION AND SKILLS

The Secretary of State was asked—

School Funding

1. **Mr. Tony McWalter** (Hemel Hempstead): What guidance he gives to local authorities on the priorities for cuts in the educational service in authorities which are deemed to have the highest levels of efficiency, but which claim that Government-induced expenditure and retention of services would necessitate such a large increase in council tax in 2003–04 as to be unacceptable to the Minister for Local Government. [135231]

The Secretary of State for Education and Skills (Mr. Charles Clarke): Local authorities have already determined their spending plans and council tax levels for 2003–04. Yesterday I announced that for the next two years the additional spending on schools that the Government expect local authorities to provide will be fully backed by additional formula grant. We expect every authority to pass on all this additional spending, barring wholly exceptional circumstances. Because it is backed with additional central funding, there is no direct impact on council tax levels.

Mr. McWalter: In the case of an authority such as Hertfordshire, which is at the floor, has no transitional funding arrangements and faces a large number of additional pressures, the 0.6 per cent. headroom that my right hon. Friend announced yesterday seems wholly inadequate. As was said in yesterday's debate, Hertfordshire is facing a £15 million cut next year. Does my right hon. Friend realise that head teachers in Hertfordshire are cutting their own wages to meet the bills? Yesterday's announcement will not meet those needs.

Mr. Clarke: I understand the issues that my hon. Friend raises, but I point out first, that Hertfordshire is one of the authorities that will receive targeted transitional grant to deal with the issues that he described. The final figures will be announced at the time of the local government settlement, but there will be additional resource to deal with the situation. Secondly, the gap between the 4 per cent. minimum per pupil guarantee that I indicated and the minimum of 5 per cent. of the local education authority grant is a significant amount of resource, which can and, I hope, will be used by the local education authority to target the schools in particular difficulty in my hon. Friend's constituency and elsewhere in Hertfordshire. I hope that after full consideration, the county council, schools and all parliamentary colleagues will acknowledge that my statement yesterday offers a framework for addressing the issues that my hon. Friend rightly raised.

Michael Fabricant (Lichfield): The Secretary of State will know, because I told him, that when he was blaming local education authorities for not passing on all the money, Staffordshire county council last year passed on 106 per cent. of the Government allocation. Can the right hon. Gentleman assure parents, children and teachers in Staffordshire that Staffordshire schools will receive the transitional grant?

Mr. Clarke: The list of authorities in receipt of the transitional grant was published yesterday. I cannot recall offhand whether Staffordshire was in that list, but authorities in the position of Staffordshire that passport the money through fully—I acknowledge the truth of what the hon. Gentleman says—will not suffer sanctions from us. Indeed, the reverse is true: they will be fully funded to carry that through and provide the kind of settlement that is needed for schools in his constituency and elsewhere in the county. I hope that the authority will work with schools to address any particular budget problems that may exist in particular schools. The announcement that I made yesterday was designed to facilitate such flexibility.

Mrs. Anne Campbell (Cambridge): I sympathise to some extent with my hon. Friend the Member for Hemel Hempstead (Mr. McWalter), but I remind my right hon. Friend that those of us in authorities that were poorly funded, such as Cambridgeshire prior to last year, have long looked with envy at Hertfordshire's level of grant. May I urge my right hon. Friend not to go back on the arrangement that was made a year ago, but to continue to increase the level of funding, as he outlined yesterday?

Mr. Clarke: I am grateful for those remarks, and we will continue on that path. I have acknowledged in the House and elsewhere that there were school funding

issues in various parts of the country this year, and I continue to believe that my statement yesterday offers a framework to address them in the way that is necessary in Cambridgeshire and other parts of the country.

Mr. Damian Green (Ashford): Yesterday, the Secretary of State accused local authorities such as Hertfordshire of scaremongering about the settlement. It is up to him if he wants to insult the many heads, teachers and parents who have written to me about the severe problems that he has created, but what does he have to say to the Labour leader of the Local Government Association, Sir Jeremy Beecham, who commented:

"Some schools will be left short next year. Existing inequalities will be perpetuated"?

If the Secretary of State has not convinced his own colleagues or his own Labour local government leaders that his settlement is fair, why does he think he will convince anyone else?

Mr. Clarke: I had a meeting yesterday with the leaders of the Local Government Association, including Sir Jeremy and the leader of the hon. Gentleman's county council, Sir Sandy Bruce-Lockhart. The hon. Gentleman will have noticed the transitional grant of more than £12 million that is going to Kent to try to address some of the issues. I believe that there are issues and I do not claim that everything is resolved—on the contrary. However, we have provided a framework to address those issues properly and we have put in resources to give local education authorities a real ability to deal with them.

Mr. Green: The minimum funding increase that the right hon. Gentleman announced is 4 per cent., and he claims that costs will increase by 3.4 per cent. However, school inflation this year was 8 per cent., so his figures already appear unrealistic. He will also know that the teachers' work load agreement makes bigger demands of school budgets every year. So will he now concede that, after this year's fiasco, the effect next year of what he has announced will be that even more teachers are made redundant, and that there will be even lower morale in schools and a further betrayal of thousands of our children?

Mr. Clarke: I am certainly hoping that the coronation of the hon. Gentleman's right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) will increase his basic numeracy. For example, in respect of the inflation considerations, two major issues were teacher pensions and national insurance, which will not play again this year. We discussed the 3.4 per cent. figure very fully with representatives of local government, including his authority, as well as the teacher associations. I stand by that figure; I think that it is a good assessment of the average and that the 4 per cent. guarantee that I have issued provides a basis for moving properly forward.

Mr. David Watts (St. Helens, North): Is it the case that many councils have been able to levy very low council tax in comparison with that levied by my council because they have received such generous support from central Government? Is there not a case for allowing those councils to increase their council taxes and to switch resources to poorer areas such as mine?

Mr. Clarke: My hon. Friend makes a powerful point. Indeed, he has a strong reputation for campaigning for the needs of the urban and metropolitan authorities that were so poorly treated over decades and which we have sought to put straight. I am glad that, in my statement yesterday, I could not only announce a floor of 5 per cent. for each local education authority, but say that the ceiling would be at least 6.5 per cent. for authorities that are in a position such as that which he describes. What I announced enables us to continue the process in precisely the direction for which he has so powerfully campaigned, in order to get a just funding system for people in all parts of the country.

Mr. Phil Willis (Harrogate and Knaresborough): Does the Secretary of State agree that even the most efficiently run education authorities and schools, whether in Hertfordshire or Kent, have struggled this year with the escalating costs of special educational needs, largely as a result of SEN and disability legislation and the new code of practice? How can he abandon direct SEN funding for schools by linking it with the schools development grant while limiting local authorities to a 4 per cent. figure that in effect represents a 0.6 per cent. increase in funding for what is, after all, a demand-led service? Does not that undermine the whole premise of the Government's policy in terms of inclusion and say to head teachers, "You cannot take a child on their merits; you take a child with SEN according to what you can afford"?

Mr. Clarke: I would usually agree with the hon. Gentleman on issues such as SEN, and I accept the integrity of what he is trying to say. I acknowledge that there are major issues in respect of special education needs, but I think that he has got the matter wrong in the context that we are discussing. Every local education authority must make a strategic decision about how much it will allocate to each school in its LEA area, to special educational needs and to other borough-wide or county-wide costs in any given area. That is the responsibility of those authorities. We cannot escape the pressures that he mentions, but the strategic decision must be taken by the local education authority, and I have provided the resources that will allow that to be done properly.

2. **Mr. Michael Jack** (Fylde): At what level funding for Lancashire's schools will be set for 2004–05. [135232]

7. **Mr. Andrew Robathan** (Blaby): If he will make a statement on the provisional education funding settlement for 2004–05 for Leicestershire. [135238]

11. **Angela Watkinson** (Upminster): How the per pupil funding guarantee will be calculated for schools in the London borough of Havering. [135242]

The Minister for School Standards (Mr. David Miliband): My right hon. Friend the Secretary of State made a statement in the House yesterday about support

for schools in 2004–05 and 2005–06. It includes guaranteed minimum increases in every school's per-pupil budget; increases for LEAs to target financial problems; additional money in the standards fund; and transitional support to help schools in the greatest difficulty. We will be able to announce further details in the provisional local government funding settlement in November.

Mr. Jack: Overnight, Conservative Members have had a lot of things to think about, one being the content of the Secretary of State's statement. Were local authorities advised in December 2002 that, under the educational formula spending arrangements, they should plan on the basis of a 6 per cent. increase? Yesterday's statement indicated a 5.5 per cent. increase. That leaves Lancashire £2.5 million short. Can the Minister confirm that there has been such a change in the planning assumptions? Does the 3.4 per cent. costs increase formula take into account the necessary moneys fully to implement the school work force agreement?

Mr. Miliband: I wondered whether the right hon. Gentleman was going to announce that he had been thinking hard overnight about putting his name into the ring for the Conservative leadership contest.

I do not recognise the figures from December 2002 that he quoted, although I know that some figures were set out in the spending review that took place in 2003. In relation to extra costs, the 2004–05 work force agreement includes only the requirement that no teacher should do more than 38 hours' cover a year. Most people—certainly, the head teacher and teacher unions—agree that very few teachers are in that position.

Mr. Robathan: The Minister will know that this year Leicestershire was the worst-funded education authority in the country. I reiterate my gratitude to the Secretary of State for seeing a cross-party delegation of Leicestershire Members, which I led, in the summer. Following yesterday's announcement, can he reassure parents, teachers and governors in Leicestershire that we will not, yet again, face such a crisis? If he gives that assurance on the Floor of the House, we will know that all will be well in this coming year.

Mr. Miliband: I am disappointed that the hon. Gentleman did not refer to the nearly £4 million of transitional grant that is being provided to Leicestershire next year—that would have been the least that he could do. Of course, difficult issues are involved in falling pupil numbers in certain parts of the country, but he knows that these figures allow Leicestershire schools to plan, with the LEA, on the basis of genuine stability and predictability for the future.

Angela Watkinson: Yesterday, the Secretary of State made a very complex statement on school funding in which one thing that was clear was that an additional 4 per cent. would be made available. That will not allow the London borough of Havering even to set a standstill budget. Will the money that it receives be real cash?

Mr. Miliband: I think that I can reassure the hon. Lady. The minimum increase for local education authorities will be 5 per cent.; the minimum increase for schools will be 4 per cent.; and we have made it absolutely clear that every local authority will be in fund to passport that 5 per cent. in full.

Mr. Peter Pike (Burnley): Does my hon. Friend accept that although yesterday's revenue statement was very important to Lancashire, the capital issue is of crucial importance to Burnley? Will he welcome the bid submitted to his Department by Lancashire county council that will assist every secondary school in Burnley to solve current problems and to add the vision to give all young people in Burnley a better secondary education in the years ahead?

Mr. Miliband: I congratulate my hon. Friend on the work that he does with Burnley schools, including on the capital issue. I am afraid that I cannot promise him that his bid will be successful, but I can promise him that it will be considered very carefully, along with every other bid that we receive.

Diana Organ (Forest of Dean): Gloucestershire county council's response to yesterday's announcement about funding settlements for 2004–05 was to say that a chance has been lost to

"make sure all schools around the country are fairly funded, rather than perpetuating a funding regime where a pupil in East Sussex is worth £243 more per year than a Gloucestershire pupil."

Has it missed the announcement of the changes that were made from last April?

Mr. Miliband: Gloucestershire county council received an increase of 6.6 per cent. in its education formula spending share last year. Similar pupils in different parts of the country are treated similarly, so that whether they live in Gloucestershire or anywhere else a similar amount of money is attached to them. That is the assurance that we give and the basis on which we say that it is a fair system.

John Cryer (Hornchurch): Further to Question 11 by the hon. Member for Upminster (Angela Watkinson), the London borough of Havering, which is my borough, is attempting to close R. J. Mitchell primary school in south Hornchurch on the basis of a specious argument involving, in part, the funding formula. The school is popular and sought-after and has a specialism in children with special needs. I know that my hon. Friend does not have the power to halt school closures under current legislation, but will he at least agree to examine the case and give a view on the threatened closure of the R.J. Mitchell school?

Mr. Miliband: My hon. Friend makes an important point. Of course, changing demographics and pupil numbers can mean difficult decisions. However, he is also right to say that not only do we have a formula for giving money to local education authorities but they have a formula for giving it to schools. The LEAs have

considerable freedom of action with that formula. I shall examine my hon. Friend's case and subsequently write to him.

Mr. Peter Luff (Mid-Worcestershire): Notwithstanding the Minister's great courtesy in listening to two delegations from Worcestershire in meetings at which I was present, does not he appreciate that there will be genuine disappointment and probably anger in the county because he has been party to an education funding settlement that has continued to increase, albeit more slowly, the gap between Worcestershire and neighbouring authorities? In those circumstances, why will Worcestershire not receive targeted transitional grant?

Mr. Miliband: I was happy to meet the delegations from Worcestershire. I explained to them that the Government treat similar pupils in different parts of the country similarly but that we have to work with local authorities to raise and distribute money for education. Worcestershire will not receive transitional grant because it received an increase of at least 12 per cent. over two years. The transitional grant was allocated on that basis.

Mr. Brian Jenkins (Tamworth): My hon. Friend keeps assuring us that similar children are treated similarly in different parts of the country, although he knows only too well that different LEAs redo the calculations. Is not it time for my right hon. Friend the Secretary of State to present a realistic appraisal of where money should be spent? He should allow money for deprivation to be spent on deprived children, not—as happens in some instances—on supporting and subsidising the general ratepayer.

Mr. Miliband: I was pleased to meet my hon. Friend and other Staffordshire Members two weeks ago. He points out that although we treat similar pupils in different parts of the country similarly, the money that reaches schools depends on the amount of money that LEAs raise and the way in which they distribute it. He asks about the dilution that he perceives in the distribution of funds towards needy pupils. It must be tackled not only by the Government but locally because the dilution takes place locally.

Higher Education (West Cumbria)

3. **Tony Cunningham** (Workington): What progress is being made in the provision of higher education in west Cumbria. [135234]

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): A project board chaired by Sir Brian Fender is currently considering higher education in Cumbria. The group was formed following the publication of the review of higher education in Cumbria. Its task is to produce a strategic plan for the development of higher education in Cumbria early next spring. Working groups are considering marketing, communications and estate issues and the subject supply and demand across the region.

Tony Cunningham: I am delighted that serious progress is being made towards a university in Cumbria. Will my right hon. Friends the Minister and the Secretary of State take a personal interest in that serious and desperately needed project? If necessary, will they meet a delegation from west Cumbria?

Alan Johnson: I can assure my hon. Friend that my right hon. Friend the Secretary of State and I will take a close interest in the project. There is a specific problem in Cumbria and that was the reason for forming the working group and publishing the report last February. I should be happy to receive a delegation.

Mr. Tim Boswell (Daventry): I have taken an interest in higher education in west Cumbria for a long time. Does the Minister acknowledge that it is essential to encourage potential students to enrol? Has he noted the conclusions of the recent NatWest "Money Matters" study that 46 per cent. of students in the north-west, including Cumbria, compared with 33 per cent. elsewhere—that is bad enough—are more likely to have thought twice about going to university because of tuition fees? His message is not of lifelong learning but lifelong debt.

Alan Johnson: I hope that the hon. Gentleman was not plodding around with the students on Sunday in a vain attempt to look hip and groovy. He would have been better off at home with a mug of tea, listening to the omnibus edition of "The Archers".

The question of enrolment is extremely important. According not to us but to the Higher Education Policy Institute, under the Conservatives' plans we would lose nearly half a million university places by 2010. The sensible and constructive debate should be on how we handle investment and expansion, in contrast to the policy of Her Majesty's official Opposition, which is to take money out of higher education and reduce the opportunities available.

Children's Centres

4. **Mrs. Ann Cryer** (Keighley): How many children's centres have been established; and if he will make a statement. [135235]

The Minister for Children (Margaret Hodge): Sixty-one children's centres have been designated in England. Local authorities have now submitted their plans for developing further children's centres, and we are currently considering them. Children's centres funded by this programme will be created in the most disadvantaged areas in England. We will develop 43,000 new child care places and provide integrated sure start services, including community health services and family services, for up to 650,000 children under five.

Mrs. Cryer: I thank my right hon. Friend for that very welcome news. Will she join me in welcoming the fact that the current Guardhouse, Braithwaite and Highfield

sure start programme will become Keighley's first children's centre in 2004, and that in 2005, children's centres will be developed in Parkwood, Woodhouse and Bracken Bank, and in the Lawkholme area of Keighley? Lawkholme is an acutely deprived Asian area. Does my right hon. Friend agree that the children from Lawkholme will benefit enormously from attending a children's centre before going to school, and that it might even give them some knowledge of English before they go into nursery and then reception?

Margaret Hodge: I welcome the ambitious programme to create children's centres in my hon. Friend's constituency. They will make a huge difference to the opportunities for young children to develop their potential. I entirely agree that if the centres can use locally the resources that we make available to them to help the development of English speaking among those children who do not have English as their first language, it will be important in ensuring their inclusion and high standards when they go through school.

Mr. Andrew Miller (Ellesmere Port and Neston): May I tell my right hon. Friend about a constituent of mine who contacted my office a couple of weeks ago? She was the first person—the first of many, I hope—to approach me to say, "I do not want to be moved away from the Stanney estate." Sure start has had a massive impact on that estate. It is welcomed by the parents, and the estate is also the location for a proposed children's centre. A couple of weeks ago, we were pleased to be able to show some visitors from Hungary—visiting us through the Department for Education and Skills—what we were doing in that area. This initiative is having an impact right across the most deprived parts of my constituency. Let us see more of it, and more control of the centres by the parents in those communities.

Margaret Hodge: I am delighted by my hon. Friend's experience of what I think is one of the most innovative and successful programmes to be initiated by this Government. It is interesting that nobody from the Opposition has risen to question us on this undoubted success of the Labour Government. I also share my hon. Friend's belief that sure start can contribute towards strengthening local communities rather than encouraging people to leave them. I entirely agree that one of the purposes of sure start is to provide support not only to young children but to their families, because parents play such a crucial role in ensuring good outcomes for children.

Social Behaviour (Primary Schools)

5. **Andrew Selous** (South-West Bedfordshire): What recent assessment he has made of the social behaviour of children entering primary school. [135236]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): In his most recent report, Her Majesty's chief inspector of schools found that in the majority of primary schools, children's behaviour was satisfactory, with a third of primary schools showing a real improvement in that area, and that in nearly nine out of 10 primary schools, procedures for monitoring and promoting good behaviour were effective. However, he has since expressed a personal concern that an increasing number of children entering primary school exhibit poor social behaviour.

Andrew Selous: I am pleased that the Minister agrees with the chief inspector that the verbal and behavioural skills of the nation's five-year-olds are, as he put it, at an all-time low. Does he also agree that school can often be the most stable part of what may be very disrupted lives, and does he agree that the encouragement of family stability by both public and voluntary bodies is an integral part of tackling this important problem?

Mr. Lewis: It may surprise the hon. Gentleman to learn that I entirely agree with his analysis, and with his comments about families. I believe that the issue he raises is central to helping all children to attain the level that we want them to attain, and central to breaking the cycle of intergenerational deprivation that scars so much of our society.

The sure start scheme and early intervention are making a real difference, as are early excellence centres, the universal nursery provision that will exist for all three and four-year-olds from next April, the behaviour improvement programme that now exists in 1,000 primary schools, and the fact that we have given 3,500 primary schools the opportunity to buy in expert help and support for children with behavioural and emotional problems. Intergenerational deprivation, however, is a generational challenge, and there is no quick-fix solution. I do not like it when Opposition Members demand immediate results from our interventions, as though the problems could be solved overnight. They have come into being over 30 or 40 years.

Mr. Andy Reed (Loughborough): I agree with the Minister that the problem is intergenerational. A cross-party group of us has met a wide range of people who are interested in the subject: members of 30 charities, of trade unions and of Christian organisations. The main theme that emerged was that children now starting school do not possess many of the social skills that many had no more than 10 years ago. Many heads in my constituency say the same.

Will the Minister work with a range of organisations not just to deliver statutory and voluntary projects, but to encourage and help parents to learn parenting skills that will remove the need for us to establish such projects to solve these social problems? Will he also work across Departments to ensure that, for instance, atypical working weeks and the working time directive enable children to be brought up in stable families and can learn many of the required social skills?

Mr. Lewis: I agree with my hon. Friend. We need a strong approach across Government, but we must also work in partnership with the voluntary sector and with families. If we are to rebuild our communities, we need those communities to recognise everyone's responsibilities. The Government are investing unprecedented levels of resources and support, but parents must fulfil their responsibility to support their children. The Green Paper "Every Child Matters" is a vital step forward: it speaks of bringing together all the professionals and experts in the statutory and voluntary

sectors to support children in schools and outside them, and linking that to support for families. We need a partnership between the state and families.

Dr. Vincent Cable (Twickenham): How will the new special needs funding formula affect the education of emotionally and behaviourally disturbed children? If schools cannot meet their own requirements and those of other units, will not disruptive children be left unsupported in mainstream classrooms, making it impossible for teachers to teach and for other pupils to learn?

Mr. Lewis: I reject that suggestion. We now have 1,500 learning mentors in primary schools across the country, and a number of learning support units. That enables schools, for the first time, to offer children more intensive one-to-one support and to forge important links with parents and families.

We are providing inclusive education, while also ensuring that the system is responsible enough to support individuals and help them to develop as we all want them to. I believe that there is both more mainstream support and more targeted support than there has ever been before.

Nursery/Primary Education

6. **Mr. Win Griffiths** (Bridgend): What progress has been made in the provision of nursery and full-time education for three to four-year-olds. [135237]

The Minister for Children (Margaret Hodge): Since 1998 all four-year-olds in England have been entitled to free part-time nursery education places. We are on course to deliver a free part-time nursery education place for every three-year-old whose parents want one by April 2004, six months ahead of our original target.

Mr. Griffiths: I thank my right hon. Friend for that very encouraging news about the provision of places in nursery and full-time education for three to four-year-olds, but what else are the Government doing to provide support services in before and after-school provision to enable the parents of those children—particularly single mothers—to play a full part in the economy?

Margaret Hodge: I acknowledge my hon. Friend's role in ensuring that we implemented our manifesto commitment to provide nursery education for all three to four-year-olds. He worked hard to achieve that, so I hope that he takes the same satisfaction as I do from the vision being translated into reality. Like him, I accept that, because of modern life and an increasing number of families having both parents at work, we must ensure that care is wrapped around nursery education to meet the needs of families and working parents. Through our children's centre programme, the funding that we are providing for out-of-school clubs and a variety of other initiatives, we are trying to ensure a safe environment in which children can enjoy themselves, further their skills and develop their potential.

Specialist Schools

8. **Mr. Adrian Bailey** (Blaby): What assessment he has made of the performance of specialist schools in achieving five A* to C grades at GCSE compared with the national average; and if he will make a statement. [135239]

The Minister for School Standards (Mr. David Miliband): Based on provisional data, in 2003 specialist schools averaged 56.1 per cent. of pupils achieving five or more GCSEs at grades A* to C; the figure for non-specialist schools was 48.7 per cent. That is one of the reasons why we want every school that is ready to do so to take on the challenge of specialist status.

Mr. Bailey: I thank the Minister for his reply, and the experience that he outlines has certainly been reflected in my constituency. Wood Green high school in Wednesbury has doubled the number of pupils achieving five GCSEs at grade C or above in the past five years. The problem, however, is that I want to see more. In the light of the fact that the raising of sponsorship money can constitute a block on aspiring schools, will the Minister say how many schools have tried to access money from the partnership fund in order to achieve specialist status?

Mr. Miliband: Members on both sides of the House have pointed out over several years that the sponsorship requirement is quite significant, which is why we have introduced the partnership fund. Some £3 million a year is available to schools that have attempted to reach out to local businesses, but which have not reached the £50,000 limit. We will announce the full list of new specialist schools in January, but I can tell my hon. Friend that more than 100 schools have successfully applied for the partnership fund, which is beginning to bridge the gap in communities that struggle to meet the sponsorship requirement.

Mr. George Osborne (Tatton): Given that the Minister is a very generous man, will he look kindly on Knutsford high school's application for the new humanities specialism, and join me in encouraging the local community and local businesses to contribute to the sponsorship, so that it may not need to ask the Government for money?

Mr. Miliband: If the hon. Gentleman carries on like that, he will end my political career in one fell swoop. As he knows, Knutsford high school's application for specialist status is a matter close to my heart; indeed, he wrote to me last year about its applying for multiple specialisms. I wrote back to explain that that was not possible, but I very much look forward to its application for the humanities specialism.

Mr. Barry Sheerman (Huddersfield): How many specialist schools are making use of their ability to select 10 per cent. of pupils on aptitude, and what is the difference between ability and aptitude, in terms of selection?

Mr. Miliband: The figures show that less than 6 per cent. of specialist schools select on the basis of aptitude.

They are allowed to do so in subjects such as music and sport, and although practising can help to improve ability, aptitude comes naturally in such subjects. I was pleased to learn that the adjudicator recently said that the tests available for aptitude are appropriate.

Mr. Graham Brady (Altrincham and Sale, West): We Conservatives welcome and endorse the success of specialist schools, but does the Minister accept that one of the most successful specialisms is that of specialising in academic excellence? Figures that he gave me earlier this year show that the chances of schools in selective education authority areas achieving GCSE grades of A* to A are almost double that of those in comprehensive education authority areas. Will he further endorse what the Prime Minister said on 16 July—that the Government have never closed grammar schools and that no grammar school will close without the specific approval of parents in a ballot? Will he confirm that that applies to parents and grammar schools in Gloucestershire that currently face the threat of closure? Will no grammar school there close without specific approval in a parental ballot?

Mr. Miliband: There we have it—it is a new day and there is to be a new leader, but it is the same old Tories. Every single question about education that the hon. Gentleman asks comes back to grammar schools. He is obsessed with the interests of the few and happy to condemn two-thirds or three-quarters of young people to second-class education. We are not willing to do that.

School Funding

10. **David Taylor** (North-West Leicestershire): What assessment he has made of the impact of the 2003–04 grant settlement on (a) staff numbers and (b) standards in schools in north-west Leicestershire; and if he will make a statement. [135241]

The Secretary of State for Education and Skills (Mr. Charles Clarke): I acknowledge the funding difficulties that schools in some areas have experienced this year. My Department collects statistics on teacher numbers, vacancies and support staff numbers each January, and the provisional results are published in the spring. The measures that I announced yesterday are designed to deliver stability in school budgets over the next two years. Local education authorities and schools should now work together to ensure that the resources made available for schools are used effectively to achieve the highest possible standards of education.

David Taylor: Although the Government have a good track record on education between 1997 and 2003, the new formula spending share cements Leicestershire firmly at the foot of the funding league table—5 per cent. adrift of our neighbours, 6 per cent. adrift of the average county and 13 per cent. adrift of the national average. The Secretary of State's statement yesterday on funding for 2004–06 was welcome, but will he see me as a matter of urgency to discuss the clear, present and severe difficulties that some of north-west Leicestershire's schools are having in maintaining staffing numbers and high educational standards in a cash-strapped local education authority? The envisaged level of transitional grant will, I fear, be seriously inadequate.

Mr. Clarke: I am happy to meet my hon. Friend—indeed, I met an all-party delegation from Leicestershire some months ago—but I hope that he will acknowledge that the targeted transitional grant of £3.7 million estimated for stage 2 in Leicestershire amounts to a significant change that will allow us to move forward. I hope that he will also acknowledge the responsibility of the local education authority in Leicestershire to discuss with schools, including those in my hon. Friend's constituency, the best way of maintaining precisely the sort of educational progress that he describes.

Foundation Degrees

14. **Dr. Brian Iddon** (Bolton, South-East): What employer involvement there is in developing the curriculum of foundation degrees; and if he will make a statement. [135245]

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): Employer engagement was set out as a core feature of foundation degrees in the July 2000 prospectus. Employers' involvement in design and development is illustrated in "Foundation Degrees: Meeting the need for higher level skills", which was published on 7 October. The Higher Education Funding Council for England recently invited bids for 10,000 new foundation degree places for 2004–05, asking for bids to be developed with employers, sector skills councils and professional bodies. We hope that employers will take this opportunity to develop courses that address their skills needs.

Dr. Iddon: Do the Government consider that a foundation degree should be a bridge between poor educational qualifications and higher qualifications such as an honours or joint honours degree? If they view it in that way, will the curriculum be written so that progression can occur, and how many extra years would a foundation degree student be expected to study to achieve the further qualification? Have the Government considered the financial barriers that might prevent such students from making that progression?

Alan Johnson: I can confirm that that is precisely our objective. In accordance with the Dearing recommendations, which said that the sub-degree level was extremely important, foundation degrees should be a stepping stone for those who want to take it. However, it is important to recognise that foundation degrees are an important qualification and that we must break down the prejudice in this country in respect of academic and vocational qualifications. The simple answer is that if people add a year to their foundation degrees, they can go for an honours degree. A large proportion of the first cohort to come through with their foundation degrees, which have been in operation only for two years, are choosing to go on to take that third year. Overall, foundation degrees have been an enormous success, which is reflected in the 118 per cent. increase in applications this year.

Higher Education Funding

15. **Paul Farrelly** (Newcastle-under-Lyme): When he proposes to publish details of the principal alternative models for student finance and university funding.
[135246]

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): My right hon. Friend the Secretary of State for Education and Skills wrote a letter to my hon. Friend on 3 June 2003, in which he discussed the principal alternative options for student finance and university funding—namely, an increase in flat-rate fees, a graduate tax and real rates of interest on student loans. A copy of the letter is in the Library. The Department illustrated the effects of charging real rates of interest in a memorandum sent to the Education and Skills Committee on 27 May 2002, which is available in the Committee's report, "Post 16 Student Support", published on 4 July 2002.

Paul Farrelly: I thank my right hon. Friend for that reply. On several occasions, my right hon. Friend the Secretary of State promised Labour Back Benchers that he would make available full details of the main alternative funding models for higher education that he had considered. He still has not done that, so when he will make good that promise? There are alternatives to variable fees that we have not debated properly with the benefit of the promised information. Is not that because the architects of the policy—and I use the word carefully, as my right hon. Friend the Minister is not one of them—are so obsessed with variable fees that they will not give an inch on them, come what may?

Alan Johnson: I do not accept what my hon. Friend says. As I pointed out, my right hon. Friend the Secretary of State set out the alternatives in a letter. The Dearing report set out all the options, including a graduate tax and variability. Dearing had something to say on variability, as it was a national committee of inquiry into higher education. Following devolution we had the Cubie report in Scotland and the Rees commission in Wales, both of which looked specifically at fees and set out the alternatives. In addition, the Education and Skills Committee has published four reports, all of which have alluded to various options.

I might not have been an architect of the policy, but my right hon. Friend the Secretary of State will be pleased to know that I support it thoroughly. This is an important debate—it excludes the Conservatives but includes the Liberal Democrats—about how we fund expansion through putting extra investment into higher education. However, I think that all the options are available for perusal, and I believe passionately that our proposals strike the right balance.

Mr. John Bercow (Buckingham): Given the enormous pressure on the research base of UK higher education, the requirement to recruit and retain the best possible academics and the need to compete with international institutions of the highest quality, what consideration has the Minister given to methods of encouraging far greater commercial sponsorship of higher education in the future than it has enjoyed in the past?

Alan Johnson: The hon. Gentleman makes a very important point. The Dearing committee was commissioned by the previous Conservative Government and had all-party support. It said that funding for higher education should come from three sources—society, graduates and employers. I agree entirely with the hon. Gentleman, and two pieces or work are under way. The Lambert committee is looking at the relationship between business and universities, and another working party under the chairmanship of the vice-chancellor of Bristol university is looking at what must be the long-term solution—to secure more endowments and employer investment, as has happened in the US. The White Paper points out that a longer-term cultural change is required, but that is something that we need to work towards.

Peter Bradley (The Wrekin): If it is wrong for the taxpayer to foot the entire bill for the cost of educating undergraduates, but right for undergraduates to make a contribution towards the benefits that they will accrue, why is it also right that, when they graduate, undergraduates should make a contribution to the costs of postgraduate research?

Alan Johnson: I think that two different issues are involved in that question, but I point out to my hon. Friend that we have increased the stipends available to postgraduates, which now range from £9,000 to as much as £13,000. The stipend does not count as income, so it will not affect the repayment of fees.

It is crucial to make the point that we are not saying that the taxpayer should not make the lion's share contribution to higher education funding, but we agree, like Dearing, that we cannot say that higher education, with 40 to 50 per cent. participation, can be funded in the same way as when it was the preserve of a tiny elite back in the 1960s. The other point is that there are other priorities in education for extra taxpayers' money, were it available.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Greater Manchester Police

20. **Tony Lloyd** (Manchester, Central): How many prosecutions the Crown Prosecution Service has undertaken against (a) serving and (b) former members of the Greater Manchester police force since 1997.
[135224]

The Solicitor-General (Ms Harriet Harman): In 2001, 19 serving police officers in Greater Manchester were convicted of criminal offences. Nationally, in the year ending April 2002, 188 serving police officers were convicted of criminal offences. Those are the conviction figures. I am afraid that I do not have the figures for the number of prosecutions, but any file of evidence against

a serving police officer will be considered by the Crown Prosecution Service in accordance with the code for Crown prosecutors, which requires them to be satisfied that there is sufficient evidence and a sufficient public interest in favour of a prosecution.

Tony Lloyd: I am grateful to my right hon. and learned Friend for that answer. May I draw her attention to the recent documentary, "The Secret Policeman"? The journalist who made the programme was employed as a trainee and, in fact, eventually passed out and was employed as a serving police officer. My right hon. and learned Friend mentions the public interest test in prosecutions. May I put it to her very strongly that it would not be in the public interest to prosecute a journalist whose exposure of racism in the police force did the nation a service? It would be far better for the senior police to be involved in ensuring that we drive the racists out of the police force.

The Solicitor-General: I take note of what my hon. Friend says, but perhaps I may remind him that the decision is made independently by the CPS. The Attorney-General and I superintend the CPS, and we account to the House for its decisions. I know that my hon. Friend will agree that the decision about whether to prosecute any individual must be taken independently by the CPS, but it is right that he should have the opportunity, as the local Member of Parliament, to say what he believes is in the public interest. There is a lot of concern that racism should be rooted out of the police, and Greater Manchester police and my colleagues in the Home Office are very concerned about that, too.

Mr. Nick Hawkins (Surrey Heath): Although I agree with a number of the points that the Solicitor-General has just made, she will recognise the great concern about this matter among Members on both sides of the House, and not just about the issues raised by the hon. Member for Manchester, Central (Tony Lloyd). Will she give an undertaking that there will be full all-party consultations with the Director of Public Prosecutions, herself and the Attorney-General as this matter progresses? I entirely agree that decisions about prosecuting individuals must be taken by the CPS and the DPP. Although we have expressed reservations about the choice of the new DPP, about whom I have recently been in correspondence with the Attorney-General, we would nevertheless wish to have all-party meetings. Does she recognise that that would very much be a way to take into account the public interest and the views of all parties?

The Solicitor-General: The hon. Gentleman raises a number of issues. In response to his question, perhaps I can take the opportunity to place on record how grateful we are to the DPP, David Calvert-Smith, for his work—he finishes his work this week and has seen the service make tremendous strides forward—and to say that the Attorney-General and I have complete and total confidence in the new DPP, who I am sure will carry on his good work.

The hon. Gentleman asks whether we will carry on cross-party discussions on issues of concern. That is very much what the Attorney-General and I seek to do at all times. In essence, the Law Officers' posts are not party political—the prosecution service should be independent—so we always seek to hold discussions, with Front-Bench and Back-Bench Opposition Members, as well as our own Back Benchers, on the most open basis.

If, however, the hon. Gentleman is asking me whether it would be a good idea for him to meet me and the Attorney-General to discuss the case so that we can make representations to the DPP, I am afraid that the answer has to be no for the reasons that I gave my hon. Friend the Member for Manchester, Central (Tony Lloyd). The way is open for him to seek a meeting with the DPP or with the prosecutors concerned. We have to be absolutely clear about the constitutional position and protect the independence of our prosecutors, which I know he sees as important.

Antisocial Behaviour

22. **Mr. David Kidney** (Stafford): What action she intends to take to establish a body of prosecutors with expertise in prosecuting cases involving antisocial behaviour. [135226]

25. **Vera Baird** (Redcar): What plans she has for the introduction of specialist antisocial behaviour prosecutors. [135251]

The Solicitor-General: Plans are being developed for between 10 and 12 specialist prosecutors, leading Crown Prosecution Service work on prosecuting antisocial behaviour. They will develop and lead the work, which will be undertaken in all areas to improve the way in which the criminal justice system responds to antisocial behaviour.

Mr. Kidney: I have read the Home Office action plan, "Together Tackling Anti-Social Behaviour". Is it not unalloyed good news that the Government are intensifying action to protect the great majority of our constituents from the unacceptable antisocial behaviour of a small minority? Is it not important that the whole of the criminal justice system work together to ensure that action is successful? Will my right hon. and learned Friend assure me that in all parts of the country the police and the courts will have access to those specialist prosecutors?

The Solicitor-General: I agree that it is good news that progress is being made on this area of work. I also strongly agree that there needs to be a partnership, with the Crown Prosecution Service, the police, the prosecutors and the courts all working together. That is progressing. I am sure that he will agree that we also need a wider partnership. That brings us to being

"Tough on crime, tough on the causes of crime".

Where appropriate, orders must be made and the breaching of orders must be prosecuted, but we also need to tackle the causes of antisocial behaviour, and that is part of our work on regeneration, education, training and opportunities.

Vera Baird: Is my right hon. and learned Friend aware that people bailed on antisocial behaviour charges often

try to frighten their victims to stop them testifying? In Teesside, they are usually given bail again on condition that they do not do so. Of course, they are not supposed to see prosecution witnesses when they are on bail. To tell them that if they do see prosecution witnesses they will suffer a condition telling them not to see them is judicial conduct from the planet Zog. The Crown Prosecution Service has the power to appeal against those grants of bail. It is my experience and that of the Recorder of Middlesbrough, with whom I have corresponded on the matter, that this very rarely happens. Does that not make an urgent case for antisocial behaviour specialist prosecutors who will use all their powers?

The Solicitor-General *rose—*

Mr. Speaker: Order. In future, I expect the hon. and learned Member for Redcar (Vera Baird) to put her question at the beginning of her speech. It is always better to put the question first.

The Solicitor-General: My hon. and learned Friend raises two important matters. One is the enforcement of the antisocial behaviour legislation and the other is the granting or refusing of bail and the enforcing of bail conditions. Without trying to deal with all the important areas that she raised—perhaps I may write to her with more detail—I will say that the circumstances that she described amount to a breach of bail conditions, which is itself a criminal offence, and they may amount to perverting the course of justice. Specialist prosecutors will work with local authorities. In her area, Redcar and Cleveland council, two orders were made in the last year for which figures are available and two more orders were made at the High Court. None of them was refused. I spoke to the chief Crown prosecutor in her area, David Magson, this morning, who told me that no file of evidence that has been brought for breach of an antisocial behaviour order has been discontinued; all have been taken to court and have been successful.

Guantanamo Bay Detainees

23. **Mr. David Heath** (Somerton and Frome): What recent discussions the Attorney-General has had with the United States authorities on the legal position of British citizens detained at Guantanamo bay. [135227]

The Solicitor-General: The Attorney-General went to Washington in July for talks with the US Administration about the future of the United Kingdom detainees in Guantanamo bay. Since then, he has had four further meetings with the US authorities, the most recent being on 3 October.

Mr. Heath: Can the Solicitor-General tell me with whom precisely the Attorney-General has been holding meetings? Is it the US Attorney-General, who claims that Guantanamo bay is beyond his jurisdiction, or is it the Department of Defence? Before the President of the United States visits this country shortly, will there be a resolution of the wholly unacceptable position whereby British citizens are held at Guantanamo bay and not subject to due process?

The Solicitor-General: The Attorney-General has held meetings with his counterpart, the Attorney-General of the United States, and with officials from the Department of Defence. As the Prime Minister, the Foreign Secretary and others have placed it on record, I take this opportunity to remind the House that the Attorney-General has been holding discussions with the US authorities and has been seeking undertakings that if UK citizens are put on trial in the US they will have a fair trial. We have made it clear that if the Attorney-General is not satisfied that those citizens would receive a fair trial under the United States' procedures they will be returned to the UK. The hon. Gentleman can be satisfied that either they will have a fair trial or they will be returned to the UK. As negotiations are continuing, I am afraid that I can say nothing further about timing.

Business of the House

12.31 pm

Mr. Eric Forth (Bromley and Chislehurst): May we please have the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 3 NOVEMBER—Remaining stages of the Sexual Offences Bill *[Lords]*.

TUESDAY 4 NOVEMBER—A debate on the quality of life in local communities on a motion for the Adjournment of the House, followed by a debate on African development strategies on a motion for the Adjournment of the House.

WEDNESDAY 5 NOVEMBER—Opposition half-day [6th Allotted Day]. There will be a half-day debate on an Opposition motion, subject to be announced, followed by a debate on making a success of vocational education on a motion for the Adjournment of the House.

THURSDAY 6 NOVEMBER—Motions to approve programming and deferred Divisions in Sessional Orders.

FRIDAY 7 NOVEMBER—The House will not be sitting.

The provisional business for the following week will include:

MONDAY 10 NOVEMBER—Remaining stages of the Water Bill *[Lords]*.

TUESDAY 11 NOVEMBER—Remaining stages of the Arms Control and Disarmament (Inspections) Bill *[Lords]*, followed by consideration of Lords amendments to the European Union (Accessions) Bill, followed by a debate on reforming the United Nations on a motion for the Adjournment of the House.

Mr. Forth: I thank the part-time Leader of the House for giving us the business.

Mr. Speaker, you and the House may be aware that, as we speak, the memorial service for Sir Denis Thatcher is taking place. I would have been there if my duties had not kept me in the House, but I hope that you think it appropriate that we record the unique contribution that Sir Denis made to our public life: After all, without Sir Denis there would have been no Thatcherism. As we speak, the memorial service is, happily, packed to overflowing with the many, many friends and admirers of Sir Denis. My thoughts and, I hope, those of all Members present are with Lady Thatcher, her family and the many, many friends of Lady Thatcher and Sir Denis.

Is the part-time Leader of the House somewhat ashamed about the inadequacy of the amount of time allocated yesterday to an important debate on cannabis? I was shocked when I looked at *Hansard* this morning and noted that a mere 90 minutes of parliamentary time had been allocated to that important subject and that, of that 90 minutes, the three Front-Bench speeches took 70 minutes, allowing only four Back Benchers to share 20 minutes. Surely that cannot be right. It cannot be adequate that a matter of such importance, which raised much anxiety on the Government Benches, never mind across the House, was allowed only 90 minutes. Cannot the Government do something more sensible than that? It is not as though, sadly, we are pressed for time at present, Mr. Speaker, as you must be well aware—as am I. I make a plea that even if the subject cannot be revisited on this occasion, when it comes up in future proper time will be given so that Members on both sides of the House can make a proper contribution that reflects the real anxiety of their constituents.

Is the part-time Leader of the House able to do anything at all about the current disruption to communications between MPs and their constituents due to the wildcat strikes in the postal service? I hope that this matter is being given the close attention of the authorities in the House and the Post Office. It is bad enough to have communications generally disrupted, but knowing the value that we all place on the ability of our constituents to communicate with us and us with them, I hope that something is being done to ensure that those kinds of actions will not be allowed to get between us and our constituents. I hope that the part-time Leader can reassure us on that matter.

It is high time that we had a proper debate, rather than just brief exchanges, on the increasingly worrying matter of the Prime Minister, General de Chastelain and IRA decommissioning. If we look at *Hansard*, we find that, for example, on 27 October my hon. Friend the Member for Grantham and Stamford (Mr. Davies) said:

"General de Chastelain has . . . made it quite clear that he never gave any additional information to the Prime Minister".—[*Official Report*, 27 October 2003; Vol. 412, c. 22.]

That is what he told the House against the background of the fact that on 22 October the Prime Minister had said that

"people would be satisfied if they knew the full details."—[*Official Report*, 22 October 2003; Vol. 411, c. 634.]

We now have two dramatically different variations on this event. I felt genuinely sorry for the Minister of State, Northern Ireland Office, the right hon. Member for Liverpool, Wavertree (Jane Kennedy) who on 27 October found herself saying that

"the Prime Minister and the Taioseach have been able to learn more about the decommissioning event than was set out either in the brief statement issued last Tuesday by the two members of the Decommissioning Commision"—

and so on. That was her supposed response to the question. She went on to say, however, that the Prime Minister and the Taoiseach were

"left with a greater sense of the nature of the decommissioning event than would be apparent from the statement and the press conference alone."—[*Official Report*, 27 October 2003; Vol. 412, c. 21.]

What on earth does that mean? It strikes me that she was being put in the almost impossible position of trying to cover up or fudge what is a clear difference in an account of very important events by the Prime Minister on the one hand and the general on the other. Finally, she found herself saying that

"the two commissioners were able to convey and build confidence in both the Prime Minister and the Taoiseach that the event that they had seen was substantial and significantly more than had happened in the past."—[*Official Report*, 27 October 2003; Vol. 412, c. 26.]

Yesterday, the Prime Minister said finally that

"certain information was given to us by General de Chastelain and I had very much hoped that it would have been possible to provide the full information to everybody."—[*Official Report*, 29 October 2003; Vol. 412, c. 300.]

[Mr. Forth]

We must get to the bottom of this matter because it is distressing that the Prime Minister of this country, dealing with a vital and sensitive issue, should find himself, on the face of it, so much at odds with someone of such eminence and integrity as General de Chastelain. My plea to the part-time Leader is that we have proper time allocated in the House for this matter. It is only a pity that the general cannot come here and give his account of events—perhaps a Select Committee would like to follow that up. The Prime Minister should certainly come here to allow us to question him on what has gone on in these delicate areas, so that we can get to the bottom of the matter and move on.

Mr. Hain: I am delighted that the shadow Leader is in such good, frisky form, as he has been a bit subdued lately. I congratulate him on his triumph, after a long and arduous campaign, in finally getting rid of his leader and his Chief Whip, too. I wish him every luck in the forthcoming reshuffle. I see that his party's short experiment with democracy has given way to leaders once again emerging from smoke-filled rooms—a Magic Circle method of choosing a leader that I thought it had abandoned 40 years ago.

On the right hon. Gentleman's specific points, I share his thoughts and sympathies with the Thatcher family, and I agree that Sir Denis Thatcher was unique in every way. On the question of time for a debate on cannabis, I listened to what the right hon. Gentleman had to say, but the fact is that the issue was debated vigorously yesterday, and the Government brought forward that debate for precisely that reason. On the question of disruption of communications through the post, clearly everybody wants the dispute to be settled quickly. I am sure that Post Office workers and Royal Mail staff want it to be settled quickly, as do the management and the Government. Talks are now taking place and I hope that they succeed. Ultimately, all disputes end in a negotiated settlement, which is how this one will end, so I hope that that can be achieved sooner rather than later.

The question of General de Chastelain and Northern Ireland is really one of the right hon. Gentleman's worn out old gramophone records. The issues have been fully answered successively. Indeed yesterday, while the right hon. Gentleman was away plotting to get rid of his leader, the Prime Minister answered the question fully and clearly. The Minister of State, Northern Ireland Office, my right hon. Friend the Member for Liverpool, Wavertree (Jane Kennedy), answered it fully and clearly on Monday and the Secretary of State for Northern Ireland answered it fully and clearly yesterday. It is time that the state-funded Conservative party started to support the Government on getting a resolution to the Northern Ireland situation. When we were in opposition, we supported the Conservative Government and John Major when he took the peace process forward. Rather than stabbing us in the back, it is time for the Conservative party to support us in getting a resolution to the crisis.

Mr. Paul Tyler (North Cornwall): Will the Leader of the House find an early opportunity to make a statement available to the House, or to make one himself, on the apparent confusion about the Government's policy on reform of the House of Lords? He mentioned postal communications, but there seems to be a real communication problem between No. 10 and the Department that we have learned to love as DCAF.

The Lord Chancellor recently said publicly to hon. Members that he does not regard the door on the future democratic and representative composition of the second Chamber to be closed. If that is true, it widens the scope of the consultation that is taking place on the Government's September White Paper and the response to the Joint Committee in July. I am sure that hon. Members on both sides of the House welcome that, as do I, but it puts the whole issue back in the melting pot. It seems that there could be a rush towards introducing a tinkering Bill on reform after the Queen's Speech. If so, there will not be an opportunity for the consultation that the Lord Chancellor suggests.

The Leader of the House will recall that this House voted substantially against an all-appointed second Chamber, because he too voted that way. If we are to revisit the issue, will he assure us that we will hear a statement about the Government's position and that there will be a proper opportunity for cross-party debate by whatever mechanism he considers appropriate?

Will the Leader of the House clear up an additional mystery that arose yesterday? When responding to a question from the hon. Member for Tyne Bridge (Mr. Clelland), the Prime Minister gave the impression that there would be an open debate with a free vote at some point. What will the debate be about? Will it simply be about the Bill? Will it be a debate on wider issues? Will there be a free vote?

Mr. Hain: I am grateful to the hon. Gentleman for giving me the opportunity to clarify the situation—at least for him, because I think that it is perfectly clear. We are consulting on a relatively straightforward Bill to abolish the hereditary peers, which I am sure his party will want to back, and to establish an independent appointments commission to address non-party peers and to check the propriety of party-appointed peers. That is a specific exercise. However, we have made it clear that in the longer term, given that the House could not agree on an option for reform, the door remains open to bring about a settlement that will survive and be sustainable in the long term. As the Prime Minister made it clear, we will want to consult on that and people will want to express their views freely. There is a distinction between the completion of the consultation exercise and the introduction of subsequent legislation and finding out, in the long term, whether we can reach consensus on a more democratic alternative which, as the hon. Gentleman pointed out, I voted for earlier this year—along with him, I guess.

Mr. Alan Meale (Mansfield): My right hon. Friend is aware that 6 June next year marks the 60th anniversary of the D-Day landings. Many hon. Members from both sides of the Chamber are worried about the organisation of that. As we approach Armistice Sunday, will he give us time for a full debate on the issue so that hon. Members' worries may be eased?

Mr. Hain: I am grateful to my hon. Friend for raising the matter. We obviously want the 60th anniversary to be celebrated appropriately and be well organised

because many people risked or gave their lives in that important episode and we will want to honour them appropriately. I shall ensure that those responsible listen to his point.

Mr. Nicholas Soames (Mid-Sussex): Will the Leader of the House find time to get an answer for Members of Parliament on the Government's exact definition of the word "sustainable", as it is so incontinently applied across much of their policy, especially in respect of planning? There are many large planning applications in the south-east, south-west and elsewhere in England where sustainable development is much trumpeted by the Office of the Deputy Prime Minister, but no one can provide an exact definition of sustainable. Will the Leader of the House bend his considerable intellect to get us the definitive answer on what sustainability means in the Government's rather erratic lexicon?

Mr. Hain: I regard the hon. Gentleman as one of the most sustainable Members of the House and long may he remain so. I shall certainly consult the scribes to see whether I can get him a sensible definition.

Mr. David Chaytor (Bury, North): In the next few days, the Energy Minister will visit Japan. Part of the purpose of the visit is to persuade the Japanese Government once again to buy plutonium fuel from the United Kingdom. Given that there is an industrial dispute at Sellafield, that Sizewell B is out of action and that both our nuclear generators are technically bankrupt, is it sensible to ship plutonium from one end of the planet to the other? Does my right hon. Friend think that we should have a full debate on the international plutonium trade?

Mr. Hain: My hon. Friend has the opportunity to apply for a debate in the normal way and I will take note of his request. When I was Energy Minister, for all of five months, I had to grapple with those issues and am well aware of the concerns that he expresses.

Sir Archy Kirkwood (Roxburgh and Berwickshire): Does the Leader of the House acknowledge the importance of debating the fishing industry before the Fisheries Council meets towards the end of the year, because the possible closure of the North sea fishery is on the agenda? I anticipate that he will have more difficulty arranging that this year because the Queen's Speech is slightly later than usual and there is always pressure on debating time on the Floor of the House after that. Will he assure me, however, that by hook or by crook—by using some device—he will give those of us with fishing interests a proper opportunity to ensure that Ministers are fully briefed from the Floor of the House before the Fisheries Council meets?

Mr. Hain: This is obviously an important matter to the hon. Gentleman and other colleagues with fishing interests. His views are well founded. As he knows, the Secretary of State for Environment, Food and Rural Affairs is well practised at keeping the House informed and comes before the House at every appropriate opportunity, as do the Ministers of State.

Mr. David Drew (Stroud): A fortnight ago, I raised large-scale voluntary transfers with my right hon. Friend and, in particular, the situation in my district council area of Stroud. Will he go back again to our right hon. Friend the Deputy Prime Minister to gauge what is happening with the ballots and to make it clear that it is in no way helpful for the Office of the Deputy Prime Minister to get drawn into the decision-making process? The decision should be an entirely local one and the ODPM should have no say in whether it is right or wrong for a local authority to get rid of its council stock.

Mr. Hain: My hon. Friend makes a strong case. The fact that he has raised it again will no doubt impress the Deputy Prime Minister and I shall draw it to his attention.

Dr. Julian Lewis (New Forest, East): I thank the Leader of the House for his positive response to the hon. Member for Mansfield (Mr. Meale) on the preparations for the 60th anniversary of D-Day, the last big opportunity for veterans to remember everything that went before and to commemorate those who died. The right hon. Gentleman may be unaware of the fact that the Royal British Legion states in unusually strong language that the present preparations are "nothing less than insulting" to the veterans because they are so low key. In particular, it is anxious that this country should be represented at that commemoration event at the highest possible level, as the Americans will be. When he takes up the issue, will he emphasise that point?

Mr. Hain: I was not aware of that matter, but I shall certainly take it up because the interests and aspirations of the Royal British Legion need to be treated with the utmost seriousness, and they deserve proper reflection.

Mike Gapes (Ilford, South): At a time when the nights are drawing in and it is getting darker, will my right hon. Friend take the opportunity to congratulate my constituents and many others who, in the past few days, have celebrated Diwali, the festival of light? Can he send a clear message to everyone in our many diverse communities that we in this country will continue to stand for inclusiveness, multiculturalism, tolerance and understanding between people of all faiths?

Mr. Hain: I thought for a moment that my hon. Friend was going to refer to "something of the night" and would be ruled firmly out of order. In fact, he made an important point that we should rejoice with the communities that celebrate Diwali. We salute, too, the fact that we live in a multicultural, multi-faith and multi-ethnic society, and are proud to do so because it, and especially the festival of light, enriches us.

Mr. Mark Francois (Rayleigh): Will the Leader of the House find time for a debate, ideally in Government time, on the programme of post office closures? I received notification yesterday that two more post offices in my constituency, in Ashingdon and Hockley, have been earmarked for closure. Both closures will cause particular problems for my constituents, who will have to travel further for post office services. Many Members on both sides of the House are affected by the

[Mr. Mark Francois]

issue, so can the Government provide time for a debate to try to drive home the point that it is of serious concern?

Mr. Hain: It is indeed serious for many communities, and it is quite proper for the hon. Gentleman to raise it. However, the phenomenon has being going on for decades; it is not particular to our Government, and is the outcome of many different factors. The hon. Gentleman has plenty of opportunity to raise his constituents' interests in the debates that are already taking place in Westminster Hall or, indeed, to apply for such a debate himself.

Keith Vaz (Leicester, East): Has my right hon. Friend seen press reports this week saying that the Government propose to abolish the Commission for Racial Equality and replace it with a single equality body? Would it not be appropriate for the Home Secretary to make a statement to the House on this important matter, bearing in mind the comments that my right hon. Friend has just made about a multicultural society? Can he arrange time for a debate on this important subject before the proposals are taken further?

Mr. Hain: I shall draw those comments to the Home Secretary's attention. As my hon. Friend is aware, the proposal for a new commission for equality and human rights was made by the Joint Committee on Human Rights, which called for an integrated institutional support for human rights and equality. That is the remit of the new body. I am sure that my hon. Friend's request for an early debate will be listened to most carefully. Of course, he has alternative avenues for securing a debate himself.

Pete Wishart (North Tayside): I am sure that I am not the only Member who continues to be heavily lobbied by pensioner organisations in their constituencies on the Government's plans to do away with the pension book and pay pensions directly into people's bank accounts. Of the 913,000 pensioners in Scotland, 15 per cent. still do not have a bank account, and 59 per cent. would prefer payment by pension book. Can we have an early debate to address my constituents' many fears and anxieties on the issue?

Mr. Hain: I know of the fears and anxieties, because I have heard them expressed by pensioners in my constituency, many of whom do not have bank accounts, could not operate one and have no intention of doing so. However, pensioners are still free to choose to retain the existing cash-based method rather than a bank account transfer. I encourage them to exercise that choice, and not be intimidated in any way by advice to the contrary. That is my message to them, and I am sure that my right hon. Friend the Secretary of State for Trade and Industry would echo it.

Dr. Phyllis Starkey (Milton Keynes, South-West): May I remind the Leader of the House of the democratic decision that the House made about its hours of operation and the timetable, and urge him not to find parliamentary time to discuss them again? Is he aware of the fact that although some hon. Members are dissatisfied by the decision, many others would be excessively dissatisfied if the issue were reopened?

Mr. John Bercow (Buckingham): The hon. Lady is always excessively dissatisfied.

Dr. Starkey; Opposition Members would know.

Hon. Members who supported the decision would be excessively annoyed if the issue were reopened and any attempt were made to return to the previous hours.

Mr. Hain: I am acutely aware of excessive feelings on all sides of the argument, both for and against the hours that were decided. I can reassure my hon. Friend that, as I have said before, the hours that we now enjoy were decided by the House for the rest of this Parliament. In due course, we will review the hours and make a decision about what happens in the next Parliament. That was the decision that the House made and I intend to stick to it. Meanwhile, I welcome representations from my hon. Friend and others about the way in which things could be improved. There are many associated issues. For example, I discovered the other day that the Smoking Room is being closed prematurely. Members who want to go for a drink or simply want to spend the evening there find themselves shut out, perhaps only an hour after the last vote. That does not seem reasonable, and I hope that such issues can be dealt with properly and the interests of hon. Members protected.

Mr. John Bercow (Buckingham): Can we have an urgent debate in Government time on standards of reading? Given that improved literacy is a central prerequisite of children's ability to fulfil their potential, does the right hon. Gentleman agree that in the teaching of reading there should be no place whatsoever for the absurd advice of those teacher-training academics Kimberley, Meek and Miller, who said that

"within the psycho-semiotic framework, the shared reading lesson is viewed as an ideological construct where events are played out and children must learn to position themselves in three interlocking contexts"?

Mr. Hain: Again, I admire the hon. Gentleman's incredible memory and his felicity with a prepared question. Those researchers sound like a firm of solicitors rather than educational academics. However, to be serious, the hon. Gentleman is right that literacy is the foundation of knowledge, which is why we have given special emphasis to literacy hours and other forms of literacy support in primary education. As a result, compared with the situation in 1997, when I had ministerial responsibility for education in Wales and about half of our children were not reading to the required standard, three quarters are now reaching the standard and the number is rising. That is a genuine improvement, and the points made by the hon. Gentleman will be treated seriously.

Tony Lloyd (Manchester, Central): May I remind my right hon. Friend of the annual slaughter of many of our fellow citizens who are guilty of nothing more than going to their place of work? There is an overwhelming need for legislation on corporate manslaughter to bear down on those employers who are profligate with the

lives and safety of their employees. Given that there was a manifesto commitment some years ago, can we have a clear statement from the Leader of the House that such legislation will be included in the Queen's Speech? If not, can we have an early debate to tease out from the Government when that legislation will be introduced?

Mr. Hain: My hon. Friend will obviously understand the standard reply that I have to give. I cannot anticipate the Queen's Speech, but I am sympathetic to his point, which was well argued. I hope that it will be taken on board.

Rev. Martin Smyth (Belfast, South): May I draw the attention of the Leader of the House to an article by Thomas Harding in *The Daily Telegraph* today, and ask him to reconsider his response to a request from the shadow Leader of the House for a debate in the House on the misunderstandings that have arisen over the decommissioning process? I should like clarification of the law that forbids General de Chastelain from revealing things. That law is doubtful, and has been used in the House to silence people. It will figure in the forthcoming election, especially as the general himself was a hostage to the IRA, and led to the debacle that Monday when a statement on decommissioning was not forthcoming.

Mr. Hain: I do not agree with the hon. Gentleman's interpretation of the situation. I have answered the point already.

Vera Baird (Redcar): May I return briefly to the welcome announcement about the commission for equalities and human rights, and ask that an early debate might centre on the need, which stands side by side with that announcement, for a single equalities Bill, so that each of the strands that the commission will cover can be enforced with equal vigour?

Mr. Hain: I shall draw my hon. and learned Friend's point to the attention of the Secretary of State. I am grateful that she welcomes the announcement of the new organisation, which will improve the rights of all those whose interests it seeks to address.

Michael Fabricant (Lichfield): Further to the point so powerfully raised by my right hon. Friend the full-time shadow Leader of the House, is the part-time Leader of the House aware that the postal strike has spread to Berkshire, Coventry, Oxford and beyond? Is he aware that it is causing grave problems not only as regards the ways that Members in all parts of the House can communicate with their constituents, but with regard to the provision of payments through the Department for Work and Pensions to pensioners and other vulnerable people in our society? Is he also aware that Adam Crozier, the chief executive of the Royal Mail, said:

"There is a fair amount of intimidation by unions in London, which is illegal"?

Is it not about time that we debated the issue, or at least that the Secretary of State for Trade and Industry made a statement to the House?

Mr. Hain: As the hon. Gentleman knows, talks are under way between management and the unions in an effort to resolve the dispute. It is in their interest and in the interest of all of us, that that is done as soon as possible. I understand the difficulty of communications with constituencies. There are, however, two alternatives—e-mail and telephone—with which we can get by meanwhile and on which we can rely. *[Interruption.]* I know that the shadow Leader of the House does not do e-mail, but most other Members do. I admire the right hon. Gentleman's commitment to tradition. On the serious point made by the hon. Member for Lichfield (Michael Fabricant) about benefits, both the Royal Mail and the Department for Work and Pensions have contingency plans to minimise the effects of any action, to ensure that anybody, including pensioners, who is entitled to benefits or other payments receives them.

Richard Younger-Ross (Teignbridge): In the Leader of the House's announcement of the provisional business for the week after next, he allocated time for consideration of the remaining stages of the Water Bill. Would he consider extending the period of that debate, as many on both sides of the House fear that a substantial part of the debate will be taken up by discussion of fluoridation, although many other parts of the Bill are equally important? I draw particular attention to the concerns of Members from the south-west, where the highest water charges for the cleaning up of 30 per cent. of the nation's beaches are being paid for by 3 per cent. of the population.

Mr. Hain: I recognise the points that the hon. Gentleman makes. A full day has been allocated for the debate, which can be programmed. No doubt those responsible will bear his comments in mind.

Mr. Harry Barnes (North-East Derbyshire): Has my right hon. Friend seen today's issue of the *Yorkshire Post*, which carries an article about a serious firework incident in Eckington in my constituency? It seems that a mortar bomb firework was strapped to a rocket and went through a ceiling, seriously damaging a child's cot. It is lucky that Joel Eason was not in the cot at the time, or he could have been killed. My right hon. Friend might remember that on 16 October I raised the matter of fireworks with him at business questions and asked for a statement from the Secretary of State for Trade and Industry in order to implement the Fireworks Act 2003, which was introduced by my hon. Friend the Member for Hamilton, South (Mr. Tynan). The existing legislation should be used proactively to co-ordinate the various agencies involved. We have not had a statement, written or verbal, from the Secretary of State. Such a statement would be welcome, so that my constituents could see what effective action is being taken for the future.

Mr. Hain: I have not had a chance to see the *Yorkshire Post*, but I agree that the phenomenon—the problem of firework fiends who are terrorising neighbourhoods and individuals—is serious and needs to be dealt with. A case in Llanelli was reported in my local *Evening Post*. A firework was unleashed through the front window of a pensioner's home and hit her. Three men have been arrested. As my hon. Friend says, that calls for a much more proactive attitude on the part of head teachers,

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youth workers, the police and local authorities to make sure that fireworks can be enjoyed safely on Guy Fawkes day, rather than the new breed of explosive fireworks that are almost weapons, which are unleashed on neighbours and members of the community. It should be a time when children can enjoy the spectacle of fireworks in safety, not an opportunity to terrorise people.

Mr. Bill Tynan (Hamilton, South): Will my right hon. Friend make time available for an urgent debate on the storage of high, medium and low-level nuclear waste?

Mr. Hain: My hon. Friend has opportunities to apply for a debate himself, but I shall pass on his concerns to my right hon. Friend the Secretary of State.

Mrs. Anne Campbell (Cambridge): I heartily endorse the remarks of my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) about the reform of the hours. May I suggest to my right hon. Friend the Leader of the House that some of the opposition to the reforms might be diminished if he were to review public access to the Palace of Westminster, particularly during morning sittings?

Mr. Hain: I agree that we need to consider public access. It is one of the teething problems that have arisen as a result of the new hours—for example, many Members have told me that they find it difficult to arrange constituency visits. With the new sitting hours of the House, such visits can take place only on Monday. There are various options to overcome the problem. One is to install a glass window behind the Gallery. The way we treat our visitors must be examined in a broader context. We do not make them as welcome as we should. I am keen to look at that, but in the meantime I shall address my hon. Friend's point.

John Mann (Bassetlaw): Does my right hon. Friend agree that every full-time member of staff whom we employ should be provided with a computer by the House? If he does agree, when will he introduce such a proposal, so that the current inequity between computers and staff is overcome?

Mr. Hain: My sympathies are with my hon. Friend. The matter is being considered and we hope to make an announcement in due course to see whether his request can be met.

Kevin Brennan (Cardiff, West): Will my right hon. Friend arrange for an early debate on the minimum wage? Is it not timely to consider its impact, particularly on employment? When it was introduced, some hon. Members thought that it might have a negative impact on jobs—an idea that might be described as having something of the right about it.

Mr. Hain: That would be a worthwhile debate. Many members of the state-funded Conservative party said—*[Interruption.]* Indeed, state-funded. In the last period, the Conservative party got more money from public funds than it raised through private donations. My hon. Friend makes an important point. There were accusations and allegations that millions of jobs would be lost. The about-to-be crowned leader of the Conservative party said that 2 million jobs would be lost as a result of the introduction of the minimum wage. In fact, 1.6 million new jobs have been created since the minimum wage was introduced, showing that we can have economic stability, full employment and high social standards.

David Cairns (Greenock and Inverclyde): I draw my right hon. Friend's attention to the report published this week by the United Nations Office for Drug Control and Crime Prevention entitled, "Afghanistan Opium Survey 2003" which, despite recording some encouraging progress, notes worryingly that in the past year opium poppy cultivation in Afghanistan has increased, opium production has increased dramatically, and the geographical spread of opium planting has reached 28 of the 32 provinces of Afghanistan. Given that the destruction of the opium trade was part of the raison d'etre for the war on Afghanistan, which I supported, and given that 90 per cent. of the heroin on the streets of his constituency and mine originates as poppies in Afghanistan, is it not time for a Foreign Office Minister to make a statement to the House about these worrying findings, or at least for a debate, so that we understand the implications and hear what the Government propose to do about the matter?

Mr. Hain: I have not had a chance to read the report to which my hon. Friend refers, but I have been informed of its contents, which are indeed very worrying. I am grateful to him for raising this matter and I shall certainly draw it to the Foreign Secretary's attention to see what can be done. Clearly, the threat is very disturbing indeed.

Points of Order

Mr. Nick Hawkins (Surrey Heath): On a point of order, Mr. Speaker, of which I have given you prior notice. I am indebted to the hon. Member for Glasgow, Cathcart (Mr. Harris), who, as you know, alerted me to the matter that I wish to raise. Last Thursday, the hon. Gentleman, who is a good cross-party friend of mine, had a researcher, Donald Campbell, working from his constituency office and seeking to access his parliamentary e-mail. Having logged on to the parliamentary data and video network, however, the researcher was amazed to find that constituency files relating to my constituency work had been opened to him. Obviously, that had not been his intention.

I have discussed the matter with the hon. Member for Glasgow, Cathcart and we are not sure whether this very serious breach of confidentiality occurred because only three Members' names feature between us in the alphabetical list of Members' names or because both of us have the wisdom to employ Scots parliamentary assistants who share the name Campbell. Whichever is the reason, I am sure that you, Mr. Speaker, will share my concern that the parliamentary data and video network must be completely secure. We have written a joint letter to the head of the network, but as a matter of urgency, may I ask you to make your own inquiries so that the constituents of all hon. Members know that the system will be secure? Of course, no harm was done on this occasion, but on other occasions constituents need to know that only people authorised to log on in working for an individual Member will see that Member's constituency files.

Mr. Speaker: I thank the hon. Gentleman for bringing this matter to my attention. It is a very serious matter that has serious implications, as he pointed out. I have instructed the Serjeant at Arms, who is responsible for these matters, to conduct a thorough and complete investigation, and I will get back to the hon. Gentleman.

Dr. Julian Lewis (New Forest, East): On a point of order, Mr. Speaker. Have you received any indication from the Secretary of State for Health that a statement will be made about the shortage of suppliers of reading spectacles, or, alternatively, a request from the Leader of the House and other ageing Cabinet Ministers asking that the size of the Dispatch Box be increased, raising it to a height at which their papers are brought within their field of vision, so that they do not have to plant rather incongruous volumes on top of it to enable them to avoid using reading spectacles when making their statements?

Mr. Speaker: If the hon. Gentleman has any problem with reading spectacles, there is a good company in Glasgow.

Pay for Chairmen of Select Committees

1.13 pm

The Leader of the House of Commons (Mr. Peter Hain): I beg to move,

That this House—

1. takes note of the Report of the Review Body on Senior Salaries on Pay for Select Committee Chairmen in the House of Commons presented to Parliament on 17th July (Cm. 5673);

2. approves the Sixth Report of the Committee on Standards and Privileges on Pay for Select Committee Chairmen (HC 1150); and endorses the principles set out in paragraph 16 of that report; and

3. expresses the opinion that—

(a) with effect from the beginning of the next Session of Parliament, the salary of a Member should be £12,500 per annum higher than the figure determined in accordance with the provisions of the Resolution of the House of 10th July 1996 in respect of any period during which he is the Chairman of a select committee appointed under Standing Order No. 152 (Select Committees related to government departments), the Environmental Audit Committee, the European Scrutiny Committee, the Committee of Public Accounts, the Select Committee on Public Administration, the Regulatory Reform Committee, the Joint Committee on Human Rights or the Joint Committee on Statutory Instruments, other than to the extent that the provisions of sub-paragraph (c) apply;

(b) a period begins for the purpose of sub-paragraph (a)—

(i) with the day on which the Member becomes Chairman of such a committee, or

(ii) with the beginning of the next Session of Parliament, in the case of a Member who became Chairman before that time;

and ends on the day on which the Member ceases to be Chairman (or, if he is Chairman of more than one such committee, he ceases to be Chairman of the last of those committees);

(c) there shall be disregarded for the purpose of sub-paragraph (a)—

(i) any period which is of less than 24 hours duration; and

(ii) any period, or part thereof, in respect of which the Member is also entitled to an additional salary by virtue of any provision of the Ministerial and other Salaries Act 1975;

(d) reference to any Committee in sub-paragraph (a) shall—

(i) if the name of the Committee is changed, be taken (subject to paragraph (ii)) to be a reference to the Committee by its new name; and

(ii) if the functions of the Committee become functions of a different Committee, be taken to be a reference to the Committee by whom the functions are for the time being exercisable;

(e) the provisions of paragraph (2) of the Resolution of the House of 10th July 1996 relating to Members' Salaries (No. 2) shall apply, with effect from 1st April 2004, to a salary determined in accordance with the provisions of sub-paragraph (a) as they apply in relation to a salary determined in accordance with the provisions of that Resolution; and

(f) the Speaker shall have authority to interpret these provisions and to determine rules from time to time for their implementation.

In response to the last point of order, may I add that there are many such good shops in Neath as well?

The system of departmental Select Committees established by the House in 1979 has grown in stature and influence over the past two decades. The Committees have added significantly to the ability of the Commons to scrutinise and hold to account major Departments. The opportunity for sustained and close

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questioning in Committee provides a degree of forensic scrutiny that it is simply not possible to attain in other forums such as the Floor of the House of Commons. It is not surprising that the system of Committees that exercises that scrutiny function is generally regarded as one of the most important and effective mechanisms for ensuring ministerial accountability. The Government welcome that. As my predecessor, my right hon. Friend the Member for Livingston (Mr. Cook), was keen to point out, good scrutiny means good government.

Since 1979, the Committees' work load has increased markedly. In addition to the task of holding ministers to account, they are responsible for a range of duties including the scrutiny of draft Bills, independent regulators and executive agencies. It was in recognition of the scrutiny Committees' important role, expanding tasks and increasing influence that the Modernisation Committee, then chaired by my right hon. Friend the Member for Livingston, examined the extra burden that fell to Committee staff and Chairmen. The report recommended an increase in the resources available to the Committees, including a new central unit of specialist support staff—the scrutiny unit, which is now fully up and running—and a review of each Committee's staffing needs; a significant increase in staffing is now being implemented.

The Modernisation Committee also recommended that the Chairmen of the scrutiny Committees should be paid an additional salary. The additional amount is proposed in recognition of the extra work that those Chairmen are expected to undertake and in the hope that it will go some way towards creating a career path in Parliament as an alternative to the ministerial route, highlighting the value that Parliament and the Government place upon the scrutiny function of the House.

Mr. John Bercow (Buckingham): Although there is undoubtedly a compelling argument for the payment of the Chairmen of Select Committees, does the right hon. Gentleman agree that there is a certain incongruity, to put it no more strongly, about the fact that the composition of Select Committees, whose purpose is to scrutinise the Executive, is determined by representatives of the Executive? Is that not something about which a modernising Leader of the House, be he part-time or full-time, should be properly concerned?

Mr. Hain: Obviously, concerns about this matter were debated a little while ago; in fact, it was last year when the House took a decision on it.

Andrew Mackinlay (Thurrock): I shall be candid: I am opposed to the proposed payment. I would be more satisfied, however, if there were to be a declaration of distance between the Government and the act of nominating or anointing people as Chairmen of Select Committees. For example, my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) was anointed to be Chairman of the Select Committee on Foreign Affairs after the general election as—one has to say this; I do not say it in a nasty way—a consolation prize for losing office. If there is a new career path structure, Ministers should be kept out of it. There should be a period of quarantine between leaving ministerial office and being Chairman of a Select Committee.

Mr. Hain: My hon. Friend makes his point with characteristic vigour, and it is similar to that made by the hon. Member for Buckingham (Mr. Bercow), but there is also an additional point—we as the Labour party have addressed this matter by changing the rules under which Select Committee membership is decided. The parliamentary party now has an opportunity to consider names and make a decision. Perhaps that is a practice that other parties in this House might follow.

Mr. Alex Salmond (Banff and Buchan): There are other parties in the House that would love to follow that practice, but unfortunately do not have fair representation in the membership of Select Committees, as the right hon. Member for Livingston (Mr. Cook) conceded on many occasions when he was Leader of the House. Has the right hon. Gentleman considered in proposing this extension of patronage the fact that no minority party in the House has a Select Committee Chairman, although they would be entitled to one in proportional terms, given the number of Select Committee Chairmen and the percentage of the composition of the House that is accounted for by minority parties? Will he alter these clear inequities before introducing measures for extending patronage?

Mr. Hain: I reject entirely the suggestion that the proposal is about extending patronage. It is a matter for the House to decide. Indeed, the House made its decision last year and requested that the Senior Salaries Review Body look into the matter. I am now following that up. I cannot see what there is to do with patronage in the question whether Select Committee Chairmen should be rewarded more fairly. As to how Chairmen are selected, the Committee of Selection is aware of the concerns of minority parties and is looking at them.

On 14 May last year, following a debate on the Modernisation Committee's report, the House resolved that

"the Review Body on Senior Salaries should be invited to consider what additional remuneration is appropriate for chairmen of select committees."—[*Official Report*, 14 May 2002; Vol. 385, c. 723.]

The SSRB's report, which was published on 17 July this year, recommended a single level of additional payment for Chairmen of departmental and externally focused cross-departmental Committees amounting to £12,500 a year. I am grateful to the SSRB and its chairman, John Baker, for the work that it has done on this matter and for its usual careful consideration of the issues involved. The SSRB's recommendations form the basis of the motions that I bring before the House this afternoon.

There are two motions on the Order Paper. The first expresses the House's opinion on the matter; the second is an "effective motion" that is designed to give effect to the first "opinion motion" and is required in order that the Queen's recommendation can be signified to the Government expenditure that the motion will entail—in this case, the increased Exchequer contributions to Members' pensions. An explanatory memorandum has been made available in the Vote Office.

I turn first to the amount that would be paid. The motion follows the SSRB in proposing that the pay of a Member who is a qualifying Chairman should be increased by £12,500 a year for the period during which they are Chairman. The motion provides for the increased salary to be uprated annually in the same way as Members' pay. The SSRB said that it has taken "a cautious initial approach" to Chairmen's pay and has announced its intention to revisit the issue of the pay of Committee Chairmen as part of its continuing fundamental reviews of parliamentary pay and allowances.

The intention is that the additional rate of Members' pay paid to Chairmen should be taken into account when calculating Members' pensions. The additional rate of pay would be treated for pension purposes in a similar way to Ministers' pay. If the House agrees to that principle today, I will bring forward regulations as soon as possible to amend the statutory instrument that contains the rules for the parliamentary contributory pension fund. The intention is that the regulations will have effect backdated to the beginning of next Session, so that Chairmen's pay would, in effect, be pensionable from the beginning. I understand that the chairman of the trustees is content with what is being proposed.

The House authorities have calculated that the cost of implementing the motion—based on payment of £12,500 to 25 Committees—will be in the region of £420,000 a year, including employer's pension and national insurance contributions, but not administration costs. If any qualifying Chairmen were not to take up the payment, the total cost would, of course, be reduced.

The motion follows the SSRB's recommendation in proposing that Chairmen's pay be limited to the Chairmen of the departmental Select Committees appointed under Standing Order No. 152 and seven externally focused cross-departmental Select Committees—the Environmental Audit Committee, the European Scrutiny Committee, the Public Accounts Committee, the Public Administration Committee, the Regulatory Reform Committee, the Joint Committee on Human Rights and the Joint Committee on Statutory Instruments.

Sir Nicholas Winterton (Macclesfield): As the Leader of the House will know, as Chairman of the Procedure Committee I tabled an amendment that was unfortunately not selected. Bearing in mind that the Procedure Committee was not included among the number of Committees whose Chairmen were to receive remuneration under the Liaison Committee's report, will the Leader of the House reconsider the matter at an early date? Given that my own future time in the House is limited, I do not perhaps have a long-term vested interest, but I believe that the work of the Procedure Committee is very important to the House—and we do travel as part of our responsibilities.

Mr. Hain: I am very sympathetic to the hon. Gentleman's point of view. The Procedure Committee is indeed an important Committee that plays a crucial role; and the hon. Gentleman's role is particularly distinguished. I am sure that the matter will continue to be considered. The Modernisation Committee can, of course, revisit it; and he, as a member of that Committee, can make further representations. I am equally happy to receive such representations from others.

The original Modernisation Committee report and the report of the SSRB were explicit in their recommendation that the additional salary should reflect the extra work undertaken by those Committees that are actively involved in the scrutiny of Government.

Mr. Barry Sheerman (Huddersfield): Although we all appreciate the work of the SSRB, many of us, including me, gave evidence to the Committee that it was not a salary that Chairs particularly wanted, but extra help to back us up in fulfilling our responsibilities. When I became Chairman of the Select Committee on Education and Skills two and half years ago, I used all my staff and parliamentary allowance, much of which was diverted to my work as a Chairman. What we really need is extra capacity for help in the office, not a salary.

Mr. Hain: My hon. Friend's point has been recognised, and extra resources are coming into Select Committees. However, that is not an alternative to rewarding Chairmen properly: it is a complement, or a parallel measure, to strengthen Select Committees. The point of the exercise is to reward those who, quite properly, place Ministers such as myself under scrutiny. We want to strengthen the democratic basis of the House of Commons and the role of scrutiny, and that is precisely what this measure achieves.

I understand that some Members are keen to recognise the contributions made by those in other positions in the House, as did the hon. Member for Macclesfield (Sir Nicholas Winterton). Although there may be a strong argument for such financial recognition, the motions reflect the recommendations of the Modernisation Committee, the decision of the House last May, and the opinion of the SSRB.

Pete Wishart (North Tayside): Has the right hon. Gentleman considered the likely response of the public to this extension of payment to certain Members of the House? He will be aware that when the Scottish Parliament awarded an extra payment to its Members, a public outcry followed. Does he not fear that there will be a similar outcry in this case?

Mr. Hain: There is always a reaction in the media and elsewhere when such matters are discussed, but this merits fair and balanced consideration, especially given that the rate was decided by an independent review body that was not influenced by the Government or by me, as Leader of the Commons. The SSRB, reflecting the House's decision that this was a proper matter for award, recommended a level of remuneration. I think that most members of the public would recognise that Select Committee Chairmen increasingly do an onerous and important job in holding the Government to account, especially a Government with as large a parliamentary majority as ours.

In my written statement announcing publication of the SSRB's report, I reported that I had asked the Chairman of the Committee on Standards and Privileges whether his Committee would look into the matter of Chairmen's outside interests. I am very

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grateful to the right hon. Member for North-West Hampshire (Sir George Young) and his Committee for their work. The motion endorses the Committee's recommendation that there should be no question of, nor any appearance of, any double payment for outside activity arising primarily as a result of the chairmanship. If the House agrees to that principle, the Committee has said that it will develop guidelines for Chairmen.

The motions clarify when Chairmen's pay should be paid—that is, from the day on which a Member is elected Chairman of a qualifying Committee or, for those already serving as Chairmen, from the beginning of next Session until the day on which he or she ceases to hold the post. Ministers and other officeholders would be excluded from payment, as would those who served as Chairmen for less than one day. In case unforeseen circumstances arise, it is proposed that the Speaker be given authority to interpret the provisions and to make rules for their implementation.

I am sure that Members on both sides of the House would support the view that the scrutiny Committees add to Parliament's ability to achieve accountability from Government. The Government are keen to promote and facilitate changes that enhance scrutiny and the public perception of Parliament. The motions before the House reflect recommendations of the Modernisation Committee and the SSRB that are designed to achieve these ends. However, the decision is, of course, one for the House, not for the Government. It is in that spirit that I table the motions for debate and decision by the House.

1.23 pm

Mr. Eric Forth (Bromley and Chislehurst): I want to start by broadly endorsing the remarks of the Leader of the House and the content of the motions tabled in his name.

The House will recall that we agreed this matter in principle, albeit narrowly, some time ago; we are therefore returning to it simply to give it effect. It is important to remember, however, that that narrowness should make us sensitive to the fact that many hon. Members, perhaps some here present, were and are unhappy about the approach that we are taking: we should therefore show due caution.

The fact that the matter was referred to an outside body for determination means that, as the Leader of the House said, it should not in any way be interpreted as this House lining its own pockets. Although we have approved the principle, for reasons that I thoroughly support, it is worth recalling that the amount that was recommended, and is reflected in the motions, was set by that most independent of bodies, the Senior Salaries Review Body.

Mr. Salmond: I presume that the shadow Leader of the House, as a convinced free marketeer, accepts the principle of supply and demand in determining salaries. Has he noticed any shortage of supply of suitably qualified candidates to chair Select Committees? If so, does he believe that that should be taken into account?

Mr. Forth: Funnily enough, I was going to consider that point in a slightly different context. I shall comment later on its relevance to the Chairmen's Panel—a subject that is close to my heart and that I want to raise with the Leader of the House. In a sense, the hon. Gentleman is right. I suspect that if Members were paid nothing, there would be some eccentrics demanding to do the job. But that is not the modern way. We must accept that although some of us thoroughly enjoy the job, we are paid because we have to feed our families and pay our mortgages.

We are considering a different issue, which the Leader of the House mentioned briefly. It is important to set it in context and remind ourselves of where we come from. I have had the privilege of serving in the House for 20 years. I have been a Government Back Bencher and was privileged to be a Minister for some nine years. I have been an Opposition Back-Bench Member and I am currently in the shadow Cabinet. Who knows where I shall be in a week or so's time? All that gives me an interesting perspective. From the moment I arrived, I was conscious of an imbalance in the sense that although there is a career structure for those who want to be Ministers, there has never been such a structure in the House. For colleagues who may not want to become Ministers or may not have that privilege, it is important to acknowledge that there is a proper job to be done as a parliamentarian rather than a Minister. The motion and our votes in principle for the proposals a couple of years ago reflect a move towards that by acknowledging that it is proper to make some sort of payment in recognition not only of the additional responsibilities of being a Committee Chairman but of the alternative career structure that it could offer Members of Parliament. I endorse the motion on that basis.

One of the amendments that were not selected reflects questions about the SSRB's recommendation that only some Committee Chairmen should be paid. Like the Leader of the House, I am for the moment content to accept that we should proceed on that basis. However, I hope that we shall keep the matter in mind. I accept the point made by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton); I suspect that if he catches your eye, Mr. Speaker, he will shortly make it again in his usual forceful way. He said that the list to which the Leader of the House referred is not sacrosanct and should not be regarded as the final word on this matter. Distinguishing between Select Committees and considering whether the distinction we make today is correct are contentious matters. We should feel free to revert to them after the House approves the motions.

Mr. Hain: I endorse the right hon. Gentleman's points. The motion should not be the final word on the matter. We should ascertain how the proposals bed down and how we proceed.

Mr. Forth: I am grateful to the Leader of the House for those comments. I hope that they will give some comfort to those who are uneasy about the precise form of words.

The same argument applies to the amount of the additional salary that is being recommended. Again, I

amplify the comments of the Leader of the House. Paragraph 2.30 on page 8 of the SSRB's report states:

"Taking all these issues into account we have decided to take a cautious initial approach to the pay of the Chairmen of the relevant committees. In so doing we announce our intention to revisit the pay of Committee Chairmen as part of our continuing fundamental reviews from time to time of parliamentary pay and allowances, the next to occur in 2003–04. By then, we may be better placed to assess whether or not the new "core tasks" become firmly bedded into the departmental Committee structure, and are delivering the wider scrutiny and investigative objectives envisaged by the Modernisation and Liaison Committees, and, if so, the consequences for the work of the Chairmen."

That is a signal and a commitment to reconsider the matter so that we can continue to assess whether our actions constitute the right approach and whether the arrangements are having the desired effect.

The approach is rightly cautious at this stage but I am happy that the Leader of House has said that it will be kept under review.

Mr. Bercow: Although the Leader of the House dealt lightly and perhaps too briefly with my intervention about the basis for composing Select Committees, does my right hon. Friend agree that the composition of the Committees and the basis for deciding who becomes a Chairman are inextricably bound up with the question of pay? If we do not deal adequately with the need to democratise the chairmanship of the Committees, the Chairmen will literally become members of the payroll vote.

Mr. Forth: I am with my hon. Friend on that matter. His eagle eye will have noted that amendments that sought to deal with that problem were tabled, but sadly not selected. The controversial decision that the House made two years ago about our method of nominating members of Select Committees and the way in which those Committees subsequently choose their Chairmen—or not—means that we must revert to the matter as a result of our actions today. If one argues for an alternative career structure as a parliamentary matter, it is difficult to square that with procedure hitherto, which provides that the usual channels, the Whips, have an iron grip not so much on membership—the Government have probably gone further than us on that—but on chairmanships. If the House approves payment for Chairmen, the issue becomes even more relevant than when we previously considered the matter. When the Deputy Leader of the House winds up the debate for the Government, I hope that he will give us some encouragement.

Mr. Sheerman: The right hon. Gentleman is presenting a good analysis of the position. Although I missed a couple of minutes of the speech of my right hon. Friend the Leader of the House, I do not believe that anyone has yet mentioned Lord Sheldon, whose input into all the deliberations was so important. He is the architect of much of the proposals.

Mr. Forth: I am more than happy to pay tribute to Lord Sheldon, a distinguished and long-serving Member of the House of Commons. If anyone feels any guilt about the proposals or the need to blame anyone else, Lord Sheldon can fill that role. That is doubly beneficial and I am grateful to the hon. Member for Huddersfield (Mr. Sheerman) for his intervention.

I do not wish to detain hon. Members; I have made my views clear. Although the vote is genuinely free, as it should be on such a parliamentary matter, I hope that my hon. Friends can support my view. I make one last plea to the Leader of the House about a subject that is close to my heart and relevant to the proposals. I believed from the start that those who genuinely deserved increased pay were the members of the Chairmen's Panel. That body carries out extraordinarily important work on behalf of the House in an unglamorous, usually unrecognised way. Without it, the House could not function. If I may say so without upsetting anyone present, Select Committee Chairmen enjoy much more glamour and travel and are probably able to get more direct satisfaction from their work. They appear in the media and so on. Perhaps that is the wrong way round. Now that we have established the principle of additional pay and a parliamentary career structure, and if we accept the motions today to give effect to that, I hope that the Leader of the House and the Modernisation Committee will consider the Chairmen's Panel specifically, and perhaps other similar matters that they deem appropriate. I say that because I believe that it is important that the Chairmen's Panel attracts Members of the highest calibre and ability, and that we recognise and reward that appropriately. I hope, therefore, that if we can deal with this business satisfactorily today, get the details right and get on with it in a flexible way that is not set in concrete, the Modernisation Committee will allow us to move on and to deal with the matter of the Chairmen's Panel as a matter of urgency. I hope that the House will feel able to agree to the motions before it today, and I wish the Select Committee Chairmen well as a result.

1.40 pm

Andrew Mackinlay (Thurrock): I am very conscious that my comments will probably not win me any friends. Nevertheless, I intend to try to persuade the House that the proposal before us is a very foolish one. I have to declare an interest, in that I do not think that Ministers should be part of the legislature. I would like them out of it. The relevance of that is that they would then be paid a ministerial salary, but not a parliamentary salary as well. A driving force behind my argument is to identify some parallels with junior Ministers.

I believe that people in the legislature should all be paid the same rate because we are doing the same job. We may have different functions within the legislature, but the same intensity, responsibility and integrity is required of each and every one of us. The fact that some people fulfil different functions does not mean that they work harder or have greater decision-making responsibilities. I accept that Ministers take executive action, but those of us who are not Ministers have to judge every day how far we can push, persuade and probe them, bearing in mind all the constraints of party politics—let us be frank about that.

Some Members are the patron saint of hopeless cases. What about the people who take up the really unpopular causes? I have not done that, but there are some who have. Such people show enormous courage, and for that reason they attract every pressure group and lost cause. The burden on them is enormous, but that is not reflected in their salary. It is dangerous to create a disparity between some Members of Parliament

[Andrew Mackinlay]

and others that is reflected in their salaries. As I have said, the situation is already distorted by Ministers. The gap between ministerial salaries and MPs' salaries is too big. Obviously, I would make an exception for the top echelon, for the people who preside in the Chair, and so on. By and large, however, the disparity is too great, and now we are going to compound it by having two tiers of Back-Bench Members. That is foolhardy in the extreme.

It would be perverse if we were to pass this measure today and exclude the Chairman of the Procedure Committee. That would be stark staring bonkers, frankly, and I hope that, if that happens, it will be remedied pretty damned quickly. But it is the principle of the matter to which I am opposed today, and I urge the House to reflect on that, even at this stage.

I listened carefully to what the shadow Leader of the House said. He made a good point in acknowledging that the members of the Chairmen's Panel do unglamorous work which is not reflected in their salaries. That is absolutely correct. There will also be new cases; this problem will increase. There is a powerful case, for example, for the deputy Leader of the Opposition to be paid more. There could be a case to be advanced for some reflection of the Liberal party's role. People might disagree with the idea, but we can advance the case for the leaders of political parties being paid more.

Mr. Forth: And the shadow Leader of the House.

Andrew Mackinlay: And the shadow Leader of the House in particular. He is in constant attendance in the House. Are we really suggesting that he pedals less fast on the treadmill than the Leader of the House? I just do not accept that. We all have different roles, and I hope that we are all working ourselves to the very limit. If some of us are not, people should know about it.

The shadow Leader of the House mentioned the unglamorous nature of the work done by the members of the Chairmen's Panel. They do that work very well. There are other people who do unglamorous work here and who are paid more for it. They are the junior Government Whips. I have nothing against them, but they are paid large sums of extra money, as compared with ordinary MPs, and they only have a walk-on part. They do not have much to say. The only thing they do is to stand up at the end of the day and say, "I beg to move that this House do now adjourn." What has always amazed me is that they cannot learn their line. They read it every night. I invite hon. Members to look, next time. Presumably this does not apply to my distinguished colleague on the Front Bench this afternoon, but nine times out of 10 they cannot even rehearse their line. They have to stand up and read it from a folder, and they get £12,000 a year more for that.

I know how important the junior Whips are to the mechanisms and workings of Parliament. Of course I accept that. I am referring to the unglamorous nature of their work, because they have no speaking role in the House except to say, "I beg to move that this House do now adjourn."

Mr. Jonathan Sayeed (Mid-Bedfordshire): If the hon. Gentleman is suggesting that this money should be spread more widely, why should it not be given to shadow Ministers? After all, they have to do an enormous amount of work in shadowing a particular portfolio, and they have very little support. If we are going to give extra money to those who have a high profile, would it not be quite right also to give it to those with a rather lower profile but who have to work extremely hard?

Andrew Mackinlay: The hon. Gentleman makes me feel wholly inadequate because he has made that point much better than I was trying to do. It is absurd to extend this measure to the Chairmen of Select Committees, because there will be a compelling case to compound the error of creating two tiers. There is a case for shadow spokespersons to have facilities, and the list could be endless. In a short space of time, we could have two tiers of Members of Parliament.

Sir Nicholas Winterton *rose—*

Andrew Mackinlay: I am happy to give way to such a distinguished Member.

Sir Nicholas Winterton: That is very kind of the hon. Gentleman. The Chairmen's Panel consists of men and women who do a lot of unsung work that is vital to the way in which the House operates. In doing so, they forgo the opportunity of speaking in debates in the House, which would give them coverage not only in the national media but in their local media. Their role is very important and deserves to be valued in due course.

Andrew Mackinlay: That is a valid point. The House might like to reflect on whether it should adopt a practice from the House of Lords, where the equivalent of the Chairmen's Panel is much more extensive. Similarly, in the United States Congress, there are people who preside in the Chair when the Speaker is absent. That function should be spread around, and all of us should have the honour and the obligation to fulfil that function over the course of a Parliament at an equal rate. That would be much more sensible and equitable. It would mean that people were not preoccupied with fulfilling the important function of chairing Committees and being denied the opportunity to participate in debates in the House. I want parity of treatment in the House.

Mr. Salmond: Would membership of the Chairmen's Panel also be open to former Government junior Whips who have trouble reading out, "I beg to move that this House do now adjourn"?

Andrew Mackinlay: I am grateful to the hon. Gentleman for that question, but I am in enough trouble as it is, and I have an appointment later with my hon. Friend the Member for Glasgow, Rutherglen (Mr. McAvoy) about some times at which I want to be absent from the House.

I was very sympathetic to the point that there is a need for increased back-up for the Select Committees and their Chairmen. I shall give an illustration, although I am not trying to denigrate my hon. Friends on the

Treasury Bench in any way. The junior Whips have the use of a Government car, but there may not be an overwhelmingly compelling case for them to do so. However, what they have, they hold—that is a good trade union principle—and I do not want to take it away from them. But if the Chairman of the Foreign Affairs Committee, for example, had to go to the Chinese embassy or the Russian embassy one lunchtime, or if the Chairman of the Health Committee had to go over to the Department of Health at Elephant and Castle, they would have to go by public transport. There is nothing wrong with that, but if the reason for having a car is to expedite and maximise the scarce time and resources of people with a great deal of responsibility, there is a case for allowing the Chairmen of Select Committees to have them as well. The case for a car is much more compelling than the case for increasing their salaries. I am sympathetic to their need for facilities, including cars, but not to the proposal to increase their salaries.

As was pointed out by the hon. Member for Buckingham (Mr. Bercow), this issue is inextricably bound up with the question of how Select Committee members are chosen. I hope that those who do not share my view that there should be more parity in salary terms, including Ministers, will join me in opposing the motion until we have a better system for the selection of Committee members and the selection—or anointing—of Chairpersons. Regardless of whether Labour, Conservatives or Liberal Democrats are in government, the Government of the day in particular—although this will also be true of Opposition Whips—will have a compelling wish, and the capacity, to mould Select Committees to the best likeness of the Government.

The Leader of the House explained the function of Select Committees, and said that he welcomed scrutiny. I accept that that is his view, and also that it is the desirable view; but I think we are being proud of ourselves prematurely if we imagine we have developed our Select Committee systems to the necessary extent. We have not yet done that, and I do not believe that this proposal will advance the position. In a sense, we have not earned what is being proposed.

I assume that after Christmas we shall have an opportunity to discuss the Hutton inquiry. I do not want to trespass on that territory at this stage—I am putting myself in purdah—but in that context as in others the whole issue of scrutiny is at stake. There is, for instance, a big question mark over whether the Osmotherley rules can be reinforced to prevent people from appearing before Committees. There is also a question mark over whether the green light can be given for public servants, Ministers and people in the private sector to appear before Committees and obfuscate. I hope that at some stage the Standards and Privileges, Liaison and Procedure Committees will consider how we can ensure that such people tell the truth, the whole truth and nothing but the truth. That is relevant to what we are discussing because, as I have said, I think it premature for us to imagine that we have reached a satisfactory stage in terms of scrutiny. Independence must be earned, and that returns us to the question of how people are selected.

At the time of the Iraq war, my right hon. Friend the Member for Southampton, Itchen (Mr. Denham) resigned ministerial office. I cannot find words adequate to acknowledge how courageous and principled his resignation was. Nevertheless, I was equally amazed by what happened next. The Chairman of the Home Affairs Committee became a Minister—I believe, incidentally, that he voted against the war—and there was then a vacancy for the post of Home Affairs Committee Chairman. My right hon. Friend the Member for Southampton, Itchen, having been a Home Office Minister, suddenly became Chairman of the Committee.

No matter how distinguished and principled that gentleman was, or is—indeed, that is beyond doubt—I consider it wrong for someone to chair a Select Committee that will scrutinise the Department in which until recently he was a Minister. I think that that is stark staring bonkers.

Mr. Gordon Prentice (Pendle): That followed a recommendation from the parliamentary Labour party to the Labour members of the Home Affairs Committee. The key question is this, however: if the parties are to be instrumental in placing people on Select Committees, should their procedures be published? It is, after all, openness and transparency that are so important.

Andrew Mackinlay: My hon. Friend and I have discussed the issue informally. He attaches great importance to the fact that Labour's parliamentary committee—the equivalent of the 1922 committee—decided that the right hon. Member for Southampton, Itchen should chair the Home Affairs Committee. I think he sees it as something of an advance. I want to be generous this afternoon, but it is at best a marginal advance.

We are talking about party patronage. What if it became the norm in our party and thereby, ipso facto, became part of the British constitution? Along with others, I joined Conservative Members to install the late Sir Robert Adley as Chairman of the Transport Committee in place of the person nominated by agreement between the Conservative Whips in 1992. I would have been denied that opportunity had the parliamentary committee said "No: this is the person for whom you, Mackinlay, must vote". In fact it said that anyway, but I felt confident enough, as I was following the leadership of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). She and I, and my right hon. Friend the Member for Streatham (Keith Hill), baulked at being told who to choose. We honoured the choice of a Conservative Chairman, but it was Robert Adley whom we chose—and we could not have done so under the system proposed by my hon. Friend the Member for Pendle (Mr. Prentice).

Before agreeing to these motions, the House should take account of an arrangement that has just been implemented by our cousins in the Ottawa Parliament. They have instituted their first ever secret ballot—we know how interesting those are, do we not?—for committee members to choose their chairpersons. If we did the same here, there might be a case for these proposals.

Mr. Forth: Just to dot the i's and cross the t's, may I ask whether the hon. Gentleman favours the continuation of a rough apportionment of Chairs according to party before Committee members are allowed to select? Otherwise, given an imbalance in the

[Mr. Forth]

House of the kind that currently exists, there would be a risk that every Chairman would be a member of the Labour party.

Andrew Mackinlay: That is a racing certainty. Yes, I think there should be an apportionment. I also think—as, I believe, did Gladstone, whose fingerprints were on the establishment of the Public Accounts Committee—that in some instances there should be a presumption that the Chairperson is not a member of the governing party. That would mean a sacrifice, but it would be in the interests of democracy. I hope that the Leader of the House will leave office—having, I hope, held it for longer than his immediate predecessors—knowing that he has revolutionised some of our procedures. I am thinking both of changes in our methods of selection and of the possibility of a presumption—I use the word advisedly—that some Committees should be chaired by a member of a party other than the governing party.

I want to frame my final point in the form of a question, phrased somewhat facetiously. The Foreign Secretary and I have argued repeatedly about the Intelligence and Security Committee. He claims that the fact that it is not a Committee of the House of Commons constitutes a distinction rather than a difference. I say that it has absolutely nothing to do with the House of Commons. It is not paid for by the House of Commons, and it is not clerked by the House of Commons; it is clerked by the Cabinet Office. The chairman and secretary are anointed by the Prime Minister.

What do the Government intend in regard to the chair of the Intelligence and Security Committee? She cannot be paid with House of Commons money, because the ISC is not a parliamentary Committee. If she were paid with Government money through some Executive action, it would mean that she held an office of profit under the Crown, and she would therefore be disqualified from holding office in the House of Commons. If the concept that the ISC is somehow equal to or comparable with a parliamentary Committee—the concept of a distinction without a difference—is to survive, primary legislation will be required. I am, in a sense, saying to the Leader of the House, "Discuss." I should like to hear his views.

All that should take place against the backdrop of the Foreign Affairs Committee's recommendation that the ISC should be made a Committee of the House of Commons, appointed by the House of Commons, inadequate though its appointment procedures are. As I have said, I should like them to be improved.

This is another increment my argument to the House that the motion is premature and has not been adequately thought out. There is the question of the Intelligence and Security Committee, and the heart of the matter is how we select the members and appoint the Chairmen of our Select Committees. We have not yet earned the reputation for providing adequate scrutiny in this place; we are only scratching the surface. We know of the obstructions that have been put in our way; every Committee could give evidence on how it has been obstructed and misled. Until such time as we grapple with these big issues, it is wholly wrong to advance money for the so-called Chairmen of these Committees.

2 pm

Mr. Paul Tyler (North Cornwall): I have a great deal of sympathy with the point of view of the hon. Member for Thurrock (Andrew Mackinlay), and not for the first time; I hope that that does not embarrass him. Indeed, I represented some of the views that he has expressed when the Modernisation Committee discussed this matter, a point to which I shall return. However, I should draw to his attention the fact that there are precedents for Members receiving additional salary, over and above their parliamentary salary. I am talking not just about the Speaker and the Deputy Speakers, who, as we all accept, hold very onerous positions. The Leader of the Opposition receives a considerable salary—*[Interruption.]* Well, there is a problem here to which attention needs to be drawn. Let us consider a hypothetical situation in which, numerically, the two Opposition parties are within one seat of each other after the next general election. If one Member transfers from the Conservative Benches to the Liberal Democrat ones, he comes with £500,000. That is a considerable incentive, perhaps, although I am not making an offer. That could be a very interesting transfer fee, and some percentage might be considered.

I should draw the attention of the hon. Member for Thurrock to appendix F of the Senior Salaries Review Body report, on page 18. Considerable sums are involved, and I should also point out that a car and driver are made available to the Leader of the Opposition at public expense. The point that the Chairman of the Education and Skills Committee made about the resources available to the Chairmen of Select Committees is very valid, and although we have made some modest improvements in that regard, that remains the core issue, rather than the question of salary incentives. I shall return to that point a little later.

This afternoon's discussion is extremely important. As the Leader of the House and the right hon. Member for Bromley and Chislehurst (Mr. Forth) said, we are talking about not servants of the Executive or those who are simply aspirant Ministers, but servants of Parliament: those who believe that serving the nation and their constituents in an effective Parliament that holds the Executive to account is not just an honourable profession, but an extremely important one. In that respect, I very much share the sentiments expressed by the right hon. Member for Bromley and Chislehurst.

Naturally, those colleagues on both sides of the House who endorsed my amendments appreciate and respect the decision not to select them. We understand the dynamics of this place, but I would be letting them down if I did not express some disappointment at that decision. I hope that the Deputy Leader of the House can give us explicit assurances in respect of concerns already expressed—not least by the hon. Members for Buckingham (Mr. Bercow) and for Thurrock—about the way in which the package has unravelled, a point to which I shall also return.

The clear mood of the House this afternoon is that this is not a full stop. I hope that the Government will make it clear that the wider concerns already expressed today—they were expressed extensively during the debate of 14 May last year and are reflected in the reports—will be considered very carefully in an appropriate forum.

In the meantime, I yield to absolutely nobody—whether inside or outside this House—in my admiration and support for the increasingly effective scrutiny by Select Committees. It is clear that the question of the leadership of those Committees is extremely important. The hon. Member for Thurrock, in his usual modest way, expressed some reservations about the extent to which the Hutton inquiry has demonstrated that our own processes are not fully adequate to the task that we set for our colleagues who do that job. I accept that, but at least we are moving in the right direction. What we must make clear this afternoon is whether the effort to improve the way in which Select Committees operate in future is being helped or hindered. I would suggest that, to some extent, the jury is still out.

I am not selective in my admiration for Select Committees, so I shall not be selective in my admiration for the Modernisation Committee, of which I am delighted to have been a member since its inception. I want to draw the attention of the House, and of the Leader of the House in particular, to the package of recommendations put to the House in February 2002. It was not just a one-off proposal to pay the Chairmen of Select Committees; it was an entire package. We have referred to the resources issue, which is extremely important. On that occasion, we made an important point about limitation on term. It was clear that, if we were to pay Members to be Chairmen of Select Committees, it would unreasonable to specify an unlimited period, given that there are many volunteers. So we recommended a period of two Parliaments, with special provisions applying if a speedy change should occur between general elections. Indeed, when we last debated this issue, we effectively wrote in a limitation on term, so to some extent that concern has been met.

Other concerns were expressed, however. Although it is clearly right to try to devise an alternative career path, it has to be done in the context of specific safeguards. Limitation on term is one safeguard, but it is not the most important. It is even more vital that the House regain overall responsibility for and the right to supervise the appointment of members of Select Committees. Here, I very much endorse the concerns expressed by the hon. Members for Buckingham and for Thurrock—in other words, on both sides of the House—about unfinished business. I do not want to take away from the parliamentary parties the right to make nominations, but there must be a safeguard. Some opportunity must exist for appeal—for this House to take responsibility for who is to serve it on Select Committees; otherwise, there will always be a question mark about increased patronage on the part of those who, although they may not want to muzzle Select Committees, may want to finesse the way in which they are led.

I have the greatest respect for the current team of Select Committee Chairmen, regardless of party. I hope that I am not embarrassing the one or two who are present. Many of the Chairmen have past ministerial experience, and I suspect that that helps. I am not sure that the immediate jump from one part of the political spectrum into that role is quite as admirable as some would suppose. I yield to no one in my respect for the right hon. Member for Southampton, Itchen (Mr. Denham), but the hon. Member for Thurrock makes a good point: does leaving a Department and then becoming Chairman of the relevant Select Committee provide an opportunity to find the skeletons that much quicker? That is possible. On the other hand, does the new Chairman arrive with a mindset that makes scrutiny less effective?

Safeguards are extremely important. We should consider the question of it being thought, whether inside or outside this House, that the Whips Offices have effectively given themselves extra leverage over existing Select Committee Chairmen, whereby they say, "Take it easy, boy, because we've got an important and difficult job to do. By the way, you do remember that your salary is to some extent dependent on the support of your Whips Office." That is an extremely important issue. Even if that were not the reality, but the perception was that in some way or other, the effectiveness of a Select Committee and its leadership was in any way being hampered by the new financial pressures that the Whips Office could exert, that would be very damaging indeed.

Mr. Bercow: Given that, under our procedures, a period of time must elapse between the departure of a Minister and his assumption of commercial responsibilities relating to the Department of which he was previously part, does the hon. Gentleman think, further to the intervention of the hon. Member for Thurrock (Andrew Mackinlay), that the same principle should apply to departing Ministers who take over the chairmanship of Select Committees?

Mr. Tyler: That is a very positive suggestion, to which I was about to come. The comparison that the hon. Gentleman makes with a ministerial exit is very valid; indeed, I had not thought of that way of approaching the issue. It would be a good solution. I very much hope that the Government will respond to that specific point.

Sir Nicholas Winterton: To reinforce the hon. Gentleman's case, I recall that when the Conservatives came to office, Labour took control of the Social Services Select Committee and wished to appoint the immediately prior Secretary of State for Social Services—David Ennals, who became Lord Ennals—as the Chairman of that Select Committee. I have to say that some colleagues, including Labour Members, and I prevented that from occurring for the very reason that has been suggested. We had the chairmanship put in the safe hands of the then hon. Member for Birkenhead (Mr. Field).

Mr. Tyler: Many of us will recall that example, even if we were not Members of Parliament at the time. It demonstrates the value of having a degree of independence, which leads to effective and independent scrutiny.

I want to refer to a couple of other issues that were the subject of the amendments. I find it odd that there is such confusion about the dividing line between the Committees that should receive the additional remuneration for their Chairs and those that should not. The Modernisation Committee had a different dividing line, as did the Liaison Committee in its original report—I see the Chairman of that Committee in his place—from the one that is specified now.

I am unclear about how the dividing line has been drawn. Have the Government leaned on the SSRB, or has it come completely independently to the view that,

[Mr. Tyler]

for example, the procedure of the House is less important than the work of the Environmental Audit Committee? Or is that Committee being treated somehow as a domestic Select Committee rather than a scrutiny Select Committee? I do not understand that. The reference in paragraph 2.02 of the SSRB report does not deal with that particular problem, but leaves it open as to where the dividing line should be drawn. I would like to be assured that the concerns expressed to the House this afternoon—they reflect issues raised in our debate of 14 May and again in the SSRB report—have been properly addressed.

I understand the point of view of the nationalists. Although, thank goodness, I no longer have any role in those concerns, it is a matter for direct negotiation with the Government and both sides were happy to take the issue on. However, it is a private fight, in which I do not want to indulge—

Mr. Salmond: As the hon. Gentleman has indulged himself a little, I will allow him to indulge himself some more. Surely, if a change is being proposed in respect of the payment of Select Committee Chairman, it is only reasonable that any outstanding issues concerning the method of selection are addressed before further changes are made. Is that not a relevant matter?

Mr. Tyler: I am not saying that it is irrelevant, but that it is a dialogue to which I do not intend to contribute. I take the point that several outstanding issues have not yet been addressed.

I shall return to the motion. Given the comments of the Leader of the House, an outside observer might consider that there was consensus on all the issues, but that is simply untrue. It is clear even in the SSRB report that there was far from consensus on the critical issue. Paragraph 41 of the original report of the Modernisation Committee referred to the principle of payment of Select Committee Chairs, and I hope that the House will forgive me if I read a few lines because it is highly relevant. It states:

"This is not a matter on which there is any consensus in the House. The Chairman of the Liaison Committee in his evidence to us was frank that the chairmen themselves of the select committees hold opposing views. This difference of opinion was reflected in our own Committee. We are unanimous in agreeing that the post of chairman of departmental select committees attracts a heavy work load and a substantial responsibility. There are some, however, who attach importance to the principle that all back-bench Members should receive the same salary and believe that there would be dangers in relating pay to workload which can vary for many reasons among Members."

That is far from a ringing endorsement of the principle that has been put before the House this afternoon. There are a great many outstanding issues, such as those highlighted in the Select Committee report from which I have just quoted—we are paying tribute to the work of Select Committees this afternoon. I take those issues from the report as our starting point this afternoon.

The question of incentives has already been mentioned. I believe that the incentive to attract talent to this job has nothing to do with salary. I am sure that all hon. Members who have served in that capacity would agree. What about salary or pension eligibility? Are they uppermost in the minds of former Ministers and other hon. Members when they reflect on whether to take on the additional responsibility? That is surely nonsense. I do not believe that that is what discourages hon. Members from contemplating that alternative career path to the ministerial route.

We then come to the issue of volunteers. When I was my party's Chief Whip and had some minor considerations to reflect on—sadly, we do not get very many opportunities—I can tell hon. Members that there was no lack of very able volunteers. I have never heard that other political parties ever had difficulty in getting people to volunteer to be Chairs of Select Committees. The incentive argument is, frankly, absurd.

Mr. Forth: Without wanting to tread on overly delicate territory, would the hon. Gentleman concede that his argument might not apply in respect of the Chairmen's Panel? The work and the perception of the work of a Chairman of a Select Committee in comparison with that of a member of the Chairmen's Panel is very different. Does the hon. Gentleman agree that the incentive argument might apply to the one, if not to the other?

Mr. Tyler: I agree precisely with the right hon. Gentleman—indeed, that was my next point. It looks as though we collude on these occasions, but far from it. I would not want to put the right hon. Gentleman in a difficult position with the new leader of his party. Yes, of course what he says is true: the service that hon. Members give to the House in chairing Standing Committees is unparalleled. Taking on that responsibility certainly brings hon. Members no benefit as regards constituency or media coverage. However, that is not the only responsibility that Members accept.

I can spare the right hon. Gentleman's blushes by acknowledging that some colleagues spend a lot of time serving on the House of Commons Commission, which can be an onerous responsibility. Millions of pounds of taxpayers' money is spent on the administration of the House, and the Commission supervises that to ensure that the job is done effectively. I am not aware of any significant personal benefits from carrying out that function. Occasionally, the Speaker might call someone on the Commission to speak, but I suspect that it would be on the grounds of their contribution to the debate.

Andrew Mackinlay: I wholly agree with the hon. Gentleman in pointing out the extra work and additional contribution made by hon. Members in those positions, but the $64,000 question is where one stops and draws the line. That is what has to be answered this afternoon. What the hon. Gentleman says makes a compelling case to pay those Members more in a future Parliament and we will end up with two-tier MPs.

Mr. Tyler: I agree with the hon. Gentleman, which is why I tried to widen the debate, as he did, a few moments ago. If we do not discuss the context of the proposals, we are not doing our duty. I am sorry to see that the Leader of the House has left us temporarily and I hope that the Deputy Leader will be able to call him back. Without proper assurances, many of those who supported the amendments that I tabled will feel that they have to vote against the motion and divide the

House. If we had been allowed to vote on those amendments, that embarrassment could have been avoided. The natural inclination of many of us would be make our points on the amendments and then let the motion proceed. I have no doubt that others will share the view of the hon. Member for Thurrock—now that we have been denied that opportunity, if the House is divided he will gain support from other hon. Members.

I want to return to the issue of incentives. The remit that the House gave—or was it the Government; I am not sure exactly how it was devised—to the SSRB precluded a discussion about the wider issue of incentives and who else should be considered. In that respect, the SSRB has answered the question that it was given, but it was the wrong question. That puts us in an invidious position.

I endorse the point made by the hon. Member for Huddersfield (Mr. Sheerman), which is accepted on both sides of the House: adequate resources to ensure a degree of independence from reliance on Government information and data is critical to making Chairs of Select Committee as effective as possible.

Sir Nicholas Winterton: The hon. Gentleman is displaying his case in an analytical way that is very helpful. I remind him that the SSRB was fairly specific in respect of the list of Committees whose Chairmen would receive remuneration, but that its recommendation clearly states that the final decision on which Committees to include should be determined by the House itself. However, the House is being denied that opportunity this afternoon. I ask the rhetorical question: why?

Mr. Tyler: I echo that rhetorical question. I suspect that the hon. Gentleman will ask it again later, if he catches your eye, Mr. Deputy Speaker.

My central point is that I believe that we are being asked to adopt a piecemeal approach to a matter that is very important for the reputation of Parliament, the way that it operates and the sort of people that are attracted into different jobs here. We have been taken into this rather absurd and narrow cul de sac by the way in which the SSRB remit was devised, by the report that it made and by the way in which we are having to deal with the motion this afternoon.

That is most unfortunate. It would not be appropriate for the SSRB to look at the wider issues. It is asked to do very specific tasks. Its responsibility, background and experience are not appropriate when it comes to deciding how the House should remunerate those key people who serve the nation through serving the House.

Another body—perhaps the Modernisation Committee, I do not know—will have to look at the wider issues. I hope that the Minister will give the House a specific assurance that the matter is not a fait accompli and that we have not reached the end of the road in respect of it. The Government must recognise that there are wider and very serious concerns on all sides of the House. Those matters have been represented in the amendments in today's Order Paper, and in this afternoon's debate. It would not be appropriate to refer the matter again to the SSRB. Only this House, with the advice of an appropriate Select Committee, can make these important decisions. The future reputation of hon. Members as effective scrutineers of what the Executive do is at stake.

2.22 pm

Mr. Alan Williams (Swansea, West): As Chairman of the Liaison Committee, I should like to make a few remarks in response to the arguments that have been advanced. First, what we are discussing today is not a choice between pay and extra staff. When I first became Chairman of the Committee, I had discussions with every other Select Committee Chairman. I was overwhelmingly impressed by the sheer inadequacy of the support provided to the Committees.

I made a recommendation to the House of Commons Commission, which fortunately it accepted, that we should have an independent review and that that review should include the membership of the National Audit Office, so that everyone could see that it was absolutely objective. The review took place, and made major recommendations in respect of changes to the back-up provided for Select Committees. In fairness to the Government and to the Commission, I must say that both have accepted the recommendations.

The problem of those in the process of being recruited at the moment is thus being addressed. The problem that we are discussing today is separate, and I hope that that reassures my hon. Friend the Member for Thurrock (Andrew Mackinlay) somewhat.

I spent 22 years on the Front Bench, but for most of that time I was on the wrong side of the House. I want to assure Opposition Members glumly anticipating a similar experience that the House must recognise that Front-Bench Members of all Opposition parties put in an enormous amount of work, with minimal back-up. Often, they have to respond at very short notice to statements and so on. If they go unrewarded, they do so in the hope of rewards in the future, when their party comes to government.

Today's proposal is, like the proposal on staffing, the result of an independent review. The recommendation comes not from the House of Commons but from the Senior Salaries Review Body. The list that was referred to was compiled by the SSRB, not the Government. My reading of the report suggests that the list is based on the division into investigative and non-investigative functions. The hon. Member for Macclesfield (Sir Nicholas Winterton) is the Chair of the Procedure Committee, and I make the point to him that the report recommends that the final choice in respect of the list should be left to the House of Commons.

The Government have acted appropriately in putting forward the list recommended by the independent SSRB review. Unfortunately, there is no provision today to allow hon. Members to discuss amending that list. For example, hon. Members might have decided to remove some Committees from the list: one that is listed, which I will not name, incurs a minimal amount of extra work. By contrast, if the amendment tabled by the Chair of the Procedure Committee had been selected, I would have supported it, as I think that there is a case to be made for his Committee's inclusion. I hope that that will be borne in mind, and that we will be able to put forward some recommendations before the next SSRB review in the spring.

Sir Nicholas Winterton: I am grateful to the right hon. Gentleman, but the SSRB recommendations state that the final decision on the Committees to be included in

[Sir Nicholas Winterton]

the list should be made by the House. That means that the House does not have to accept the SSRB's recommendations. Does it not seem extraordinary that we have no opportunity today to consider amendments that might amend that list—bearing in mind the reservations expressed by the right hon. Gentleman about a Committee that has been included?

Mr. Williams: I believe that that would have been much more in the spirit of the findings of the report—but I must be careful, as I value my good relationship with the Chair. I am not aware of the procedural background or the precedents in respect of amendments to motions of this kind. It might have been helpful if the House had been able to amend the list, but the hon. Gentleman must pursue that matter with the Chair.

Some of the men and women who chair Select Committees have indicated that they may not take the pay. As I pointed out, that is up to them, and it is no reason for them to oppose the recommendation. No one is going to force feed them money, but they are able to choose whether they take the salary on offer.

The right hon. Member for North-West Hampshire (Sir George Young) is Chair of the Select Committee on Standards and Privileges. I have served with him for some time. His Committee has recommended that Chairs should not be able to have a double income. Does he believe that they should be allowed to accept an income from articles about the work of their Committees? I think that the answer may be implicit in what he has said, and I do not expect him to answer me now. He has undertaken that he will give advice to Select Committee Chairmen, and I hope that he will consider the matter before he and the House of Commons Commission compile that advice.

The salary involved is not princely like a Minister's salary. It is less than half what a Parliamentary Private Secretary gets. In terms of career structure, being a Select Committee Chairman is a start, but it is not on the same track as a PPS. I shall say why that is doubly unfair.

Most hon. Members want to have experience as a Minister. Any hon. Member who has carried out the duties of such a post will recognise the privilege of being able to do something with politics. As my hon. Friend the Member for Thurrock (Andrew Mackinlay) and other hon. Members have pointed out, it seems wrong that there is a tendency for those, such as myself, who have enjoyed the enormous privilege of being a Minister to step down from the preferred track and immediately or relatively quickly switch across to the other track, thereby excluding those who have never had ministerial experience.

Andrew Mackinlay: I am grateful to my right hon. Friend for saying that. I did not wish to interrupt his flow because I totally agree with him. Equally, it should at least be a convention in the House that, if a person accepts the chairmanship of a Select Committee, he or she will not accept an offer from a Prime Minister to become a junior Minister in the lifetime of that Parliament. What happens is that the Prime Minister phones up and says, "Would you like to be Under-Secretary of State for paperclips and statues?" and they say, "Yes", and ditch the Select Committee pretty damn quick. That is the great tragedy.

Mr. Williams: Part of the trouble is that most hon. Members are in politics not just to chair Committees, with respect. We chair Committees because we feel that it is a job that needs doing, and some of us get a perverse sort of kick out of doing it. Very few people who are elected to the House do not have some ministerial ambition, and there is nothing wrong with that ambition. The chairmanship route is limited in the time that the post can be occupied. A ministerial post is only limited by the good will of the Prime Minister of the day. Many people carry on for 10 or 15 years in government; others never have the good fortune to experience that. So it is important that the chairmanships that are on offer should not be given as compensation to those who have experienced ministerial office, as they have already had a Minister's salary and the redundancy pay that they get as a Minister.

May I put in a bid to the Minister in support of what various hon. Members have said? Other hon. Members do jobs that are singularly unrewarding. I am enjoying my job as Chairman of the Liaison Committee, but frankly, I can think of nothing more horrendous that being condemned to chair Standing Committees. Many Members enjoy that very much, but they give up an enormous amount of time. They also lose a lot of political opportunity to spend their time in more politically advantageous activities. So I ask the Minister—again, he need not make any firm commitment—to discuss with the Leader of the House the possibility of setting up a similar review for the Chairmen's Panel to find out whether those Chairmen should also be included in some way. I leave that open, but my inclination is that they should be included and an independent review would at least be advantageous.

Of course I support the proposition before the House, but my final point is that, if anything, the role of Select Committees must become more important, or they will begin to wither. Hutton has presented Parliament and the Government with a clear choice. We must not fail to get our act together properly in allowing Select Committees to investigate the Executive by sorting out which witnesses they can call and what papers that they can demand, after the gulf that has been demonstrated by Hutton in what has been available to the Foreign Affairs Committee compared with what is being made available to the external inquiry.

If we do not grasp the nettle now and revisit the Osmotherley rules, which have been referred to, I suspect that more and more pressure will come from the public to take significant inquiries outside the control of the House and put them into more judicial hands. That would not be advantageous for democracy. We are here to investigate and interrogate the Executive, but the Executive have to understand that that imposes duties on them to be as co-operative as possible with the Committees.

Mr. Tyler: I am listening with great care to the case that the right hon. Gentleman is making, which reflects concerns on both sides of the House, and it is extremely helpful to hear it come from him. Given that, to some extent, the Liaison Committee started the ball rolling

about reviewing the role of Select Committees, will he consider whether his Committee might take the initiative in looking again at this issue, with the example of the Hutton inquiry in mind?

Mr. Williams: I have already initiated the start of such a review by the Clerks to the Liaison Committee, and the Public Administration Committee is undertaking such an inquiry. It is inconceivable that, post-Hutton—we have to let Hutton get out of the way so that we can take a less impassioned perspective—we will not try to pick out what lessons need to be addressed by the House and by the Government if the Select Committees are to be seen by the public, which is what matters, as fully able to hold the Executive to account. That is crucial for the House of Commons.

2.36 pm

Mr. David Curry (Skipton and Ripon): I do not wish to be a fly in the ointment, but I am afraid that even though I would stand to benefit and my Select Committee is one of the four biggest in the House, I think that the entire concept of there being a scrutiny role separate from a Front-Bench or ministerial role is deeply intellectually confused and does not work in practice. I say that because it represents an attempt to graft the concepts of a Congress on to the practice of a Parliament, and I do not think that that works.

If we have separation of powers—if the Executive are separate from the legislature—we can have scrutiny Committees that work effectively, and people know when they are elected to that legislature that they are not aspiring to ministerial or Executive office. However, in the House, the attempt to make a distinction between those two things is very difficult to achieve in practice. I can see that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) is getting agitated.

Mr. Forth: How well my right hon. Friend knows me. Does he believe that this pass was sold when we set up the Select Committees back in 1979–80? What we are discussing is a more mechanistic aspect, but the role and functions of Select Committees was an aspiration that we expressed back then and subsequently turned into practice. If he wants to query the role, purpose and existence of the Select Committees, I might be rather with him on that, but does he not think that we have passed that point?

Mr. Curry: I do not think that we have passed that point. I am not aware that the rationale for setting up the Select Committees was to create a parallel career path. That notion has been introduced a great deal more recently to the debate. If we look at the reality, one wonders whether we will see a break between what is happening now and what will happen in the future.

Those Select Committee chairmanships that are in Conservative hands are very largely in the hands of ex-Ministers. I am an example and, although I hasten to add that my right hon. Friend the Member for North-West Hampshire (Sir George Young) would not benefit from the proposals, he is another example. Let us consider the most spectacular example of recent Labour practice. I think that I am right in saying that the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin), was Chairman of the Home Affairs Committee. He was then made a Minister. He then reverted to being Chairman of the Home Affairs Committee, in which role he made some serious points about how much more preferable it was to be in that position. He then became a Minister again. The Chair of that Committee was filled by the right hon. Member for Southampton, Itchen (Mr. Denham), who had recently resigned from the Government. That is an example of the practice. Are we going to say that there will be a total break from that practice? I regret that example—there is much that is ill about it. The arguments for some sort of quarantine period are valid.

I am pointing out the extent to which the present practice is likely to change if there is supposed to be a decent ethos. When we swap sides in this House, which I am sure will happen much more rapidly than the Chairman of the Public Accounts Commission, the right hon. Member for Swansea, West (Mr. Williams), suggested a short while ago, I bet my bottom dollar that there will be a great many ex-ministerial candidates lining up to chair Select Committees. That is not a bad thing. The Select Committees are there to scrutinise Government Departments. Knowing how Departments work is an asset that can be brought to that role. It is not an indispensable asset—I am not saying that other qualities are not required—but it is important to have that asset too.

Of course, it would help if the control of the Whips were relaxed. The Leader of the House said that it has been; I will describe in a minute why I do not think that that has made a great deal of difference to the functioning of the Select Committees.

A practical consideration comes to mind. When people enter the House, are they going to sign up to say that they want to be on the scrutiny or on the ministerial ambition side? Will there be a red, green or blue channel—a trajectory that we describe for ourselves? Will it be possible to change channels? Can one buy oneself out of one channel and into the other if circumstances change? If the Prime Minister is good enough to say, "You've impressed me so much in your scrutiny role that I would like that dialectical and analytical mind at the service of my Government", is one going to say, "Sorry, guv, I've signed up for this role and I will forgo the services I can render to the nation in ministerial office"?

Andrew Mackinlay: Would it be unreasonable to expect someone who is selected to chair a major Select Committee at the beginning of a Parliament to shun offers from the Prime Minister during that Parliament? That is the point. It does not need to be in perpetuity, but there should be a convention—a discipline that if one signs up to chairmanship, one should see it through that Parliament.

Mr. Curry: That would be one way to deal with my concerns. It depends on how prescriptive we want to be—creating ghettos, as it were, in which Members of Parliament function. There is a serious problem attached to that idea.

If we want to pay Select Committee Chairmen and get people to focus on the scrutiny role, what about members of the Committees? What about the handful of

[Mr. Curry]

members of each Committee who do most of the work, if we are blunt about it? Should we not reward them too? After all, the competitive demands on hon. Members' time make life difficult if they are going to be assiduous Committee members, especially with our silly new hours where Westminster Hall, the Chamber, Standing Committees and Select Committees are all competing for the same windows of opportunity for work.

Sir Nicholas Winterton: My right hon. Friend has raised an interesting point. How would he treat those who do all three tasks to which he referred: Westminster Hall, Standing Committees and Select Committees? Does he believe that they should receive some form of recognition?

Mr. Curry: It is a simple matter of calendar. If one is working on a Select Committee it is difficult to attend debates in Westminster Hall. One has either to walk out of the Select Committee to do so or to renounce doing so, as one can never be sure what time one will be called to speak.

It is important that Select Committee members do not have to forgo membership of Standing Committees. We have to be in touch with the normal scrutiny work of the House. I like to serve on Standing Committees dealing with Bills that interest me and not simply to be confined to a particular activity. That is why my Select Committee meets on Wednesdays. We leave Tuesdays and Thursdays free, although Government managers often take six or seven members of my Committee to work on Bills, making it difficult for the Select Committee to function.

Peter Bottomley (Worthing, West): In essence I agree, if my right hon. Friend is saying that these new hours turn being a Member of Parliament from being a vocation into having a vacation, except for those who want to work hard. Is not the underlying truth that one can pay people equally to do different amounts of work, but one cannot pay them unequally to do the same amount of work?

Mr. Curry: I think that I will agree with my hon. Friend, but I hope that he will give me some time to reflect on whether I do. I am too cautious a man to agree to a happy formulation of words without realising what they actually mean.

We must not exaggerate the role of Select Committees, and I say so as a Select Committee Chairman. Their role is to supervise the administration of business and the way a Department discharges its responsibilities, to allow the ventilation of issues of current political concern or those that are likely to be of immediate concern, and to create a forum in which ideas can come together—to look over the hill a little—about future policy issues. Occasionally, it may be necessary to broaden one's experience to undertake that role.

Select Committee members are like geologists: they can only sink an occasional core into the work of a Department. The idea that they can scrutinise all the activity of the Department is nonsense. With my Select Committee, we have three Committees sitting all the time because we have used the rules that allow us to have two Sub-Committees in permanent session, which rotate and succeed each other, but we only touch the surface of the work of the Department for Environment, Food and Rural Affairs. We can never do more than that.

I do not wish to make myself unpopular, but the real problem is attendance at Select Committees. The Labour party may have a new nomination system, but even in the case of people who have volunteered for a Committee—I am told that their colleagues have chosen them—their attendance is not always as assiduous as it perhaps ought to be. On occasions, we find ourselves scratching around for a quorum. It is a real problem. My Committee has 17 members. If one allows for people who come for a brief period and are recorded as being present but play little active role in the Committee, it boils down to a handful of people doing the work over and over again. That is a greater threat to Select Committee work than nobbling by the Government.

People have too many competing pressures placed upon them. Too many people are unwilling to select and to focus on one activity, given those competing pressures in the constituency and here. Added to that, we sometimes have a problem getting ministerial attendance and there can occasionally be the problem of ministerial interference. We need to tackle the practical workings of the Select Committees.

I am also apprehensive about what payment will do to the relationship between a Chairman and his or her members. My Select Committee is run extremely informally. I cannot remember the last time we had a division, and that is because a great deal of work goes on quietly, people know each other very well and trust each other—and I think we probably like each other. We are a highly productive Committee because of the way we work.

That work depends a great deal on trust. It depends, for example, on members being willing to allow me to decide which amendments matter to a report and which are simply technical tidying-up or improvements. If they did not give me their trust, we would not get through the amount of work that we do. I do not want to institutionalise my position to such a degree that it becomes part of the political contest itself. I am therefore very apprehensive about that aspect.

If I reject the concept of there being a separate scrutiny role, I am free to say that if we are going to start to pay people we should be looking a great deal more widely at the people whom we pay. My right hon. Friend the Member for Bromley and Chislehurst, on a point of agreement, mentioned the Chairmen's Panel—its members chair Standing Committees—and the Chairmen in Westminster Hall. Some of them are the same people. The real heart of scrutiny is what happens in this Chamber. It is wrong to suggest that scrutiny in the Select Committees is a substitute for, or comes anywhere near, the scrutiny of Government Bills as they appear.

I regret the timetabling of measures, which now happens so automatically. It has done more damage to scrutiny than almost anything else. I am now told that the Planning and Compulsory Purchase Bill is to have a colossal additional part added on further consideration. That is a real affront to scrutiny. The most important

people as regards scrutiny are the shadow Ministers who have to take Bills through Standing Committees. They have to do a colossal amount of work and give a colossal commitment in time, but have precious little support to enable them to do so. My hon. Friends who take complex Bills through Committee are the unsung heroes of this place and they certainly deserve more support. They may well deserve more reward than they get at present.

Mr. Tyler: I have some sympathy what the right hon. Gentleman is saying, but I am sure that he realises that the specific purpose of the Short money is to give the Front Benches of both Opposition parties some resources to assist with that role. His points about other Members are extremely valid.

Mr. Curry: The Short money cannot solve the problems that I am talking about. There is little practical support when Bills are going through Committee. As the hon. Gentleman knows, however substantial the Opposition parties may be in the House, they are enormously dependent on lobby organisations pursuing measures to generate amendments and to give them the type of back-up and support that they should perhaps receive from somewhere else. Equally, it is true that, when the House is as unbalanced as it is at present, both the principal Opposition party and the Liberal Democrat party have problems stretching their resources widely enough to man Committees.

There are many issues that we should consider. We should look more generally at the systems and structures of rewards in Parliament. As I said, I reject the notion of a separate career path, but we should think hard about the issues. I realise that the House has taken a decision in principle, but the pay of Select Committee Chairmen is postulated on assumptions that would be difficult to sustain in practice and which could create tensions and difficulties that might act as grit in Select Committee procedures rather than facilitating them; nor would they provide incentives.

2.51 pm

Mr. Gordon Prentice (Pendle): I have only a few observations. The proposal is premature; it puts the cart before the horse. We are talking about awarding some Select Committee Chairs an additional £12,500, yet we have not resolved the central conundrum: how do we appoint people to Select Committees fairly in the first place?

How did the issue come about? A couple of years ago, my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and my right hon. Friend the Member for Swansea, East (Mr. Anderson) were dumped by the Government as Chairs of their Select Committees. That provoked huge outrage. The Modernisation Committee went into conclave and, on 14 May last year, presented us with proposals to set up a committee of nomination.

I agreed with that proposal and voted for it, but many Members did not. Indeed, in a free vote, no members of the Cabinet supported the proposal made by the then Leader of the House, yet I recall that Labour Whips were pointing to the No Lobby, saying "PLP, this way". I raised the matter on a point of order and in the parliamentary Labour party committee, from which I stood down last week. There was supposed to be a free vote, yet someone—the situation did not materialise out of thin air—instructed Labour Whips to torpedo a proposal that had been made by the Leader of the House. That situation should never have occurred.

Mr. Tyler: Does the hon. Gentleman recall that the majority was only 14? It was extremely narrow. I entirely endorse what he says. I voted with him and it was extremely disappointing that the Government Whips achieved that small majority.

Mr. Prentice: Yes, the proposal squeezed through on a tiny majority and we are left in a situation where political parties make their own nominations. That is why I told my hon. Friend the Member for Thurrock (Andrew Mackinlay) that all the parties, not only the Labour party, should publish their procedures so that the matter is open and transparent.

My good friend, the right hon. Member for Southampton, Itchen (Mr. Denham), is now Chair of the Select Committee on Home Affairs after a minuet in which the former Chair of the Committee has gone back into the Government. I was astonished when the matter came before the parliamentary committee and I found out for the first time that it had the powers, buried somewhere in the rules of the parliamentary Labour party, to recommend someone to the PLP as the Chair of a Select Committee even though he was not even a member of the Select Committee at that point. That was astonishing.

On reflection, I am disappointed in myself because I did not make an issue of that at the time. I thought that I was some kind of expert on Labour party rules, yet even so, I did not appreciate that the committee had that power. It is wrong. I am not being personal; I am making no personal asides about the competence or otherwise of my right hon. Friend the Member for Southampton, Itchen, but the procedure stinks.

There are many other things that stink about how people get on to Select Committees. In the current Session, there are 65 Labour Back Benchers who sit on no Committee. That is a disgrace. As the right hon. Member for Skipton and Ripon (Mr. Curry) said, it is disgraceful that people who have the privilege to serve on a Select Committee cannot be bothered to turn up. People who constantly absent themselves from a Committee, without good reason, should be kicked off and other more assiduous Members should be appointed.

Sir Nicholas Winterton: I entirely endorse the hon. Gentleman's last remark. Does he recall that part of the Modernisation Committee's report on Select Committee nominations and chairmanships noted that if Members did not turn up they could be reported to the Committee and removed, and that a Member who was prepared to give the time to serve should be appointed?

Mr. Prentice: I agree with that; such a reform is long overdue. My Labour colleagues, as well as Members from other parties, deserve a fair crack of the whip.

Mr. Peter Pike (Burnley): Does my hon. Friend agree that not all Select Committees are equally popular? I chair the Select Committee on Regulatory Reform, which has great difficulty in attracting a full membership. Conservative Members rarely attend, and Labour finds it hard to fill the numbers.

Mr. Prentice: I realise that some Committees are more popular than others. Post-devolution, it is extremely difficult to find people to serve on the Scottish Affairs Committee because all the action now takes place in Edinburgh; recently, a vacancy went unfilled for about four months. Other Select Committees, however, are very popular—for example, the Foreign Affairs and Treasury Committees. Often, between 10 and 15 Labour Members apply for each vacancy on those popular Committees. The situation varies.

People should be given a fair chance to get on to a Select Committee. In the current Session, 17 Labour Parliamentary Private Secretaries are serving on Select Committees, which is unacceptable. People on the Government—

Mr. Deputy Speaker (Sir Michael Lord): Order. May I gently remind the hon. Gentleman that his remarks should relate to the payment of Chairmen of Select Committees?

Mr. Prentice: Indeed, Mr. Deputy Speaker. I shall get back to the point at issue. However, it is central to our debate that we clarify the issue of how people get on to Select Committees in the first place. That is integral to the whole debate. Earlier, I said that it was premature for us to agree the £12,500. It is premature because we have not agreed on a fair system for putting people on to Select Committees, thus, with respect, I think that what I am saying is germane.

Fifty-six Labour MPs serve on more than one Select Committee. That, too, is wrong. We cannot have people serving on multiple Committees while a large number of colleagues are straining at the leash to serve on just one.

Mr. Salmond: I did not know that people served on multiple Select Committees. Does that mean that, theoretically, someone could be the Chairman of two Committees simultaneously and be paid twice under these proposals?

Mr. Prentice: I speak from memory, but I think that that point is covered in the motion. The hon. Gentleman may not have read it closely enough.

Now, what should I say next? There is so much to say and I do not want to stray out of order.

Let me finish on this point: after the Dunwoody-Anderson furore, the Labour party changed its procedures. It used to be the case that the Chief Whip, without consultation, would bring forward names to the parliamentary Labour party, which would rubber stamp them, and that would be it. Now, a kind of intermediary phase exists, in which the Chief Whip brings forward names to the parliamentary committee, which is like the 1922 committee, which can amend those names and then put them to the PLP for endorsement. It is important that people understand the procedures and feel that they are fair. There will always be some element of judgment somewhere in the system, but openness and transparency are absolutely paramount.

I will not support the motion before the House today, and I hope that we can revisit the issue in a way that allows us to resolve the problems that have been identified by my hon. Friend the Member for Thurrock and other Members in relation to how we introduce fairness into the appointments system in the first place.

3.1 pm

Sir Nicholas Winterton: I am delighted to follow the hon. Member for Pendle (Mr. Prentice), who twice during his speech mentioned the saga of some two years ago in respect of the Chairmen of the Transport Committee and the Foreign Affairs Committee. Of course, that was not the first occasion on which there had been flagrant and blatant interference in the appointment to Select Committees. That happened in 1992, when my party, displaying complete arrogance towards the House, ill-advisedly created a law or rule whereby a Member of the House could not sit on the same Select Committee for more than three Parliaments. It did it with one intention—to prevent my reappointment to the Health Committee. It did not want me to be re-elected as Chairman of that Committee, which, with members such as the late Member for Preston, Mrs. Audrey Wise, and others including the hon. Member for Halifax (Mrs. Mahon), had done a wonderful job and had got the confidence of those throughout the country who were interested in health care and the health service. It acted quite wrongly.

The repeat of that was two years ago. The House will rue the day when it rejected by just 14 votes the recommendations of the Modernisation Committee, which sought to introduce impartiality into the appointment of members of Select Committees. Of course, were there impartially and properly appointed members of a Select Committee, such a Committee would should select its Chairman.

Mr. Pike: Is it not true that to do the deal to prevent the hon. Gentleman being the Chairman of that Select Committee, a Labour Chairman was also removed from his Select Committee to comply with the arrangement, and that there was collusion on that?

Sir Nicholas Winterton: Indeed, the hon. Gentleman makes a valid point. Those who were responsible for that plot, which is exactly what it was, failed to go through the list thoroughly enough, however, and other distinguished Chairmen of Select Committees were affected, particularly the Chairman of the Home Affairs Committee, who had to resign and was not reappointed. It is time that the House of Commons took control of the appointment of Members to Select Committees, because the role of those Committees is to scrutinise the legislation brought forward by the Government of the day and to hold the Government of the day to account.

I will reluctantly support the motion because I am strongly in favour of there being an alternative career structure—another option—to ministerial preferment. Some people want to serve the House, and do not just

come to this place to become Prime Minister or a Minister. Although they may change their mind, I believe that the role of the Back Bencher is essential to the successful and proper operation of our democratic procedures here in Parliament. I shall read out, if I may, a small extract from the Modernisation Committee's report, which started this whole debate. Paragraph 41 states:

"As long as Government office is the principal Parliamentary role to be recognised by additional payment, it need not be surprising that the role of scrutiny should be regarded by the world as inferior. Accordingly we recommend that the value of a parliamentary career devoted to scrutiny should be recognised by an additional salary to the chairmen of the principal investigative committees."

I deeply regret that no amendments to the motion have been selected and that we are not able to debate what the House seeks to establish. The report continues:

"We envisage such committees including the departmental select committees and other major committees of scrutiny such as the Public Accounts Committee and the Public Administration Committee, together with the Deregulation and Regulatory Reform Committee, European Scrutiny Committee and Procedure Committee."

Clearly, it is somewhat invidious for me, as Chairman of the Procedure Committee, to speak on that, but I do so because, as I said in an intervention earlier, I am in the last quarter of my parliamentary career and I therefore believe that I can speak with impartiality about the importance of that Committee. I believe that the Senior Salaries Review Body was wrong to remove the Procedure Committee from the list of Committees whose Chairmen it particularly specified should receive remuneration. I say that because the Procedure Committee is not just a domestic Committee of the House. It goes way beyond that. For example, let us consider the inquiry that we are currently undertaking into Sessional Orders and resolutions of the House that are moved at the beginning of every new Session of Parliament. That is not just domestic—we needed to take evidence from the Home Office, a very important Department, on that matter. Local government issues are also involved in respect of that matter, as is the whole issue of law and order. Not only are we doing an important job of scrutiny but we are doing an investigative job at the same time.

I also emphasise, as I did in an intervention earlier, that the SSRB, in recommendation 1, which relates to paragraph 2.21, states:

"Payment should be made only to the Chairmen of the departmental Select Committees, and to the Chairmen of the externally focused 'cross-departmental' committees such as the following: Environmental Audit, European Scrutiny, Human Rights, Public Accounts, Public Administration, Deregulation and Regulatory Reform and Statutory Instruments."

It then goes on to say, rightly, that the final decision on which Committees to include should be determined by the House itself. That was the very point made by the right hon. Member for Swansea, West (Mr. Williams), who chairs with great distinction the Liaison Committee. It seems extraordinary to me that the House is being denied the opportunity, in this motion, of properly debating and deciding which Committees should be included among those whose Chairmen are to be paid.

Mr. Alan Williams: On a point of order, Mr. Deputy Speaker. I seek clarification from the Chair on a point arising from what the hon. Member for Macclesfield (Sir Nicholas Winterton) said. Was it decided that the motion could not be amended, or was it Mr. Speaker's decision that amendments that would have encompassed the SSRB report's recommendations would have allowed changes to take place?

Mr. Deputy Speaker (Sir Alan Haselhurst): I tell the right hon. Gentleman that the motion before the House was certainly amendable, but Mr. Speaker had to make a selection in the usual way and no amendment was selected.

Sir Nicholas Winterton: It is for that very reason that I have not questioned the Chair. I am merely expressing a view in the light of the words in the SSRB's report, which I repeat:

"The final decision on which committees to include should be determined by the House".

The meaning of "the House" is this Chamber and especially its Back Benchers because the motion will be decided on a free vote. However, we have not been given the opportunity to decide which Committees to include. We have been limited—

Mr. Deputy Speaker: Order. The hon. Gentleman must be careful about his choice of words lest he appears to be questioning Mr. Speaker's impartiality and judgment when determining amendments. The House has a decision to make on the basis of the motion before it. It is in the hands of those who drafted the motion to advise the House on the Committee Chairmen who should be remunerated, if that is what the House decides.

Sir Nicholas Winterton: I am grateful for your good, sensitive and sound advice, Mr. Deputy Speaker. I am merely pointing out to the House, as I believe that I have the right to do, that the SSRB report on which the House is making a decision indicated that the

"final decision on which committees to include should be determined by the House itself."

I am pointing out, as a matter of fact, that the House is not being given the opportunity to decide that.

Mr. Tyler: I wonder whether I can help the hon. Gentleman because there might be a way out of his dilemma. If he were to vote against the motion, it would give the Treasury Front Bench the opportunity to come back with a revised motion reflecting adequately the SSRB recommendation.

Sir Nicholas Winterton: The hon. Gentleman is my colleague on the Modernisation Committee. I am delighted that the Leader of the House entered the Chamber when the hon. Gentleman made that point because I was extremely supportive of one of his predecessors, the right hon. Member for Livingston (Mr. Cook), who spent some time as Chairman of that Committee. I believe that the present Leader of the House will try to guide and drive through positive and progressive changes to this House.

Mr. Forth: Oh no!

Sir Nicholas Winterton: I tell my right hon. Friend that I am a pragmatic man. We are not in government

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at the moment and the Leader of the House and his party are. When the Deputy Leader of the House winds up the debate, he may tell us that matters relating to the Committee Chairman who should remunerated could be the subject of speedy review and consideration. If he does, I shall certainly continue with my original intention of supporting the motion. However, the hon. Member for North Cornwall (Mr. Tyler) has told me that the best way to achieve such review would be to vote against the motion. Between now and the end of the debate, I shall clearly have to give that suggestion careful consideration.

Mr. Alan Williams: Does the hon. Gentleman agree that contrary to the implication of the SSRB report that we should be able to add to or take away from the list of Committees when it said that it was for the House to decide the final list, we are confronted with a situation in which our only choice is all or none, which is hardly much of a choice?

Sir Nicholas Winterton: The right hon. Gentleman, who has been a Member of the House for somewhat longer than I, has uttered some wise words. It is unfortunate that the House faces such a decision. I want an indication from the Deputy Leader of the House in his winding-up speech of whether the matter might be subject to further review and attention.

Mr. Hain: I said in response to the shadow Leader of the House that the motion should not be the last word. However, I urge the hon. Gentleman not to vote the motion down because if he and his colleagues do that, that will be the end of it. We would not have an SSRB-supported recommendation, so there would be no authority for me to proceed. Surely the sensible way for him to achieve his objective is to establish the system with the motion and build from there.

Mr. Forth: On a point of order, Mr. Deputy Speaker. I think that it would help the House if you could guide us. The Leader of the House suggested that despite the fact that the House has passed a motion in principle saying that there should be a provision for additional pay for Chairmen, if we reject a detailed motion to give effect to that today, that will be the end of the matter. Is it not more properly the case that if the motion were rejected, the Leader of the House would be obliged to put a new motion before the House to give effect to the vote of principle on a more acceptable basis? I would have thought that that is more likely than his suggestion that today is somehow final and that if we say no, that is the end of the matter. Surely the House's vote in principle is determinant. The motion is an attempt to implement the detail of the proposal but if we say no today, surely we could return to the matter.

Mr. Hain: Further to that point of order, Mr. Deputy Speaker. I do not think that there is anything between the right hon. Gentleman and me.

Mr. Forth: There is.

Mr. Hain: Well if there is, it is this. The House asked the SSRB to consider the matter and it has done so independently of any Government or House influence. It is proper for us to consider whether we agree with its recommendation. If we were to disagree, we would be left in a vacuum.

Mr. Forth: Further to that point of order—

Mr. Deputy Speaker: Order. There cannot be a debate on a point of order, and I have not forgotten the hon. Member for Macclesfield (Sir Nicholas Winterton), who is hoping to resume his speech at some point. The House has the choice of whether or not to approve the motion. If it does not approve the motion, it is the end of the motion. Of course, it would be possible for another motion to be brought forward but whether such a motion would come forward is not a matter for the Chair.

Sir Nicholas Winterton: I am grateful to my right hon. Friend the Member for Bromley and Chislehurst for making his point of order. I have great respect for his abilities and great affection for him because he is a considerable parliamentarian. However, I am something of a pragmatist. If we feel a bite on a measure that I support, we should reel that fish in. The motion would be a move in the right direction by giving additional recognition to those who play a vital part in the running of the House and its ability to scrutinise legislation and hold the Government of the day to account. Although I am still considering the suggestion made by the hon. Member for North Cornwall, it would be a little churlish of me to vote against a measure of which in principle I am in favour. I merely regret the fact that the House of Commons is not able to do precisely what the SSRB suggested by saying that the final decision on which Committees to include should be determined by Members of the House.

Many people who have not served on, or taken an interest in, the Procedure Committee might fail to appreciate some of its duties and responsibilities. In recent times, especially since the Labour Government came to office in 1997, the House has faced matters relating to devolution. Devolution has a substantial impact on how the House deals with things. Many matters that we dealt with before are now delegated to the Parliament in Scotland, the Assembly in Wales and, when it sits again, the Assembly in Northern Ireland. Need I remind hon. Members that the House is increasingly affected by matters relating to the European Union? Again, the Procedure Committee, which the SSRB wrongly considered to be domestic and inward looking, has responsibilities that are very much outward looking, into all parts of the UK and the ever-enlarging EU. We have a duty to ensure that the procedures of the House enable Members of the House properly to scrutinise legislation and to comment on issues that have an impact on the people whom we all represent in our respective constituencies.

The Leader and Deputy Leader of the House increasingly understand that fact. I appreciate the close working relationship that has existed for a number of years between the Modernisation Committee since it was set up and the Procedure Committee.

Mr. Alan Williams: Does the hon. Gentleman agree that the use of the term "such as" in the SSRB's report shows that it regards the list not as carved in stone, but as something that could be amended by the House? As it is a relatively short time until the next review, perhaps the best way forward is to make a further submission to it and the Leader of the House for the review that is due next Easter.

Sir Nicholas Winterton: The right hon. Gentleman, who deals with Liaison Committee matters extremely effectively and positively and who has been a Minister of the Crown—he was also a shadow Minister; I remember him performing from the Opposition Benches on many occasions—is helpful. If the Liaison Committee, which he chairs, makes further representations to the Leader of the House, and if the Minister responding to the debate gives us some encouragement, as the Leader of the House has done, my voting for the motion will be a positive stand.

I think that my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), who was also a Minister, misunderstood the point made articulately and appropriately by the hon. Member for Thurrock (Andrew Mackinlay). He did not say there is a taboo on accepting a position with a Government if someone is or wishes to be a Chairman of a Select Committee. His point was that if they were elected a Chairman, that appointment would be for the length of a Parliament and should be accepted on that basis. The question is whether they should, for reasons purely of ambition, give up that chairmanship if they get enticed by a ministerial job. The hon. Gentleman is right. We need to establish the tradition in a code of practice so that an individual who accepts the chairmanship of a Select Committee automatically knows that he is unable to accept a ministerial appointment during that Parliament. Chairmen should take the job on in that knowledge.

My right hon. Friend the Member for Skipton and Ripon, who has done an extremely good job as Chairman of the Department for Environment, Food and Rural Affairs Committee, should recognise that we need people with knowledge, experience and commitment to serve as Chairmen of Select Committees. Without them, the Committees will not do their job properly. It was a great day for parliamentary democracy and the ability of the House to hold the Government to account when the departmental Select Committees were established in 1979–80 as a result of the St. John-Stevas recommendations.

I look forward to working closely with the Leader of the House, not only as a colleague on the Modernisation Committee, but also in my capacity as Chairman of the Procedure Committee. I want the House to be more meaningful. The Leader of the House, the Chairman of the Liaison Committee and the right hon. Member for Livingston, when he chaired the Modernisation Committee, are right: giving an alternative career structure to Members who are committed to Parliament is a move in the right direction. It is important that we understand the situation properly and that those Committees and Committee Chairmen who do a good job should be fully recognised.

My final point relates to the Chairmen's Panel, which is, of course, relevant to you, Mr. Deputy Speaker. Those hon. Members who act as Standing Committee Chairmen or as Chairmen in Westminster Hall, our complementary Chamber, do an unsung job. It takes them away from high-profile political activity. It frequently prevents them from speaking in debates on the Floor of the main Chamber. It also prevents them from participating in high-profile political activity in other parts of the Palace.

I hope that in due course the Leader of the House suggests to the SSRB, perhaps after a debate in the House, that they both consider the remuneration of members of the Chairmen's Panel. I have been involved in such work voluntarily for 18 years. I enjoy it. It gives me a buzz to be involved in the detailed scrutiny of important legislation. Although Mr. Deputy Speaker cannot participate in the debate, as the senior member of the Chairmen's Panel I can say that it is getting more and more difficult to get people to come forward to do the job. Without those people, the House could not operate. Let the House never forget that.

3.27 pm

Sir George Young (North-West Hampshire): It is a pleasure to follow my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), who said that he was in the last quarter of his parliamentary career. It is in the nature of one's job as a Member of Parliament that one is never absolutely certain which quartile one is in.

My hon. Friend touched on two frustrations that have been a constant theme of our debate. The first was the lack of an explicit link between the recommendations that we are considering and the Modernisation Committee's recommendations on a nomination committee. The fact that there is not a link was referred to by the hon. Member for Pendle (Mr. Prentice) who, in view of that absence, is not minded to support the proposals. The solution is for the Deputy Leader of the House to say something about the Government's intentions regarding those proposals, the vote on which was narrowly lost. We have heard about the background to the Division, and the fact that a number of Members who, if they had reflected on what they were about to do, might have acted differently. It would be helpful if the Deputy Leader of the House would say in his winding-up speech that he is minded to give the House another opportunity to reflect on the Modernisation Committee's recommendations.

Another frustration that the right hon. Member for Swansea, West (Mr. Williams), my hon. Friend the Member for Macclesfield and others have touched on concerns the Committees specified in the proposals. My view is that it is unrealistic of the SSRB to decide which Committees should have paid Chairmen and which should not, as that is a matter for the House to resolve. It would be helpful if the Deputy Leader of the House could tell us how he plans to respond to the feeling that has run right through our debate that, for understandable reasons, the SSRB may not have got it quite right. We have been unable to amend the motion, but the feeling in the House is that we would like to revisit this soon. The Deputy Leader of the House has a

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responsibility to address both those concerns, which have run right through our debate this afternoon.

The Government motion approves my Committee's sixth report, and specifically endorses the two principles that we set out in paragraph 16. I shall speak briefly about the report, then make some even briefer remarks about the broader issues.

Sir Nicholas Winterton: It was a very good report.

Sir George Young: I am obliged to my hon. Friend.

My Committee was not asked whether Chairmen should be paid, which Chairmen should be paid, how much Chairmen should be paid or when payment should start, and I was pleased about that. We were asked a specific question about what should happen to Chairmen's outside interests if they were paid. In compiling our report, we were greatly assisted by views and representations of a large number of Select Committee Chairmen and others, whose names appear in the annexe. There was no unanimity, as one might expect, but the centre of gravity of the representations is broadly reflected in our recommendations.

We noted that Members of Parliament who are paid officer holders, but are not members of the Government—incidentally, such officer holders are paid more than is recommended for Committee Chairmen in the SSRB's proposals—were not subject to any restrictions on their outside interests. Having discovered that receipt of a salary from public funds had not hitherto been seen as grounds for imposing restrictions on Members' outside interests, we saw no reason to apply a different principle to payments to Select Committee Chairmen. Although our research was not exhaustive, we found no other country, Assembly or Parliament in the UK where paid Chairmen have to renounce their outside interests. Our first conclusion was that Select Committee Chairmen who are paid as such should not, subject to what I shall say in a moment, have to relinquish their outside interests.

We qualified that recommendation by referring to work that arises directly from Committee work as set out in paragraph 17. Besides the work that Chairmen do in the House in leading their Committees, many of them also undertake a lot of outside work—articles, broadcasts, conference addresses and so on. That is beneficial both for the Committees—it spreads knowledge about their work and enhances their visibility and their reputation—and the House, as it helps to enhance its public profile and the public's knowledge of its scrutiny work. Paying chairmen will not, and should not, result in any need for change in that outside work. However, in the view of my Committee, it changes the question whether Chairmen can properly accept payment for work set out in paragraph 17 that arises from their chairmanship.

We therefore asked the House to endorse two principles. First, there should be no question, nor any appearance, of any double payment from a Chairman's salary and an outside activity arising primarily from that chairmanship. Secondly, Chairmen should not gain private benefit from work done in whole or part with assistance from public resources. The differential between MPs and Chairmen, which the right hon. Member for Bracknell (Mr. Mackay) mentioned, would be widened unacceptably if Chairmen got a salary and were paid for activities arising from their chairmanship. It would also go down badly with the general public.

Mr. Salmond: A few moments ago, the right hon. Gentleman said that his Committee had looked at the situation in other Parliaments and Assemblies in the UK. If my memory serves me correctly, in the Scottish Parliament, Committee Chairmen are not paid, but in the Welsh Assembly they are paid £5,000. The Northern Ireland Assembly is obviously not in existence at present. Was it the National Assembly for Wales that determined the recommendations made by the right hon. Gentleman's Committee?

Sir George Young: We discovered that there are no restrictions on the outside interests of Committee Chairmen, whether paid or not, other than those that apply to everyone else. In one body, there is a payment for Chairmen, but the principle that we were looking at was whether Chairmen should have to renounce certain interests.

The right hon. Member for Swansea, West made a point about transitional arrangements, but we have dealt with that, and recognise that a change in mid-Parliament may cause problems for some Chairmen. We therefore propose that for the remainder of this Parliament Chairmen should have the option to decline the proposed payment, in which case their existing freedom in relation to accepting outside interests would remain unaltered. We stated that if the House endorses what we propose, we will bring forward some guidelines to help Select Committee Chairmen, and the Registrar can give advice. We also said that if Chairmen are to be paid, the interests that they declare prior to being chosen should become public knowledge as quickly as possible. Finally, if the basis for paying Select Committee Chairmen changes, we might want to reconsider the matter. In other words, what may be right at £12,500 might not be right if the figure were higher.

On the broader issue, I spoke and voted for the payment of Chairmen last time we debated the matter. I have no interest to declare, as my Select Committee is not in the frame for payment. I understand the reservations of my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) about the cohesion of Committees being at risk if Chairmen are paid. I understand the issue about rotating sub-committees and the argument about two classes of MPs, which the hon. Member for Thurrock mentioned. We do not have the separation of powers that exists in the US and the position is not comparable, but I take a strategic view of the question.

Over recent years, Parliament has conceded much of its authority to the Executive, and we need to change the terms of trade. There is no one solution that puts that right, but there are various measures relating to how we manage the business of the House, how we programme Bills, how we resource Select Committees, how the House becomes more accessible and more intelligible to the public we represent, and how we hold Ministers to account. Those other measures are for another day, but part of the solution, in my view, is the development of an alternative career structure within the House. We need

measures to counter the gravitational pull of ministerial office, and some public statement that the job of scrutiny has proper recognition and status.

I see paying Select Committee Chairmen as an important step in the rebalancing that I propose. That is why I voted for it and will vote for it again today. I have two qualifications, however. First, I think the SSRB has undervalued my colleagues and there is a risk of sending out the wrong signals. It is not at all clear how the SSRB arrived at the figure of £12,500. The Hansard Society report and Norton considered much higher figures. But with the promise of a further review, which should take place in the near future, I am prepared to risk the undervaluation of my hon. Friends and Labour Members. Also, if the House is to vote itself extra payments, it is better to do so under cover of the SSRB report, rather than going for a figure of our own.

My second caveat is one that we have touched on. I see Select Committee chairmanship as an alternative career structure, but it should not be a complementary career structure. If I blink, I may see the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin) back in the Liaison Committee as Chairman of Home Affairs. As we heard in the debate, the right hon. Member for Southampton, Itchen (Mr. Denham) moved seamlessly from office to being Chairman of the Home Affairs Committee.

Part of the package that we voted on last time was a different method of appointing Select Committees, prising the fingers of the Whips off the process. I voted for payment and for independent nomination as two sides of the same coin. I got one, but I did not get the other. I shall vote for payment today, but I very much hope that there will be some reassurance from the Deputy Leader of the House on the issue of nomination, and that we can revisit the matter in the near future.

3.37 pm

Mr. Alex Salmond (Banff and Buchan): I regret that I have only a couple of hours to develop my argument as to why the motions cannot be supported given their unsatisfactory state. I say that not to threaten the House with a lengthy speech, but to reflect the fact that the debate hardly seems to have grabbed the attention of all our colleagues, judging from the number of contributions that we have heard compared with the time that the Leader of the House allocated for that. Compare that with yesterday's debate on drugs, with one and a half hours allocated and many Members wishing to speak.

I do not know the reason for the poor attendance at today's debate. It is an important issue. The right hon. Member for North-West Hampshire (Sir George Young) used the phrase "under cover". Perhaps some of our colleagues are under cover on questions of making additional payments to Members of Parliament.

I am not certain whether there is an overriding principle that should make us vote against the proposals. I understand the argument from the hon. Member for Thurrock (Andrew Mackinlay) about two classes of MPs. With his rapier-like logic, he identified many deficiencies in the motions. There could well be an argument for supporting them, but the Government should be clear that they have met the preconditions. They should explain which Chairmen of which Committees will get the payments and why, and the process whereby Members end up with such appointments should be made transparent both within and among parties. None of those conditions has been met, as has been made perfectly clear in contributions that were excellent in quality, although limited in number.

I can reassure the hon. Member for Thurrock, who is desperately concerned about his popularity these days and has added the junior Whips to his long list of political enemies, that he is not unpopular with me. Indeed, he will not become unpopular with me as long as he uses his contributions in the House to prick the bubble of pomposity that surrounds many of the recommendations. I thought that his logic was commendable. He told us that, on the basis of the arguments advanced today, a case could be made for suggesting that just about everybody in the House should receive an extra payment. Indeed, I thought at one stage that the right hon. Member for Skipton and Ripon (Mr. Curry) was about to argue that nobody in the House did not deserve an additional payment. Such questions must be answered.

The Chairman of the Liaison Committee, the right hon. Member for Swansea, West (Mr. Williams), made a devastating contribution. His knowledge of Select Committees is probably more detailed than that of any other hon. Member, as he chairs the Committee of the Chairmen of Select Committees. He did not suggest that additional Committees should be paid more, as the hon. Member for Macclesfield (Sir Nicholas Winterton) did, but considered that one Committee on the list—he was coy about naming it—should not be included, as his knowledge told him that the duties of its Chairman were not worthy of extra payment. Perhaps the right hon. Gentleman will intervene to tell us which Committee he was referring to—a question that I have been thinking about for the past hour and a half. None the less, in the light of his knowledge, there is a severe question about the list.

It is not good enough for the Leader of the House to say that if we voted the motion down, it would never come back. Perhaps it would come back in a form allowing those with detailed knowledge to contribute in deciding which Committees should feature on the list and with a rationale explaining why the Chairmen of 25 out of 35 Select Committees should be awarded payment, while the other 10 Chairmen are not. Such a motion might also explain why other Committees are excluded, as has been mentioned. It would be perfectly reasonable to allow the right hon. Member for Swansea, West and others to contribute in trying to formulate a better list.

Much the most worrying of the contributions pointing to the difficulties raised in the motion was that of the hon. Member for Pendle (Mr. Prentice), who referred to fairly widespread malpractices—let us call them that—in terms of multiple involvement in Committees and the non-filling for weeks on end of vacancies on unpopular Committees. I can tell him that there are volunteers on the minority party Benches who could fill such vacancies, which are apparently not taken up. He rightly pointed to the previous debate on this matter, in which there seemed to be tremendous enthusiasm among the Whips about blocking some key

[Mr. Alex Salmond]

points that might have made the recommendations acceptable, including checks and balances on how nominations are arrived at. Given the narrowness of the majority in agreeing to the original motion and the activities of the Whips on that occasion, the Leader of the House cannot seriously tell us that there is a huge consensus behind the proposals, as there clearly is no such consensus.

Three aspects would have to be addressed before the recommendations could be approved. The first is the question of openness in the process by which people are nominated—an issue that has not been resolved. I think that everybody agrees that Select Committee places and chairmanships should be apportioned between the political parties, but we have pointed to recent occasions on which only intervention by some parties has saved others from making the wrong appointments. I remember that, when the hon. Member for Macclesfield was being bumped from the Select Committee on Health, he had enthusiastic support not only from those on the Government Benches, but from people such as me. When attempts were made to bump out the Chairman of the Select Committee on Transport and the voting took place, it was only the ability to mobilise cross-party support that saved the House from making a decision that clearly would have been wrong. So although it is correct that the balance should be apportioned between parties, there has to be some sort of check—possibly in the form of the nominations committee that has been suggested—because there are many examples in the recent past of things not being done properly.

Sir Nicholas Winterton: I am listening with great interest to the hon. Gentleman's constructive speech. Can he tell me whether he took part in the debate on the nominations committee and supported the recommendations put forward by the then Leader of the House on behalf of the Modernisation Committee?

Mr. Salmond: I think that I was here and that I supported the recommendations. I seem to remember that I discussed the representation of minority parties—I am about to do so again—and mentioned some of the more unseemly activities that were alluded to by the hon. Member for Pendle. I have not checked the record—I may have been elsewhere on vital business—but I think that I was here, contributed to the debate and voted.

Mr. Tyler: The hon. Gentleman is in the clear.

Mr. Salmond: The hon. Member for Banff and Buchan is innocent, OK.

That brings me rather neatly to the second point, which is that there remains a huge suspicion of patronage. It would be extremely unwise to reinforce that, even with a relatively modest payment—the right hon. Member for North-West Hampshire even objected that it is not enough—before clearing up the suggestion that it is an additional reward to those who can be depended upon not to be too truculent in the great manner of previous Select Committee Chairmen such as the hon. Member for Macclesfield. We do not want to reinforce the suggestion that such positions are yet another bauble to be traded in the parliamentary atmosphere.

My final point is the subject of my amendments, which unfortunately were not selected. Will the Deputy Leader of the House accept that it is high time that he and his boss acted to prevent the shabby practice of excluding minority parties from their fair share of Select Committee places and a proportional share of Select Committee chairmanships? The proposal is that 25 Chairmen should be paid. More than one in 25 Members of this House belong to a minority party, so minority parties should have a Select Committee Chair. Those parties are happy to agree among themselves who that should be. Forgetting payment for a moment, that could also give a Member from one of the minority parties a place on the Liaison Committee. At the moment, the minority parties are prevented from having an opportunity to question the Prime Minister in his regular appearances before that Committee.

It is ridiculous that almost a year after the right hon. Member for Livingston (Mr. Cook) accepted in the debate on 28 January this year that there was an imbalance and an injustice—as was reinforced in the debate on 14 May—the Leader of the House has not moved to redress that imbalance. It is not good enough for him to say, "That is a matter that has been considered by the Selection Committee." If we can move with such alacrity on this controversial proposal for payment of Select Committee Chairmen, surely he will want to move with even greater alacrity to correct an unfairness that was identified and accepted by his predecessor and by the right hon. Member for Livingston.

I hope that the Deputy Leader of the House can give the minority parties some reassurance that the situation whereby we are under-represented by three Select Committee places and do not have a Select Committee Chairman will be addressed and put to rights.

I can speak from the experience of being Leader of the Opposition in the Scots Parliament. I was in a position of some authority for some minority party Members—namely the three independent Members in the Scots Parliament in 1999. Although the three Members—one Green, one Independent and one Socialist—were not entitled proportionately to membership of Committees, the late Donald Dewar and I agreed that the Parliament would regard itself as reduced unless minorities were given the right of expression. The sin is much greater in this place, where the minority parties are statistically entitled to more places and a chairmanship, yet continue to be denied them. No action is being taken to redress that injustice. I hope that the Deputy Leader of the House will deal with that.

I have listened to the shadow Leader of the House in many debates. I finally agreed with something he said today—his point of order was absolutely correct. However, every time the Modernisation Committee presented a proposal on, for example, votes, procedures, timings of sittings—he was right about the latter—he greeted them as if they represented the end of parliamentary democracy.

Mr. Forth: I was right.

Mr. Salmond: I believed that it had ended some time ago in this place, but that is beside the point.

The right hon. Gentleman warmly greeted the proposal that we are considering, although there is no consensus about it because it means that some Members of Parliament will receive more money. Yet suddenly the shadow Leader of the House decided that one specific proposal would not mean the end of parliamentary democracy, and might be a good thing, despite his reservations. I begin to wonder whether some pressure has been applied to him. Perhaps the Tory Whips have got at him in the way that Labour Whips got at Labour Members in order to defeat genuinely modernist proposals.

If the House of Commons votes to pay some of its Members more money, we had better have good reasons for our choice of Members and be able to demonstrate that the system is equitable and balanced. That is not the case, and unless there is a dramatic change of direction, the minority parties will vote against the motions.

3.52 pm

Mr. David Cameron (Witney): At the outset, I acknowledge that I have arrived in the House only recently and therefore have less experience than many who have spoken. Indeed, I worked out that I have approximately only a twentieth of the experience of the right hon. Member for Swansea, West (Mr. Williams). However, there is no harm in a new look at Select Committees, their job and whether Chairmen should be paid.

I became a member of the Modernisation Committee only recently and therefore did not participate in its report on Select Committees. However, when I was hiding from various groups of arm-twisters yesterday, I took the time to read that excellent report in full. I stress the comments of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) to the effect that the proposals are free-vote territory for Conservative Members. I assure the hon. Member for Banff and Buchan (Mr. Salmond) that no arm-twisting has occurred. We have a sort of double free vote because of our position, with a new leader in the offing but not here yet. It is like the Prague spring—we are allowed to say exactly what we think. Such movements are often subsequently crushed with bloody force.

Mr. Salmond: I accept that the Conservative parliamentary party does not need arm-twisting to vote for extra money.

Mr. Cameron: I was about to say something polite about the hon. Gentleman, but I shall have to reconsider that.

Our debate has been short but excellent. My view is clear: the payment of Select Committee Chairmen is justified on two grounds. The first ground is their work. I appreciate the point of the hon. Member for Thurrock (Andrew Mackinlay) that all hon. Members do all sorts of work. However, the Select Committees play a key role in scrutiny. They were set up in 1979 by Lord St. John of Fawsley, and they have now grown into their role and do a brilliant job.

The Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin), has been given rather a hard time in the debate today. I served with him on the Home Affairs Committee and I would like to put on record what an excellent job he did as its Chairman. No one could accuse him of being a Government stooge.

The work of the Chairmen of Select Committees includes the preparation of the Chairman's draft report, helping to sift the evidence, the setting of agendas, the arranging of meetings and working with the Clerks. Crucially, what has changed recently is the level of pre-legislative scrutiny. I was complaining yesterday to the Leader of the House that we sometimes have to scrutinise a Bill before it has even been published. I pay tribute to the Government, because they have tried to move ahead with pre-legislative scrutiny. At one stage, however, the Home Affairs Committee was scrutinising three or four Bills at the same time. There is a lot of extra work involved.

More importantly, the second ground for paying Select Committee Chairmen is the alternative career path. Obviously, Conservative Members could all be pursuing alternative career paths soon, depending on what happens. I really believe in the point about the alternative career path. If we want the House to have more independence and to do its job of scrutiny well, we need to encourage a parliamentary path as well as a governmental one.

I welcome the Senior Salaries Review Body report. It tries to distinguish between what it calls outward-facing and inward-facing Committees. I am not sure that that is entirely consistent. My hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) made a good point when he said that the report states that the House should decide these matters. On the other hand, page 3 of the report states:

> "Our analysis leads us to the view that the roles and responsibilities of departmental and other scrutiny committees are entirely different in kind from those of the 'domestic' committees, or from other committees with a focus purely on the internal workings of the House of Commons itself."

My hon. Friend made a powerful case for there being other Committees that are worth looking at, and I am sure that the deputy Leader of the House will consider that when he comes back to the matter.

I felt that the judgment of the SSRB report on the level of pay looked about right. I rather disagree with my right hon. Friend the Member for North-West Hampshire (Sir George Young) on this. The report says that we should examine the equivalent of a Parliamentary Under-Secretary and adjust the calculation bearing in mind the amount of time that they work, which I think is reasonable. As my right hon. Friend the Member for Bromley and Chislehurst said, we should see that as a first step. I mean we as individuals, because of course we have a totally free vote on this issue.

I would like to respond to one or two of the points raised in the debate. I have sympathy with what the hon. Member for Banff and Buchan said about the minority parties. In sheer numerical terms, it is difficult to argue against his point about allowing the minority parties greater representation on Select Committees. I was interested that he mentioned membership of the Liaison Committee in his amendment, which was not selected. I have often seen him ask questions of the Prime Minister,

[Mr. Cameron]

and now the Liaison Committee questions the Prime Minister. It would be an excellent idea to co-opt him on to that Committee. I can see merit in that idea.

Mr. Curry: Regarding the representation of minority parties on Select Committees, the Conservative party is quite stretched in trying to man all its commitments, the Liberal Democrat party is seriously stretched in that way, and the minority parties are impossibly stretched. If we were to have a deliberate policy of having more minority party Members on Select Committees, we would need some assurances about attendance. I would extend that to Members of the other parties as well.

Mr. Cameron: I agree with my right hon. Friend. This debate has brought out a lot of very interesting points that have not been made before. I think it was the hon. Member for Pendle (Mr. Prentice) who said that there should be penalties for absenteeism. That is a very good suggestion and I hope that it will be taken up. Perhaps that would address the point raised by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry).

Sir Nicholas Winterton: I think it was also the hon. Member for Pendle who gave the House what I considered an extraordinarily surprising statistic, namely, that a very large number of Labour Members of Parliament sit on more than one Select Committee. Given their numbers in the House, that seems rather odd. Does my hon. Friend think it right that an individual should sit on more than one Select Committee? Is this a matter that the House should look at? Obviously, the Chairman of a Committee rightly has to sit on the Liaison Committee, so I would not count that as membership of a second Committee.

Mr. Cameron: I think it is a matter that we should look at.

The hon. Member for Pendle produced the fascinating statistic that 65 Labour MPs were not members of any Select Committee. I wanted to ask him—but deemed it a bit partisan on a day like today—whether there was any correlation between those 65 and Members who habitually vote against their own Front Bench. Perhaps we could return to that question at some point.

My hon. Friend the Member for Macclesfield should be given credit for being open and up front. No one could accuse him of lurking in the shadows. He made a strong case for the inclusion of the Procedure Committee on the list. As I have said, I think the response from the Government Front Bench may well be, "If the Procedure Committee is to be included, what about the Standards and Privileges Committee? What about the Modernisation Committee?" I should hate to think that we were increasing the pay of the Leader of the House still further, but I shall be interested to hear what the Deputy Leader has to say.

I agree with the hon. Member for North Cornwall (Mr. Tyler) that we need to deal with the issue of patronage and nomination. He seemed to be saying that we had put the cart of payment before the horse of nomination. I shall vote for the motion because I think it makes some progress, but I think it vital to deal with both horse and cart even if we do not deal with them in the right order.

To me, the principle is clear. If we are to introduce an alternative career path and if we are to provide some payment for it, we need greater independence for those who receive the payment. The SSRB could be said to have hinted at the existence of a problem in its report. In its evaluation of the job done by a Select Committee Chairman it concluded, on page 6, that

> "the technical know how of Select Committee Chairmen was considerably greater than that of backbench MPs. Chairmen need to combine substantial accumulated wisdom about politics and the House itself with in-depth knowledge of at least part of the subject matter covered by the committee. (The consultants accepted that this assessment was not entirely consistent with the selection processes currently employed to appoint committee Chairmen.)"

That, I think, was a shot across our bows.

The hon. Member for North Cornwall mentioned the Modernisation Committee report. I think that it got the principle of nomination processes right. It said:

> "Any new method of nomination needs to be independent, authoritative, transparent and able to command the confidence of the House on both sides."

I think it also got current practice right when it said:

> "The Committee of Selection has come to interpret its role as limited to confirming the proposals put to it by the front benches on both sides."

I see merit in the establishment of a nomination committee as proposed by the hon. Member for North Cornwall and as outlined by the Modernisation Committee, and I would support it if we were voting on it today.

I am probably a little naïve, but I still think there are weaknesses in the Modernisation Committee's report. I feel that it placed too much weight on seniority. My naivety extends to a belief that there could be some role for election. When I looked at the proposal, I thought of Strom Thurmond and the seniority system in the Senate as it was. I would favour either indirect elections to a nomination committee, or direct election among Back Benchers to Select Committees. There could even be cross-party elections, in which seats on Committees could be allotted to the various parties—

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): You would not win any seats.

Mr. Cameron: I think I have answered that point.

Places could be allotted to the parties on the basis of a vote by all Back Benchers. Of course there would be a danger of all of us voting for each other's troublemakers, and playing party games. The hon. Member for Pendle would probably get a record poll, but people would not necessarily behave like that. We will not know until we try, and on the whole we should consider methods of election, rather than other methods, in choosing Select Committee members.

The splendid speech of the hon. Member for Thurrock was an advertisement for why we should not have time limits in every debate. When he said that we should not have two classes of MP, I was taken back to a speech that I heard as a student—he will not like this—

when I sat in the Gallery and watched Enoch Powell make the same point. The hon. Gentleman may be called in for a career development interview after his remarks about the Whips, but his was a powerful speech. He made a very interesting point, which was backed up by the right hon. Member for Swansea, West, about whether Select Committees have the powers to do their job properly. He also mentioned the Hutton inquiry, and perhaps the Modernisation Committee or the House in general will have to return to this issue in the light of that inquiry, to ensure that we give Select Committees the power to call papers and witnesses, for example.

In a strong speech, my right hon. Friend the Member for Skipton and Ripon said that we should not try to combine elements of a Parliament, in which the Executive also sit, with elements of a Congress. Consistency can sometimes be the enemy of progress, and my concern is that we need to do more to make this place more independent of the Executive, and to improve its powers of scrutiny. Although I would not go the whole hog with the hon. Member for Thurrock, who wants to throw all Ministers out of this place, we can do some things to improve our independence and the way in which we legislate and scrutinise. What we are talking about is a first step. The hon. Gentleman and many others mentioned the problem of Ministers and Select Committee Chairmen swapping places, and in a good intervention my hon. Friend the Member for Buckingham (Mr. Bercow) came up with a very good answer to it: a quarantine period between being a Select Committee Chairman and a Minister. The hon. Member for Thurrock offered an alternative suggestion: if someone becomes a Chairman, they should accept the post for the duration of that Parliament. I am attracted to both suggestions, and I hope that we can return to this issue in order to ensure that, if we are to have paid Select Committee Chairman and proper nomination procedures, such posts do not simply become retirement homes for former Ministers. That said, the hon. Member for Sunderland, South did a splendid job on the Home Affairs Committee.

As I said, the right hon. Member for Swansea, West pointed out that support for Select Committees is not adequate, and the hon. Member for Huddersfield (Mr. Sheerman) made the same point. He believes that the problem is not paying Select Committee Chairmen, but providing the resources to enable them to do their job. I have some concern about that argument. A Chairman can work with the Committee Clerk and make use of the Clerk's resources to do the job. That is surely the right way to improve resourcing of Select Committees, rather than giving greater cost allowance to Chairmen. The hon. Member for North Tayside (Pete Wishart) said that there could be a public outcry if we voted for paying Select Committee Chairmen. But if we think it right to have an alternative career path, and if there is cause for paying Select Committee Chairmen to help enhance that path, we should have the courage to do it.

The hon. Member for Pendle made a very interesting speech, in which he referred to some of the practices that go on in his own party. I am sure that the Whips will have some interesting words with him about that. My right hon. Friend the Member for North-West Hampshire called on the Deputy Leader of the House, whom I am about to allow to speak, to make clear his intentions as to whether we should have a nomination committee, and whether the Government remain committed to returning to the Select Committee report. I hope that he will make that clear, because the theme of today's debate has been pretty clear: There are Members who are opposed to paying Select Committee Chairmen and Members in favour, but there has been virtual unanimity about one thing: we must take more of the patronage out of the way in which we choose the members and Chairmen of Select Committees, and ensure that the process is independent and transparent. As a result, Select Committees will be able to work better, which is what all Members of this House want.

4.9 pm

The Deputy Leader of the House of Commons (Mr. Phil Woolas): We have had a good and useful debate. We have heard many different points of view, but there is unanimity on the desire to promote the good name and reputation of Parliament. I want to return to that as a central point within my speech.

On behalf of the House I want to say how grateful we are to the Senior Salaries Review Body and the Standards and Privileges Committee for their reports. I particularly thank the right hon. Member for North-West Hampshire (Sir George Young), the Chairman of the Standards and Privileges Committee, who has spoken in today's debate.

Having been a Whip for the last two years, I find myself in an unusual position. I can tell hon. Members that the common frustration of a Whip is that he or she is not allowed to address the House. I should like to shine a chink of light on to some of the Whips' practices. In my experience, far from being a sinister bunch of arm-twisters—as they are commonly portrayed and as I used to be portrayed—Whips are, in fact, more like personnel managers who are helping MPs in many ways. Hon. Members on both sides of the House often complain about the presence of a Whip, so it amuses me to reflect that, what often results when debates and decisions take place in the absence of a Whip is utter chaos. I suggest that the debate on House of Lords reform would have benefited in respect of stability and certainty if a Whip had been present. The issue of nomination and pay is important and I shall come back to it.

I would also say in further defence of the Whips that, page 6 of the SSRB's report states that the consultants accepted that assessment of the knowledge and know-how of Committee Chairmen

"was not entirely consistent with the selection processes".

However, I put it to the House that an open election of Back-Bench Members would not necessarily guarantee a Chairman with know-how and expertise either. Some processes of the House that have built up over decades, even centuries, may, on first sight, look as if they are not as open and transparent as they should be. However, on further investigation, one often finds that there are good reasons why the usual channels have acted as they have.

Sir Nicholas Winterton: Does the Deputy Leader agree that we have to deal with the nominations to Select Committees? As he knows, I strongly supported the proposals advanced by the Modernisation Committee. However, once a Committee has been established, should it not be up to members of that Committee to

[Sir Nicholas Winterton]

elect the Member to be given the chairmanship through the usual channels? Is not that preferable to exerting pressure on who the Chairs should be, which has happened in respect of all parties—and certainly the two major parties—all too often in the past?

Mr. Woolas: I recognise, of course, the point that the hon. Gentleman makes. However, I put two important points to him. First, the number of occasions on which that accusation can with justice be made—I am grateful to the hon. Gentleman for pointing out that it has occurred on both sides of the House through the years—is very slim. On only very few occasions have controversial appointments been made. Secondly, custom and practice show that hon. Members appointed as Chairmen or ordinary members of Select Committees are seldom of a particular persuasion within their respective parties. The truth is that hon. Members are appointed as members and Chairmen of Select Committees because they have relevant expertise and interests, or because of the work that they have done as a Minister or as the chair of an all-party group. Appointments are made according to reasons that are many and varied, as well as according to party-political circumstances, and the practice shows that.

My hon. Friend the Member for Pendle (Mr. Prentice) made an interesting point about the number of Back-Bench Labour Members who are not on Select Committees. He asked whether there was any correlation with their voting record in the House. There is, but it works the other way around: members of the so-called awkward squad often make very good Select Committee members, precisely because of their predilection for awkwardness.

Mr. Salmond: I am beginning to miss the reforming zeal of the right hon. Member for Livingston (Mr. Cook) on these matters. However, does not the Deputy Leader of the House see something wrong in principle with the helpful guidance given by the Whips Office in respect of the choice of Chairman of the Committee whose job is to scrutinise the very Executive whom the Whips defend?

Mr. Woolas: I shall answer that after I have made my second point, which is that it would be very difficult to achieve the party political balance that we all want in the Select Committee process if the usual channels were not involved in allowing the arithmetic to work out. For example, there are 35 Select Committees, each of which has about 15 members, and there are 659 Members of Parliament. The arithmetic required to get a party balance on Select Committees without the involvement of the usual channels in the allocation of places would, I suggest, bring the whole system into disrepute.

The hon. Member for Banff and Buchan (Mr. Salmond) asked whether I thought that the present system contained a contradiction in principle. I do not, because the alternatives would not provide the result that he seeks. The suggested nomination committee—or elections held solely by Select Committee members—would not achieve the balance that I have described, and no such system would prevent interference by the party-political nature of the House. In fact, if elections were held, I imagine that a Whip would have to be involved.

Justifiable complaints and worries were expressed in the debate about non-attendance at Select Committees. The irony is that the best way to get attendance up is to put a Whip in each Committee. To avoid such a contradiction, we must take account of custom and practice. On the whole, I believe that Select Committees work well, and increasingly so.

Mr. Salmond: I see that the Deputy Leader of the House has carried a Whip's antipathy to the proposed nomination committee over into his current role. However, if the Whips are so good at achieving party balance in these matters, how is that they have not done so on behalf of the minority parties?

Mr. Woolas: That has to do with my second point on the arithmetic involved. Achieving balance in individual Committees and across all Committees is a difficult task, as I am sure that the hon. Gentleman will accept. In my experience, not all parties co-operate in that respect, although I do not accuse his party of that. However, I recognise his point about the statement from my right hon. Friend the Member for Livingston (Mr. Cook), which will have to be resolved one way or the other. I am not in a position to do so in this debate.

Mr. Salmond: I desperately hope that the Deputy Leader of the House is not stepping back from the commitment given by the right hon. Member for Livingston, and by his own predecessor, that the matter would be addressed. The right hon. Gentleman recognised the imbalance and the grievance, and said that it would be resolved. I can give the references if necessary, but I hope that there is no retreat from the original commitment.

Mr. Woolas: I have said that the matter will be addressed one way or the other. I cannot give the commitment that the hon. Gentleman seeks today, but I hope that he will recognise the valid and reasonable point that I made—that the process is not as straightforward as he rather naively believes. The House would want me to move on, and I wish to deal with many other points.

The Government are strongly committed to the idea of paying the Chairmen of Select Committees not simply because that is a recognition of the work load that is involved—although that is a valid point, as hon. Members have said—nor just because of the good desire to have what has been described as an alternative career prospect, although the Government recognise that there are very good arguments for that as well. However, I hope that it will not be implied that there is a difference between those who choose the career path of Select Committees and that type of scrutiny work, as opposed to being Ministers or Front-Bench spokespeople. In my experience, those Ministers and Front-Bench spokespeople are very committed to Parliament. They are proud of Parliament and are respectful of it, and the Government's actions have reflected that.

The main reason why the measure should be supported is that, by making a salary payment—although it is perhaps modest in respect of Cabinet Ministers' salaries and others—we are sending a message to the country that says that we take the role of scrutiny very seriously and that we take Parliament very

seriously. The House wants the public to be reassured about that. As always, there is a difference between perception and reality. If the public perceive that scrutiny is not as strong as it should be, it is right to adopt such measures.

The SSRB has done a very good job, having been asked a difficult question by the House, as assessing work load was part of its work. Right hon. and hon. Members may remember the work done by the Clegg commission, and anyone who has been engaged in comparative job studies will know that it is a very difficult job. The SSRB is keen to point out—it is repeated throughout the recommendations—that this is an initial, cautious approach. The SSRB is committed to returning to the scope and the amount in its review. It is locking in such things, so that they can be reviewed in the relatively near future. I hope that, in itself, that will reassure hon. Members not only about the amount and the scope, but particularly about those Committees that have not been included in the report today.

The report has had to balance the arguments about work load—there is perhaps an implication in the report that the amount of money should be greater, taking a fair and straight comparison—with the second point that this is an initial approach, a toe in the water, and with my third point that this represents a strong symbol about how the House of Commons sees itself and what it wants to say to the public.

Hon. Members have asked me to repeat what my right hon. Friend the Leader of the House said in an intervention on the shadow Leader of the House at the beginning of the debate, and I am more than happy to do so. The Government are committed to revisiting these matters in relation not only to the scope of the list of Select Committees in the report and to consider other Committees such as the Procedure Committee, but to the amount, to which the SSRB says it will return.

Mr. Tyler: By inference—the Deputy Leader of the House is not referring to this—he does not accept that an incentive is needed to get the talent that we require for the Chairmen of Select Committees, so the incentive of additional payments is not in the Government's mind. Is that right?

Mr. Woolas: I confirm that that is absolutely the case. The Government certainly believe that, as the hon. Gentleman said earlier, financial incentives are not the reason why hon. Members put themselves forward for the chairmanships of Committees, but there is a paradox in the hon. Gentleman's argument. It is contradictory to say that financial incentive is not the motive while referring to the role of the usual channels, the coercion that he implies and the patronage that has been mentioned. I suggest that he cannot have it both ways.

Sir Nicholas Winterton: I am grateful to the hon. Gentleman for giving us that assurance. I shall support the motion. However, my concern for the Committee that I chair is that it was recommended in the Modernisation Committee report, but it was dropped from the motion that was debated by the House. Could it be that because it was dropped—I do not know for what reason—it was overlooked by the SSRB? I do take the assurance that the Leader of the House and the hon. Gentleman have given that this matter will be looked at as a matter of urgency.

Mr. Woolas: I should deal with a core question that has been asked, which relates to the selection of amendments, the scope of the report, and the difficulties that some hon. Members who wanted to table amendments have had. To highlight the point made by my right hon. Friend the Leader of the House, I must make it clear that the motion comes before the House as a result of the recommendation in the report of the SSRB. It is a House motion. That limits the remit of the motion that the Government are able to put before the House.

In essence, I ask the House to consider that what is behind the motion is the SSRB's recommendation that the House give its permission to spend money. We will be spending public money if the motion is agreed. If we wanted to extend the scope of the motion without the authority of the SSRB, the House would have difficulty with that.

Sir Nicholas Winterton: In several parts of the report, the SSRB states categorically that the decision as to which Committee chairmanship should be eligible for remuneration is one for the House, not for the SSRB and is not based on what it says in its report. Obviously, we can take the report into account, but the House should take the final decision and I think that the Chairman of the Liaison Committee shares that view.

Mr. Woolas: I recognise that that is the case, but we must read recommendation 2.22 very carefully. The hon. Gentleman is right that it says:

"The final decision on which committees to include should be determined by the House itself."

The list includes the Select Committees—both domestic and external—and what the report describes as the "cross-departmental committees". It is also true that the amendments have not been selected. That is not a matter for me. That is what the House is facing.

My difficulty is that several hon. Members assumed in the debate that if the motion were defeated or withdrawn, we could revisit the issue with an extended list as quickly as is possible. That is not the case. We would have to go back to the SSRB because of the nature of the triggering of the expenditure.

Mr. Forth *indicated dissent.*

Mr. Woolas: We will have to agree to disagree. That is the advice that I have been given.

Mr. Forth: I suspect that you are quite as puzzled as I am, Mr. Deputy Speaker, as to why the Deputy Leader of the House is saying what he has said and what it is supposed to mean. Does he not really mean that the Treasury limits the amount of money involved and what the Government can agree to in the resolution? There is no other limit.

The SSRB has made a recommendation, but it is for the House to take the decision, based on any resolutions before it and any amendments that may have been selected. I do not know why the hon. Gentleman is

[Mr. Forth]

trying to fool us that there is some other inhibition on what we do. We have a motion, we make a decision and it surely has absolutely nothing to do with Mr. Speaker or his selection of amendments.

Mr. Woolas: With due respect to the right hon. Gentleman, it has everything to do with the selection of amendments. The recommendations make clear which Committees the proposals should cover and the motion reflects that. The Leader of the House and the Deputy Leader of the House have no authority to bring such motions before the House other than that given us by the SSRB. The difficulty has arisen due to the decision that the motion is not to be amended.

Sir George Young: With respect, the hon. Gentleman is digging himself quite a big hole. It is within my memory that many recommendations made by the SSRB have not been implemented by the Government and were amended before they were put to the House.

Mr. Woolas: I am aware of that, but the point that is perhaps being lost in these interventions is that we have to carry public confidence in the measure. To do so, it is important that we can point to clear recommendations from the SSRB. I do not think that anyone would disagree with that.

Mr. Alan Williams: My hon. Friend may be getting into a mess on this, but it is not of his own making—[HON. MEMBERS: "It is."] No, it is not. Whether we like it or not, the decision of the Chair was not to accept amendments. It was implicit in the report by the use of the words "such as" that the motion was amendable by the House. The decision not to select the amendments was not that of my hon. Friend and he should not give the impression that it was; it was a decision of the Chair.

Mr. Woolas: I am grateful to my right hon. Friend for that intervention. What he says is true.

Mr. Tyler: Just now, the hon. Gentleman gave himself a let-out. He, rightly, indicated the difference between the defeat of the motion, which would put everybody in some difficulty, and his withdrawing the motion. That is a clear way out, which would enable him to take into account the concerns on both sides of the House about what is being proposed.

Mr. Woolas: I think that Mr. Deputy Speaker would suggest that we do not take that road. If we accept that we want to recognise the status of the Chairmen of scrutiny Committees, the best way to achieve that is to accept the report and the motion.

Several other important points have been made, including suggestions from some Members about the role of Chairmen of Standing Committees. No one, either in this debate or in the House as a whole, would suggest that Chairmen of Standing Committees do anything other than a difficult job, which, as has been said, involves sacrifices on their part in terms of the restrictions on their other activities in the House. To add to the point made by the hon. Member for Macclesfield (Sir Nicholas Winterton), people often do not realise that the Chairman of a Standing Committee is not allowed to vote on a Bill of whose Committee he has been the Chairman. On occasion, that can put those Members into extremely difficult situations vis-à-vis their constituents and their other commitments.

I do not want to give the impression that the Government do not recognise the hard work of Chairmen of Standing Committees. In response to several comments made during the debate, I point out that the Leader of the House has only an influence over pay or remuneration for Standing Committee Chairmen. The matter is for the Chairmen themselves and for the Speaker and his Deputies, although of course the Leader of the House can take a view. However, today we are debating the merits of the case for pay for Chairmen of Select Committees, not the other points that have been raised.

My hon. Friend the Member for Thurrock (Andrew Mackinlay) made an impassioned speech, pointing out that all Members should be treated equally. However, some Members are already remunerated for their work on behalf of the House, including, of course, the Speaker, his Deputies and some Opposition Front-Bench spokesmen. The principle already exists.

When my hon. Friend the Member for Thurrock attacked the Whips and this measure, which he described as foolhardy, perverse and bonkers at various points in his speech, and asked where this principle would stop if we started to pay Chairmen of Standing Committees and Select Committees and other Officers of the House, it occurred to me that, given his expressed views, he might end up being the only hon. Member not to get extra remuneration if he were to go down that road. He even went as far as questioning why the junior Whips get paid—a very dangerous precedent. I would not confuse the lack of speeches that they are able to make in the House with their importance in the running of the House, and I suggest that that would not be a good road for him to go down.

Several important points have been made by right hon. and hon. Members. It was suggested that a time limit be put on the ability of a Member to be a Chairman of a Select Committee after having been a Minister. Again, the motion does not address that question, and of course there have been arguments for and against both points of view. What I would ask, however, is for the House to consider what has happened over the years under Governments of both parties. My view and the Government's view is that, on the whole, the Select Committee system has worked—it has been in place for nearly 25 years. It can improve, this is one measure that will improve it, and we ask the House to support that. Accusations cannot be fairly made, and it cannot be fairly imputed in any way, that any Chairmen of Select Committees have been subject to undue pressure or improper influence. I ask the House to consider the custom and practice in that regard.

A number of questions were asked, which I shall try to answer as quickly as I can. The hon. Member for Banff and Buchan expressed his opposition to this measure, and set down some criteria that he would require to be met before he would feel able to support it. He talked about the openness of appointments, and I have tried to justify the arrangements in saying that there are good reasons why the usual channels system

works. He made points about representation of minority parties, which I have tried to answer as best I can within the constraints of the motion before the House. He also raised the question of suspicion of patronage, which I hope that I have answered satisfactorily.

In conclusion, the system of departmental Select Committees has been in place for almost 25 years. It has grown considerably over the years in strength and in visibility. The Government are committed to strengthening the Committee system. As has been said, we have supported the recent increase of staff resources. The introduction of additional payments for Committee Chairmen is a further step intended to acknowledge the importance of their role and their work and to help create a parliamentary career path. On that basis, I commend the motion to the House.

Question put:—

The House divided: Ayes 86, Noes 59.

Division No. 346] **[4:38 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, Janet *(Rossendale & Darwen)*
Austin, John
Bailey, Adrian
Barker, Gregory
Barrett, John
Barron, rh Kevin
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brooke, Mrs Annette L.
Bruce, Malcolm
Cameron, David
Carmichael, Alistair
Cash, William
Clarke, rh Kenneth *(Rushcliffe)*
Coaker, Vernon
Colman, Tony
Cook, Frank *(Stockton N)*
Cruddas, Jon
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dowd, Jim *(Lewisham W)*
Fitzpatrick, Jim
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Gillan, Mrs Cheryl
Goodman, Paul
Grogan, John
Hain, rh Peter
Harris, Tom *(Glasgow Cathcart)*
Hawkins, Nick
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Horam, John *(Orpington)*
Jenkin, Bernard
Kidney, David
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lamb, Norman
Lazarowicz, Mark
Liddell-Grainger, Ian
Linton, Martin
Loughton, Tim
Love, Andrew
Luff, Peter *(M-Worcs)*
McFall, John
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Palmer, Dr. Nick
Pike, Peter *(Burnley)*
Pound, Stephen
Randall, John
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Rosindell, Andrew
Salter, Martin
Sheerman, Barry
Smith, rh Andrew *(Oxford E)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Spicer, Sir Michael
Starkey, Dr. Phyllis
Tipping, Paddy
Turner, Neil *(Wigan)*
Tyrie, Andrew
Watkinson, Angela
Whittingdale, John
Wicks, Malcolm
Wilkinson, John
Williams, rh Alan *(Swansea W)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Woolas, Phil
Wright, Tony *(Cannock)*
Wyatt, Derek
Young, rh Sir George

Tellers for the Ayes:
Gillian Merron and Paul Clark

NOES

Allan, Richard
Amess, David
Atkinson, Peter *(Hexham)*
Benton, Joe *(Bootle)*
Bottomley, Peter *(Worthing W)*
Brake, Tom *(Carshalton)*
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Chidgey, David
Clifton-Brown, Geoffrey
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cryer, John *(Hornchurch)*
Curry, rh David
Davis, rh Terry *(B'ham Hodge H)*
Dismore, Andrew
Doughty, Sue
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
George, Andrew *(St. Ives)*
Grayling, Chris
Hall, Mike *(Weaver Vale)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Heathcoat-Amory, rh David
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hopkins, Kelvin
Jones, Lynne *(Selly Oak)*
Khabra, Piara S.
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Mackinlay, Andrew
Mann, John *(Bassetlaw)*
Meale, Alan *(Mansfield)*
Miller, Andrew
O'Neill, Martin
Pollard, Kerry
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Russell, Bob *(Colchester)*
Salmond, Alex
Shepherd, Richard
Skinner, Dennis
Stunell, Andrew
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Weir, Michael

Tellers for the Noes:
Mr. Kevin Hughes and Pete Wishart

Question accordingly agreed to.

Resolved,

That this House—

1. takes note of the Report of the Review Body on Senior Salaries on Pay for Select Committee Chairmen in the House of Commons presented to Parliament on 17th July (Cm. 5673);

2. approves the Sixth Report of the Committee on Standards and Privileges on Pay for Select Committee Chairmen (HC 1150); and endorses the principles set out in paragraph 16 of that report; and

3. expresses the opinion that—

(a) with effect from the beginning of the next Session of Parliament, the salary of a Member should be £12,500 per annum higher than the figure determined in accordance with the provisions of the Resolution of the House of 10th July 1996 in respect of any period during which he is the Chairman of a select committee appointed under Standing Order No. 152 (Select Committees related to government departments), the Environmental Audit Committee, the European Scrutiny Committee, the Committee of Public Accounts, the Select Committee on Public Administration, the Regulatory Reform Committee, the Joint Committee on Human Rights or the Joint Committee on Statutory Instruments, other than to the extent that the provisions of sub-paragraph (c) apply;

(b) a period begins for the purpose of sub-paragraph (a)—

(i) with the day on which the Member becomes Chairman of such a committee, or

(ii) with the beginning of the next Session of Parliament, in the case of a Member who became Chairman before that time;

and ends on the day on which the Member ceases to be Chairman (or, if he is Chairman of more than one such committee, he ceases to be Chairman of the last of those committees);

(c) there shall be disregarded for the purpose of sub-paragraph (a)—

(i) any period which is of less than 24 hours duration; and

(ii) any period, or part thereof, in respect of which the Member is also entitled to an additional salary by virtue of any provision of the Ministerial and other Salaries Act 1975;

(d) reference to any Committee in sub-paragraph (a) shall—

(i) if the name of the Committee is changed, be taken (subject to paragraph (ii)) to be a reference to the Committee by its new name; and

(ii) if the functions of the Committee become functions of a different Committee, be taken to be a reference to the Committee by whom the functions are for the time being exercisable;

(e) the provisions of paragraph (2) of the Resolution of the House of 10th July 1996 relating to Members' Salaries (No. 2) shall apply, with effect from 1st April 2004, to a salary determined in accordance with the provisions of sub-paragraph (a) as they apply in relation to a salary determined in accordance with the provisions of that Resolution; and

(f) the Speaker shall have authority to interpret these provisions and to determine rules from time to time for their implementation.

PAY FOR CHAIRMEN OF SELECT COMMITTEES (No. 2)

Queen's recommendation having been signified—

Motion made, and Question put,

That the following provision shall be made with respect to the salaries of Members of this House—

(1) With effect from the beginning of the next Session of Parliament, the salary of a Member shall be £12,500 per annum higher than the figure determined in accordance with the provisions of the Resolution of the House of 10th July 1996 in respect of any period during which he is the Chairman of a select committee appointed under Standing Order No. 152 (Select Committees related to government departments), the Environmental Audit Committee, the European Scrutiny Committee, the Committee of Public Accounts, the Select Committee on Public Administration, the Regulatory Reform Committee, the Joint Committee on Human Rights or the Joint Committee on Statutory Instruments, other than to the extent that the provisions of paragraph (3) apply.

(2) A period begins for the purpose of paragraph (1)—

(i) with the day on which the Member becomes Chairman of such a committee, or

(ii) with the beginning of the next Session of Parliament, in the case of a Member who became Chairman before that time; and ends on the day on which the Member ceases to be Chairman (or, if he is Chairman of more than one such committee, he ceases to be Chairman of the last of those committees).

(3) There shall be disregarded for the purpose of paragraph (1)—

(i) any period which is of less than 24 hours duration; and

(ii) any period, or part thereof, in respect of which the Member is also entitled to an additional salary by virtue of any provision of the Ministerial and other Salaries Act 1975.

(4) Reference to any Committee in paragraph (1) shall—

(i) if the name of the Committee is changed, be taken (subject to sub-paragraph (ii)) to be a reference to the Committee by its new name; and

(ii) if the functions of the Committee become functions of a different Committee, be taken to be a reference to the Committee by whom the functions are for the time being exercisable.

(5) The provisions of paragraph (2) of the Resolution of the House of 10th July 1996 relating to Members' Salaries (No. 2) shall apply, with effect from 1st April 2004, to a salary determined in accordance with the provisions of paragraph (1) as they apply in relation to a salary determined in accordance with the provisions of that Resolution.

(6) The Speaker shall have authority to interpret these provisions and to determine rules from time to time for their implementation.—*[Mr. Woolas.]*

The House divided: Ayes 81, Noes 53.

Division No. 347] **[4:51 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Anderson, Janet *(Rossendale & Darwen)*
Austin, John
Bailey, Adrian
Banks, Tony
Barker, Gregory
Barrett, John
Barron, rh Kevin
Bercow, John
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brooke, Mrs Annette L.
Bruce, Malcolm
Cameron, David
Carmichael, Alistair
Clark, Paul *(Gillingham)*
Clarke, rh Kenneth *(Rushcliffe)*
Colman, Tony
Cook, Frank *(Stockton N)*
Cruddas, Jon
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Dowd, Jim *(Lewisham W)*
Fitzpatrick, Jim
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Grogan, John
Hain, rh Peter
Harris, Tom *(Glasgow Cathcart)*
Hawkins, Nick
Hayes, John *(S Holland)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Howarth, Gerald *(Aldershot)*
Kidney, David
Laing, Mrs Eleanor
Lamb, Norman
Lazarowicz, Mark
Liddell-Grainger, Ian
Linton, Martin
Loughton, Tim
Love, Andrew
Luff, Peter *(M-Worcs)*
McFall, John
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Palmer, Dr. Nick
Pike, Peter *(Burnley)*
Pound, Stephen
Randall, John
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Rosindell, Andrew
Salter, Martin
Sheerman, Barry
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Spicer, Sir Michael
Starkey, Dr. Phyllis
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyrie, Andrew
Watkinson, Angela
Wilkinson, John
Williams, rh Alan *(Swansea W)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Woolas, Phil
Wright, Tony *(Cannock)*
Wyatt, Derek
Young, rh Sir George

Tellers for the Ayes: Gillian Merron and Vernon Coaker

NOES

Allan, Richard
Amess, David
Benton, Joe *(Bootle)*
Bottomley, Peter *(Worthing W)*
Brake, Tom *(Carshalton)*
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cryer, John *(Hornchurch)*
Curry, rh David
Davis, rh Terry *(B'ham Hodge H)*
Dismore, Andrew
Drew, David *(Stroud)*
Eagle, Maria *(L'pool Garston)*
George, Andrew *(St. Ives)*
Grayling, Chris
Hall, Mike *(Weaver Vale)*
Hanson, David
Heath, David
Heathcoat-Amory, rh David
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hopkins, Kelvin
Jones, Lynne *(Selly Oak)*
Khabra, Piara S.
Lloyd, Tony *(Manchester C)*

Llwyd, Elfyn
Mackinlay, Andrew
Mann, John *(Bassetlaw)*
Meale, Alan *(Mansfield)*
Miller, Andrew
O'Neill, Martin
Pollard, Kerry
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Laurence *(Tewk'b'ry)*
Russell, Bob *(Colchester)*
Salmond, Alex
Shepherd, Richard
Skinner, Dennis
Stunell, Andrew
Thomas, Simon *(Ceredigion)*
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Weir, Michael

Tellers for the Noes:
Mr. Kevin Hughes and Pete Wishart

Question accordingly agreed to.

Mr. Salmond: On a point of order, Madam Deputy Speaker. In view of the narrow majorities and low turnout in the votes that we have just had, will the Leader of the House make a statement in early course saying that he will take into account the substantial and widespread unease that was expressed in the debate about the precise nature of the proposals?

Madam Deputy Speaker (Sylvia Heal): That is not a point of order for the Chair, but the Leader of the House is present and will have heard the hon. Gentleman's remarks.

NOTICES OF QUESTIONS

Ordered,

That, in respect of Questions to the Advocate General and the Secretary of State for Scotland for oral answer on Tuesday 2nd December and to the Secretary of State for Northern Ireland for oral answer on Wednesday 3rd December in the next Session of Parliament, paragraph (5)(a) of Standing Order No. 22 (Notices of Questions, Motions and Amendments) shall apply with the substitution of 'two days' for 'four days'.—*[Mr. Ainger.]*

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 4th November, the Motion for the adjournment of the House in the name of the Prime Minister on the subject of quality of life in local communities shall lapse, if not previously disposed of, three hours after the commencement of proceedings on it, and the Motion for the adjournment of the House in the name of the Prime Minister relating to Africa may be proceeded with, though opposed, until Seven o'clock or for three hours after the commencement of proceedings on it, whichever is the later, and shall then lapse.—*[Mr. Ainger.]*

Ordered,

That, at the sitting on Wednesday 5th November, notwithstanding the provisions of paragraph (2)(c)(i) of Standing Order No. 14 (Arrangement of public business), proceedings on the Motion in the name of the Leader of the Opposition may continue, though opposed, for three hours, and shall then be interrupted.—*[Mr. Ainger.]*

Restricted Growth (Discrimination)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

5.4 pm

Mrs. Patsy Calton (Cheadle): First, I place on record my thanks to Mr. Speaker for his personal selection of this subject for debate. When I was first approached about discrimination against people of restricted growth, the people concerned felt that no one cared, but that they were nevertheless determined to do what they could to raise the profile of the issue. It will be a real boost to know that the Speaker of the House of Commons has taken an interest in their cause.

My constituent Mrs. Penny Dean, of the Restricted Growth Association, contacted me about a year ago after disgraceful remarks on "The Johnny Vaughn Show" on 21 October 2002 about the "game"—as it was described—of dwarf-spotting. Penny asked me for my support in attempting to fight for recognition of the discrimination that faces people of restricted growth. The Restricted Growth Association is a self-help organisation concerned with alleviating the social and medical consequences of restricted growth. It promotes the interests of people of restricted growth and their families and provides invaluable support to prospective and new parents. It is in contact by e-mail, via newsletters and at regular events around the country, offering support on and practical solutions to everyday life problems.

It is estimated that approximately 30,000 people in this country have restricted growth conditions. There are more than 100 medical conditions that cause short stature. The most common is achondroplasia, which causes severe shortening of the limbs and affects one in 25,000 births per year—about 25 to 30 babies. Approximately 75 per cent. of individuals with a restricted growth condition are born to parents within the average range of heights. The height of people with restricted growth is within the range of 3 ft 2 in to 4 ft 6 in. None of the conditions is common, but they all have a similar effect on the day-to-day lives of people who are affected.

The main problem faced by people of restricted growth is the attitudes and stereotypes that persist in our society today. I have come across those attitudes even in this House. When I asked for the support of parliamentarians to sign early-day motion 165, some people regarded it as a joke. Happily, today, in time for this debate, we have reached the 100-signature milestone. I should like to remind the House of the wording of that EDM:

"That this House notes that approximately one in 25,000 births to parents of average heights is of a baby of restricted growth; that such babies are sometimes rejected by their parents because of the stigma associated with the disability; that children and adults of restricted growth and their families are subjected to a constant . . . barrage of thoughtless discrimination, comment and misplaced jokes via the media, the wider public and some professionals; notes the excellent work of the Restricted Growth Association and the Dwarf Athletics Association UK; and calls on those with influence in the media, in education and in the medical profession to present positive images of those with restricted growth, and to challenge the stereotypes associated with the conditions."

The early-day motion talks of thoughtless discrimination. It refers to the media, to education and to the medical profession. Had I known last November

[Mrs. Patsy Calton]

what I know now, I would have included the workplace in my references; I am pleased that we have a Minister from the Department for Work And Pensions with us to respond to the debate.

I shall deal first with the media. In February this year, the programme "RI:SE" showed restricted growth people behind a counter while viewing newspapers. In March, on "Baddiel and Skinner Unplanned", a question was allowed about dwarf wrestling. Again in March, the programme "Hardware" thought it funny to show a restricted growth person stuck in a launderette dryer. In August this year, in a world athletics programme, a commentator read out an e-mail on dwarf-throwing. He said, "Here is someone from Cornwall asking when the dwarf-throwing event is on. Ha, ha, ha."

I have been told of comments from members of the medical profession when a child is born with restricted growth. Doubtless, they were meant kindly but are thoughtless and damaging. I have heard, "At least he will never be short of a job." A new parent who asked, "What is achondroplasia?" was told, "It means he will be a classic circus dwarf." Those comments from television and the medical profession are outrageous, but symptomatic of a society that clings to outdated, stereotypical images of people who are different, and they must be challenged.

Some schools refuse to take children with restricted growth because they feel that they cannot cope with them. The Restricted Growth Association provides a helpline. A crucial part of its work is helping parents, schools, educational psychologists, occupational therapists and physiotherapists to support children of restricted growth in schools. Ensuring that children have the necessary provision in schools is vital to their development. The association advises schools on supporting children, preventing bullying and dealing with cruel comments from other children and their parents. Ignorance causes so much of such behaviour. The Restricted Growth Association works to educate the general public and promote understanding, thereby fulfilling its main constitutional aims of alleviating the problems and distress that a restricted growth condition can cause and helping its members to live full lives. I cannot speak highly enough of the work of the Restricted Growth Association and the Dwarf Athletics Association UK. Their work challenges the assumptions that most of us make every day.

I received a moving letter from April Barrett, a member of the Restricted Growth Association. It speaks more eloquently that I can about her position. She talks of the ridicule and stereotyping that people of restricted growth have suffered from time immemorial. She says:

"Surely society needs to know that every human brain thinks, dreams and aspires to the same goals and that education and enlightenment are the way forward. We are not seen in society as disabled but still as the circus clown, freak, and as a result do not receive the 'Ah' factor—but the giggle one. Every single day I or my children step out we are 'on show' and open to public abuse in one way or another."

When one family applied for disability living allowance, they were asked in front of their restricted growth daughter, "Well what about the little clowns in the circus? They rough and tumble, fall down and then get up again." That was in spite of the known medical conditions associated with achondroplasia. They include: spinal stenosis, the narrowing of the spinal canal in the lower back and neck; lordosis, inward curvature of the spine and lower back; kyphosis, the outward curvature of the spine in the middle to upper back; hydrocephalus, which causes increased pressure in fluid surrounding the brain; ear, nose and throat problems owing to narrowing of the nasal passages; problems with balance owing to ear, nose and throat problems; hyperextension of knee joints; loose ligaments in knees, hips and ankles, leading to dislocation of joints; inability to straighten arms; and bowed legs through the misalignment of hips, knees and ankles. There are many other restricted growth conditions with other complications such as breathing difficulties, arthritis and joint problems.A young woman who works for the BBC told me that some people judge one's mental ability by one's height. However, she saw a positive aspect in her profession because her small stature meant that people remembered her better.

Work could make such an important contribution to the integration of small people and to their self-esteem. April's daughter was frightened out of a good job as a hotel receptionist by individuals who were straightforwardly abusive. When she went on to new deal, she was not treated as an adult but as a child, despite all her qualifications. She now works in personnel at ACAS.

Steve Scott was not allowed to work in a branch of a bank in 1978 or at the counter because he did not present the image that the company wanted. I very much hope that it has changed its attitude now. He tells me that interviews became very personal at times, and that he was even asked about his sex life. After being head-hunted for a human resources management post, he was rejected at the final interview. He was told that the human resources director "didn't want a dwarf". Sandra Scott, Steve's wife, worked for six months as a temporary classroom assistant. She was told that no posts were to be made permanent, only to find that two new members of staff had been recruited after she had left.

Two weeks ago, I attended the annual convention of the Restricted Growth Association in Northampton. It was a joyful occasion, at which families and friends could meet and relax. However, I met two mothers of average height, one with a beautiful three-year-old, and one with a three-month-old baby, both with restricted growth. All parents worry about their children's future. No one who has witnessed the apprehension, pain and tears of the parents of children born with this condition could ever laugh at the jokes again.

The Disability Discrimination Act 1995 does not fully cover people with certain conditions. Dwarfism, certain mental health conditions and some aspects of autistic spectrum disorder are among them. The Minister might be able to name others. I hope that she will be able to hold out some hope for people not currently covered by the various Acts relating to disability, sex or racial discrimination.

We need more positive images of people with restricted growth. I commend the recent "One Life" programme which showed the journey made by a young woman with restricted growth from Jersey who was

meeting other people of restricted growth for the first time at the Dwarf Athletic Association's UK championships in Birmingham. I urge the media and sports bodies to recognise the fine athletes that we have in the restricted growth community. Three of our restricted growth adults are judged to be at Paralympic level, and have high hopes of competing in the 2004 Paralympics in Athens. I am told that programmes such as "The Big Breakfast" will cover the Dwarf Athletic Association's championships only so that they can poke fun at them and ridicule the whole concept of the games and what they are trying to achieve. My constituent Penny Dean says:

"To see the faces of our athletes when they come first, second or third, perhaps for the first time in their lives, is something to be proud of. To witness that sense of achievement and the lifting of their self-esteem when they are up on the podium receiving their medals is something to warm the coldest of hearts."

Next week I hope to present a 5,000-name petition to Mr. Speaker from the Restricted Growth Association and friends. On 12 November, we shall be holding a mass lobby of MPs, and I very much hope that Members of Parliament, Ministers and perhaps even Mr. Speaker himself will find the time to meet those people who have had a really tough time, and who have not had sufficient recognition of what they can achieve in life.

5.18 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): I congratulate the hon. Member for Cheadle (Mrs. Calton) on securing this opportunity to raise this important issue and for bringing to the attention of the House—and, thereby, of the wider public—the problems faced by people of restricted growth. I do not have my diary for 12 November with me, but so long as I am around the House, I would be happy to meet a delegation during the day, at a time convenient for the hon. Lady and for delegation, so that they can tell me at first hand about their experiences.

I want to make it clear that the Government are committed to building a fair and inclusive society, in which no group of people is marginalised, harassed, discriminated against or made fun of because of stereotypical attitudes about them, in which everyone has the right to be treated with respect and dignity, and in which the individuality of people is valued. We must value people for their qualities and talents, and not hold outdated and stupid views about what they must be because of how they look, or because of a condition that they may or may not have.

As the hon. Lady pointed out, negative attitudes persist. I was particularly appalled by some of her examples of insensitive and inappropriate language. Insulting references to people of restricted growth, such as suggestions that they can only work in the entertainment business—in circus rings, for instance—have no place in 21st century society. Those who use such language ought to realise that it is offensive, and stop using it.

I hope I am right in believing—although I sometimes fear I am not—that such instances are not common, but we must challenge them when they rear their heads. Such inappropriate behaviour and attitudes can only cause hurt and humiliation to those at whom they are aimed. As I have said, people of restricted growth have the right to be recognised for their talents, for the skills they can bring to the workplace and every other aspect of life, and for their value as customers, consumers and users of services.

The Government are committed to tackling such stereotypical attitudes, and to ensuring that people of restricted growth are portrayed more positively. One of the most effective ways of changing attitudes is altering the misconceptions that still abound. There is a clear role for the media, which need to stop using stereotypical images and stop poking fun. Television and film companies must make more use of actors of restricted growth in positive and substantial roles, rather than featuring them as something quirky or amusing. Advertisers should show actors of restricted growth in the mainstream, going about everyday business.

I wonder whether the hon. Lady has been following our "images of disability" initiative. The aim is to use some of the Government's power in the marketplace—we do some advertising occasionally—to encourage good practice of that kind. A recent advertisement by the Department for Work and Pensions features an actor of restricted growth visibly going about everyday life, in the background, like anyone whom one might see in the street. We should celebrate the achievements of people of restricted growth, and provide an example for those who wish to portray them in a stereotypical way.

The hon. Lady mentioned the media. She gave examples of programmes that were insensitive about people of restricted growth. Today I found a recent example on the internet. I shall read what I found, to demonstrate that I understand the point that the hon. Lady is making.

Under the headline "Man Versus Beast pulled at 11th hour", the report reads as follows.

"A UK version of a US reality show which featured 44 dwarves competing in a tug-of-war with an elephant has been pulled at the last minute."

The report says that the show was "branded sick and degrading". Good, one might think—it was branded sick and degrading for making fun of people of restricted growth—but no, it was branded sick and degrading by animal rights activists who objected to the elephant being used in such a fashion.

That, as well as the hon. Lady's examples, illustrates that we have some way to go in terms of the media. We can only work together to try and bring about improvements. As I have said, we in Government are trying to do that through our own use of advertising, and also by emphasising that more positive portrayals of disabled people in general need to be more widespread. That should apply not just to the Government, but to other advertisers. I am pleased to say that we are receiving a good response from the advertising industry, and ridding it of some of its stereotypical views and fears about using images of disabled people.

The hon. Lady referred to the insensitive remarks made in the medical profession. It is important that that profession—and all professions, because this is not just about doctors—think a little more carefully about the way in which they express themselves when they are trying, for example, to explain to new parents what a particular condition that will lead to short stature in

[Maria Eagle]

their child means. I am sure that there are many examples of good practice, but I hope that where such insensitive language is used, the matter is taken up with the GP practice or hospital, perhaps through the patient advice and liaison service, or through an actual complaint. Only by challenging such behaviour can it truly be changed.

The hon. Lady said that some schools refuse to take on children of restricted growth, and that the Disability Discrimination Act 1995 applies to some people of restricted growth but not others. That is indeed the situation. If a person of restricted growth meets the definition of disability in the 1995 Act, they are covered. Many would meet that definition, but some others may not. That is clearly an issue, but where they do meet that definition, the Special Educational Needs and Disability Act 2001 might be used to tackle the attitude of some schools.

The law can sometimes be used to make improvements, but like the hon. Lady, I believe that education and enlightenment are the way forward. I hope that she will therefore welcome the fact that in the next year or so, the Government will embark on further awareness-raising advertising and work, to try to ensure that disabled people in general—this also applies to some people of restricted growth—are not dealt with in the old, stereotypical way, but valued as people. Some general work is going on in government, advertising and the media to change public attitudes, and to ease some of the problems that the hon. Lady has highlighted in respect of people of restricted growth, but which also apply to disabled people in general.

In the light of some of the hon. Lady's comments, it is hard to accept that attitudes are improving, but my own view is that, in general, they are. We still come across bad examples such as the ones that she referred to and that I have just related, but in general people are starting to realise that one should judge a person not on the basis of a stereotype, but on their character and talents. Indeed, tremendous progress has been made in the past few years in that regard.

I commend the hon. Lady's constituent and all those who are active in the Restricted Growth Association. They are doing a magnificent job in terms of self-advocacy and improving the image of people of restricted growth in society. I also commend the work of the Dwarf Athletic Association. The power of sport to improve self-esteem is often not recognised sufficiently. The work of organisations such as the DAA in improving the self-worth and self-esteem—and the fitness, it must be said—of its members is tremendous and no doubt unsung. It is not so unsung any more, however, because the hon. Lady has highlighted it on the Floor of the House, and I congratulate her on that.

The hon. Lady mentioned public abuse and said that people of restricted growth tend to be laughed at, joked about and compared to circus freaks or clowns. We see examples of disabled people in general—the point doubtless also applies to people of restricted growth—being picked on in what amounts to a criminal way because of their disability or condition, or because they are perceived in a stereotypical manner by those who are picking on them. Some protection is offered against harassment in the Protection from Harassment Act 1997, and we are considering outlawing harassment fully, in civil terms, through the Disability Discrimination Act 1995. As she knows, legislation is being drafted in that regard, but she may also like to know that the Government have tabled an amendment to the Criminal Justice Bill that would place a statutory duty on sentencers to increase sentences for offences aggravated by hostility towards the victim because of his or her disability. Once that becomes law, it will be of great assistance in the most extreme cases.

The hon. Lady may like to note that the definition of disability in regard to that offence will be

"any physical or mental impairment",

which may apply more widely to people of restricted growth than the definition in the Disability Discrimination Act 1995. That will help to deal with serious abuse that results in criminal charges and it also sends a strong signal that, as a society, we do not want to tolerate such abusive behaviour. At one end of the scale, such behaviour amounts to actual attack. At the lesser end, one could say, it amounts to the sort of ridicule and jokes that, as the hon. Lady showed, are routinely applied to people of restricted growth. If the House can send a strong signal that that sort of behaviour is unacceptable, it can only help to eradicate it.

Finally, I congratulate the hon. Lady again on raising an issue that is not often discussed. We recognise that it is important and we believe that progress is being made in improving attitudes. In November, we will welcome the lobby to which she referred. I hope to see her, her constituents and people from the Restricted Growth Association at some stage during that day to hear more about their experiences.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Six o'clock.

House of Commons

Monday 3 November 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Military Co-operation (European Forces)

1. **Angela Watkinson** (Upminster): What recent training the armed forces have received to prepare them for co-operation with European armed forces outside the NATO system. [135543]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Our armed forces conduct a wide range of training with our European partners. Such training assists in preparing forces for multinational operations, whether they are led by NATO, the European Union or the United Nations, or undertaken as part of an ad hoc coalition.

Angela Watkinson: Has the Secretary of State consulted the Bosnian Government as to whether they would prefer NATO or the European Union to continue in charge of peacekeeping operations after next spring? The Bosnian Government may not have spoken publicly because of their financial dependence on the EU, but would it not be infinitely preferable for NATO to be the umbrella organisation in charge of peacekeeping, even if the United States is not involved?

Mr. Hoon: May I make it clear to the House that no decision has yet been taken to end NATO's operation in Bosnia? There are discussions about the possibility of follow-on operations. As the hon. Lady implies, the EU could lead such follow-on operations, although, again, no decision has been taken. We will certainly consult the Bosnian Government before any such decisions are taken.

Mr. Frank Roy (Motherwell and Wishaw): One area of European co-operation is the international security assistance force in Afghanistan. Last week, members of Select Committee on Defence, including me, were privileged to visit Kabul and, in particular, see the work being carried out by the civil and military co-operation teams. Those teams are rebuilding hospitals, roads and schools, but they are unfortunately still vastly underfunded. Will the Secretary of State examine ways of funding that vital service in Afghanistan?

Mr. Hoon: I thank my hon. Friend. I know that he and his colleagues had an interesting visit to Afghanistan, and I will certainly take full account of their views about it. We want to ensure that all such activities in Afghanistan are properly and adequately funded.

Mr. Bernard Jenkin (North Essex): I am interested that the Secretary of State says that no decision has been taken about Bosnian peacekeeping, given that it was announced at the Copenhagen summit, which I believe the Prime Minister attended last December, that the EU would be taking over peacekeeping in Bosnia last spring.

I want to ask the Secretary of State about exercises and training. How can he pretend that exercises will not continue to be cancelled when the average gap between operational tours for the infantry is not 24 months, as promised in the strategic defence review in 1998, but just nine months? Does he realise that the Royal Scots went off to Northern Ireland after only six months and that 2 Para, which is off to Basra, will be spending its third Christmas in a row on operations? The King's Own Scottish Borderers, which is coming back from Iraq, is going straight off to Northern Ireland with hardly any training and no post-operational leave whatsoever. Is it not clear that the armed forces are more overstretched than ever, that Labour does not care about them or their families and that the Ministry of Defence is dead in the water under a lame duck Secretary of State?

Mr. Hoon: If I may take the hon. Gentleman back to the question, he may have seen that it relates to training and co-operation with European armed forces. If his concern about the armed forces were sincere, he would recognise that the more training we do with other European forces, the more effective, and therefore less stretched, our armed forces become. I have never heard him congratulate the Ministry of Defence or the armed forces on the excellence of their co-operation with other European nations.

Mr. Kevan Jones (North Durham): Like my hon. Friend the Member for Motherwell and Wishaw (Mr. Roy), I had the privilege of visiting Afghanistan last week. Will my right hon. Friend commend the work carried out by the European partners in Afghanistan, and in particular the work done by British armed forces in Afghanistan under the able command of Colonel Richard Kemp? Will he confirm that that is a good example of co-operation between the European allies, which is desperately needed in bringing peace and security to that country?

Mr. Hoon: My hon. Friend is quite right. That is a practical illustration of the benefits of common training and co-operation with other European nations. He is right to commend that; I only regret that we never hear such words from the Conservative Front Bench.

Ministry of Defence Police

2. **Mr. Robert Key** (Salisbury): For what reason Ministry of Defence Police area policing teams are being disbanded. [135544]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Following recommendations made during the quinquennial review process and as a result of Her Majesty's inspectorate of constabulary's inspection in April 2002, two internal reports were produced. The Ministry of Defence Police Agency management board concluded that the existing area policing team structure should be withdrawn and that divisional support groups should be created.

Mr. Key: The arrangements described by the Under-Secretary have been introduced by only one working group in consultation with the Ministry of Defence police. There was no consultation with the Home Office constabulary. The interface between the Ministry of Defence police and the Home Office county constabularies is crucial given the new stress on homeland security. There will again be job losses for the Ministry of Defence police just when we need it more. Can the hon. Gentleman explain why, apart from cutting the Army's budget, the Labour Government are doing that?

Mr. Caplin: The formation of the divisional support groups will enable the force to implement the Home Office national intelligence model—I thought the hon. Gentleman would welcome that—which will mean a more focused defence intelligence-led approach to crime against the defence estate. It is absolutely nothing to do with cuts because no budgetary issues arise at the moment.

Andrew Mackinlay (Thurrock): Does the Minister's brief explain to him what the difference is between the divisional support group and the existing arrangements, because it is not too clear to me or, more important, to officers in the Ministry of Defence police and their federation? Is there not a case for the Minister to have a word with the board, those very important people, to tell them to communicate with their officers and perhaps with Members of Parliament and Ministers to explain what the qualitative difference is? Discuss.

Mr. Caplin: I can assure my hon. Friend, who takes the matter very seriously, that the chief constable and his board are in discussion with the Defence Police Federation, and I spoke recently at its conference in Manchester. I will certainly take note of his comments.

Patrick Mercer (Newark): I am grateful to the Minister for that answer. I wonder whether he could explain why under the divisional support groups the Ministry of Defence police will no longer be capable of looking after and supervising married quarters establishments? At a time when the threat to married quarters and indeed the whole defence establishment is rising, surely it is time for some fresh thinking from the Government about how our defence establishment should be properly protected, especially when homeland security is in such a parlous state?

Mr. Caplin: I should have thought that the decision taken by the Ministry of Defence Police Agency management board was innovative and an example of fresh thinking. The security of service families' accommodation will be a matter for local commanders to resolve.

Hugh Bayley (City of York): Given the important role that civilian police forces increasingly play in providing support for the policing of military bases, does it not make sense for the MOD police and their civilian counterparts to work more closely together and to use whichever force, civilian or military, is best placed to provide the particular policing service that is required?

Mr. Caplin: My hon. Friend is right, of course, because, unlike the Conservative party, he understands the flexibility that is needed to manage the urgent requirements in the defence estate. I am disappointed at the way in which Opposition Front Benchers have debated this matter.

UK Armed Forces (Independent Operations)

3. **Norman Baker** (Lewes): What his policy is on the extent to which UK armed forces should be able to operate independently of the United States. [135545]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Our policy is to continue to develop balanced, flexible forces able to undertake a wide range of military tasks, normally alongside the forces of other NATO and EU countries, in support of the United Kingdom's security objectives, but, as I have repeatedly said, it is highly unlikely that the UK would be engaged in large-scale combat operations without the United States.

Norman Baker: I agree with that answer, but is not the reality that the relationship between the two countries is one of subservience rather than closeness? It is inconceivable, for example, that Britain could use its so-called independent nuclear deterrent without US approval and technical co-operation. Is not the reality that those who are concerned about the potential loss of sovereignty over foreign affairs and defence to the EU under the EU constitution should be far more worried about the loss of such sovereignty to the United States?

Mr. Hoon: I simply do not accept that. Obviously, the views of the United Kingdom and of the United States closely coincide on a great number of important defence and security issues. Therefore, it is vital that we can operate alongside the United States, our key defence ally in NATO, and, indeed, bilaterally. The United Kingdom offers expertise, defence capability and advice, which is valued by the United States, as is currently being demonstrated in Iraq.

Llew Smith (Blaenau Gwent): On the question of military co-operation with the United States, did the Secretary of State read the article in the *Independent on Sunday*, which showed that a British company, BNFL,

which is owned by taxpayers, is seeking contracts to develop America's next generation of nuclear weapons of mass destruction? If that is the case, does he agree that, in doing so, we would be in breach of article I and article VI of the non-proliferation treaty, to which we and the United States are signatories?

Mr. Hoon: Obviously the nature of the work entered into by BNFL depends entirely on its judgment as to business opportunities, but I agree with my hon. Friend to this extent—it is important that the BNFL board ensures that all its business activities comply with the United Kingdom's nuclear non-proliferation obligations.

Mr. Nicholas Soames (Mid-Sussex): Ignoring the anti-American sentiment of the hon. Member for Lewes (Norman Baker), does the Secretary of State agree that the coherence that the NATO structure has brought to the command and control systems that have so benefited the defence of this country for many years is in danger of being undermined by a lack of coherence on the part of some of our European partners? Does he agree that the call from Belgium, Luxembourg, Germany and France for a separate defence structure is hugely unwelcome and likely to be very damaging to the coherence of NATO?

Mr. Hoon: The hon. Gentleman is correct, and that is why the Government have made clear our unwillingness to accept the Tervuren proposals, as they are known, and why we have emphasised repeatedly the importance of the primacy of NATO command and control in delivering precisely the benefits to European coherence that were set out by the hon. Gentleman.

Ms Gisela Stuart (Birmingham, Edgbaston): What assessment does the Secretary of State make of the contribution that the proposed armaments capability agency would make to building capacity in Europe, because the question is not whether we work independently of the United States or not, but what capacity Europe and the UK have to be able to do so?

Mr. Hoon: I have repeatedly made clear the importance to the United Kingdom of ensuring that European allies can contribute effectively, specifically to NATO operations, but also to other European operations where NATO is not engaged. That means developing European military capabilities. The agency is designed to achieve that, to identify existing gaps in capability and to recommend ways in which those gaps might best be filled. That is why the United Kingdom has been such a strong supporter of the agency.

Mr. Keith Simpson (Mid-Norfolk): Whether our armed forces can or cannot operate independently of the United States obviously will depend on our resources. How will the Secretary of State fund the necessary investment required to enable us to operate alongside, let alone independently of, the United States? He talks about the massive amount of investment needed for new technology, but we are now told that the two new carriers will be smaller than anticipated and that there will be a reduction in the numbers of the joint strike fighter aircraft. New Labour, like old Labour, is basically about defence cuts. Even the Department's own accounts—for the second year running—only receive a qualified certificate from Sir John Bourn, the Comptroller and Auditor General. If they were the accounts of the Secretary of State's political association, it would have called in the receiver by now.

Mr. Hoon: I have made clear to the House repeatedly—I am sorry that the hon. Gentleman seems to have overlooked it—that recent announcements about the amounts available for defence demonstrate that we have the largest planned increase in spending in more than 20 years. The huffing and puffing that he brings to the Dispatch Box might be taken a little more seriously if he and his Front-Bench colleagues were able categorically to state that they would match those spending plans. We have not heard them make any specific contribution to that effect. This is an opportunity for them to say that they will match those spending plans pound for pound.

SaBRE Project

4. **Huw Irranca-Davies** (Ogmore): If he will make a statement on the work of the SaBRE—supporting Britain's reservists and employers—project in Wales to secure the release of employees for service in the reserve forces. [135546]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The supporting Britain's reservists and employers campaign has been vigorously pursued in Wales. Approximately 500 employers have been contacted and presentations have also been made to the Welsh Assembly, the Confederation of British Industry, the Institute of Directors and the Chartered Management Institute. During this first year, the SaBRE campaign team has been able to answer employers' questions and concerns and has established a help line to offer advice to employers, who can also make contact via the internet, on www.sabre.mod.uk.

Huw Irranca-Davies (Ogmore): I thank my hon. Friend for his response and for the specific interest that he has shown in the work of SaBRE in Wales. I need not remind him that south Wales has been fertile ground for recruitment to the regular armed forces and the recruitment of reservists; as such, there is a particular draw upon the reserves and resources of families and employers. Will he join me in congratulating the excellent work of employers throughout south Wales? I look forward to welcoming my hon. Friend to Ogmore and Bridgend to see examples of that work.

Mr. Caplin: I congratulate my hon. Friend on his relationship with employers in his constituency both large and small, particularly Sony and Ford, which have made a considerable contribution to our reservist force. I am indeed looking forward to going to Wales later this month.

Mr. Julian Brazier (Canterbury): I congratulate the SaBRE project in Wales, but does the Minister accept that one of its advantages is that a fully formed unit—the Royal Monmouthshire Royal Engineers—has been sent from Wales, because when soldiers are with a

formed unit, with their own officers and senior NCOs, not only are the soldiers happier, but the community is better able to support them? Another example of that is the formed platoon of the 3rd Battalion, Princess of Wales's Royal Regiment in my own constituency. Does the Minister accept that the lessons of such examples are that we do not have enough territorials, and that if the Government want to go on using more and more of them, they will have to expand the Territorial Army again?

Mr. Caplin: Two things occur to me about the hon. Gentleman's question. He is right to say that the preferred option would always be to send a full brigade—but the reservists and the Territorial Army make a significant impact on the specialities that our armed forces require, and that will be the case for some time to come.

Mr. Bernard Jenkin (North Essex): Reservists depend on a measure of Government expenditure, so will the hon. Gentleman invite his right hon. Friend the Secretary of State to correct the record? The one spending programme that we have pledged to match is defence spending, and he should put that right before he says anything else to the House. Secondly, Army overstretch means that many employers are fed up with the frequency with which their Territorial Army employers are called up; some are even making membership of the TA or the reservists a bar to employment. The full-time reserve service therefore plays a vital role. Why, then, have the Government frozen recruitment of full-time reservists at just over 1,000, when the Regular Army trained strength is short of more than 3,800 people, and thousands more are unfit for deployment? Is that not another example of emergency in-year cuts as the Minister's Department is gripped by a financial crisis, with defence commitments outstripping resources, and Labour failing the armed forces?

Mr. Dennis Skinner (Bolsover): He'll be a reserve next week.

Mr. Caplin: As always, my hon. Friend has beaten me to it.

I very much enjoyed the contribution of the hon. Member for North Essex (Mr. Jenkin) today, and I hope that he will be able to make a similar contribution from the Dispatch Box in a month's time. But how can he say what he has just said? He has told the House that he wants to support fully the defence programme that this Labour Government have set out, but he said nothing about any of the other programmes, and he said nothing about that in his speech to the Tory party conference. [HON. MEMBERS: "Read it out."] I have to watch these things, you know—*[Interruption.]* I watched the hon. Gentleman's speech with interest. On the other point that he raised, it is short-sighted if employers do not want to employ reservists. I find that idea astonishing, and I have spoken to a number of employers in the past week, and will be seeing a number of others in the coming weeks.

European Security and Defence Policy

6. **Mr. Andrew Rosindell** (Romford): When he last met the US Defence Secretary to discuss the European security and defence policy. [135548]

The Secretary of State for Defence (Mr. Geoffrey Hoon): I last met the US Defence Secretary at the NATO ministerial meeting on 7 October, when we discussed a number of defence issues including European security and defence policy.

Mr. Rosindell: Will the Secretary of State acknowledge the vital role that the United States has played in the defence not only of the United Kingdom but of the whole of western Europe? Does he not agree that in the long term, the efforts, finance and energies that we put into the European defence and security policy can only detract from the support that we have received from the United States, particularly the NATO alliance?

Mr. Hoon: I agree with the hon. Gentleman's first proposition but not with his second. There is no reason why support for NATO and support for the European defence policy need be mutually inconsistent. Indeed, as the United States has recognised in its approval of the Berlin plus arrangements, the two are complementary: by improving European defence capabilities, we are also improving the ability of European nations to contribute to NATO—something that the United States would like to see.

Mr. John Smith (Vale of Glamorgan): My right hon. Friend is of course right—the US Defence Secretary supports a European security and defence policy, as does every other NATO country. In fact, the only mainstream political party within those countries that sees the ESDP as a threat to NATO is the crazy lot on the Opposition Benches. Our defence is not safe in their hands, until they give up this obsession with bashing Europe.

Mr. Hoon: I am reluctant to disagree with my hon. Friend, but I am sure that there must be an obscure political party somewhere in western Europe which, having lost two general elections and had a succession of leaders, takes the same view as the British Conservatives.

Mr. Michael Jack (Fylde): On the matters that the right hon. Gentleman discussed with the American Defence Secretary, can he enlighten the House as to the progress made on the release to the United Kingdom of the full technology underpinning the joint strike fighter, and did they discuss the outcome of the Rand Europe report, which illustrated the feasibility of building that aircraft in the United Kingdom?

Mr. Hoon: We certainly discussed the joint strike fighter and the importance of a full mutual exchange of information on its development. I can assure the right hon. Gentleman and the House that those discussions continue.

Mr. David Drew (Stroud): Will my right hon. Friend assure me that, when he meets the US Defence Secretary, he will take up with him the continuing use of British bases, so that we are absolutely clear about the Americans' future plans for those bases? In particular, we must ensure that both countries work together, rather than their not being entirely of one voice, as seemed to happen during the last conflict.

Mr. Hoon: The subject of US bases in western Europe was discussed at the NATO ministerials.

Surface Fleet

7. **Mr. David Heath** (Somerton and Frome): If he will make a statement on the future of the surface fleet. [135549]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Royal Navy surface fleet of the future will continue to make an effective contribution towards the United Kingdom's defence mission. We continue to modernise our armed forces in response to the changing strategic environment. The Royal Navy is receiving significant investment to enhance capabilities.

Mr. Heath: Part of that significant investment is the two carriers that form a key part not only of the fleet's future, but of the Government's expeditionary strategy, yet we are told that they are under threat. Will the right hon. Gentleman take this opportunity to make it absolutely clear that budgetary insufficiencies will not reduce the role, effectiveness or specifications of either, or both, of the new carriers?

Mr. Ingram: I do not know where the hon. Gentleman gets the idea that the carriers are under threat. We have begun the third stage of the assessment phase, which is excellent news for the Royal Navy and for the UK shipbuilding industry. The programme remains on course, and the maturity of design and the capability that the carriers will deliver form part of the overall evaluation. I suggest that the hon. Gentleman awaits the next phase, reads what we have said about the current one and sees how matters develop. In terms of the naval programme, a little mature thinking on his part and that of his party would not go amiss.

David Cairns (Greenock and Inverclyde): I welcome that answer from my right hon. Friend. The news that this very important contract is going ahead will go a long way towards allaying some of the fears of my constituents who work in shipbuilding on the Clyde. Does he agree that through this contract and the Type 45 orders, this Government have not only established the best possible defence for the country, but given British shipbuilding, which has suffered for many years, the best possible news?

Mr. Ingram: My hon. Friend hits the nail on the head. In the next decade or so, the Royal Navy will take delivery of two new aircraft carriers and associated aircraft, several new assault ships, a new class of fleet submarines within the Astute class, highly deployable Type 45 destroyers, new survey ships and much improved support shipping and strategic lift capability. That is good news for the Royal Navy and the other armed forces, and for our shipbuilding industry.

Peter Bottomley (Worthing, West): Does the Minister agree that the fact that we go on renewing and replacing our surface fleet should not be news? Can he give us an indication of the costs of the carrier programme, and can he say whether the Anglo-French carriers were built to take French planes as well as British planes when in operation?

Mr. Ingram: I pointed out in my earlier answer that the design relative to the capability that is required in the programme evolves, and I would have thought that the hon. Gentleman would be only too well aware of that. As to the relationship with the French, if we can deliver a design in which France is also interested, we can join with them to ensure that their capabilities improve to the same extent—and strength—as ours.

Rachel Squire (Dunfermline, West): Does my right hon. Friend agree that the Government have delivered the largest warship-building programme for more than 30 years? Does he also agree that the Rosyth dockyard has delivered, to high standards on cost and on time, the refit and repair of our current surface fleet, and that maintaining such skills is a vital asset to this country? Will he do his utmost to ensure, particularly with respect to the future aircraft carrier, that there is no delay to the commencement of the work that is vital to Rosyth's future?

Mr. Ingram: I agree with my hon. Friend about the role of Rosyth, which has provided tremendous service to this country's armed forces, particularly the Royal Navy, over many years. I am sure that that will continue in the years ahead. I understand the concerns about the need to remain on programme in respect of the development of the carriers. All the partners involved in the design, structure and build programme will be all too well aware of the way in which the process works. I cannot give the absolute guarantee that my hon. Friend requests, but I pay tribute to the Rosyth dockyard for all the work that it has done in the past.

Dr. Julian Lewis (New Forest, East): Is it not a fact that the size of the new aircraft carriers is going to be reduced by between a third and a half; that the number of Type 45 destroyers is going to be reduced on the planned programme; that the number of Astute submarines will be reduced; and that in future the number of Royal Fleet Auxiliary replacement vessels that are supposed to support the carriers will also be reduced? Is it not a fact that the Secretary of State told the Royal United Services Institute in June that the number of units and platforms that the armed forces had was no longer significant? That sort of spin might be acceptable in political campaigning, but it is surely unacceptable in military campaigning where our servicemen's lives are on the line.

Mr. Ingram: Nice rhetoric, but rather removed from the truth. What my right hon. Friend said in his speech earlier this year was absolutely accurate. It is all about capability and effect. That is where we seek to deliver,

and we define those concepts on the basis of the best military advice. Ministers do not deliver it in the way implied by the hon. Gentleman: we have to examine the size of the programme, look where the capability lies and then match the two. No Government operate any differently from that—and previous Conservative Governments, of course, operated in exactly the same way. We have to define capability in the light of the new emerging threats. We debated all that only a few days ago, and the sort of questions that the hon. Gentleman has just asked were all dealt with then.

Iraq

8. **Mr. David Stewart** (Inverness, East, Nairn and Lochaber): If he will make a statement on his assessment of the current security situation in Basra. [135550]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Before answering my hon. Friend's question, I would like to express my sadness at the incident involving a United States helicopter yesterday and to send my condolences to the families of those who lost their lives.

I visited Basra on 20 and 21 October. The security situation in the city remains broadly stable. We want to see the Iraqis taking increasing responsibility for their own security. We are making good progress in developing an indigenous Iraqi police force and there are currently 10,500 regular Iraqi police working in our area of operations, patrolling their country alongside coalition forces. More are currently in training.

Finally, may I take this opportunity to congratulate the members of the United Kingdom's armed forces and civil servants who received awards in the lists published last Friday?

Mr. Stewart: Will my right hon. Friend join me in praising the bravery and determination of the ordinary men and women of our armed forces in Basra, who are serving in difficult circumstances which I witnessed first hand a few weeks ago? Will he assess security at Basra airport, especially the threat posed by surface-to-air missiles? When will full commercial operations start at the airport?

Mr. Hoon: I thank my hon. Friend for the time he spent with our armed forces in Basra; it is much appreciated when Members of Parliament make such visits, and I know that his visit was particularly appreciated.

Military and civilian contractors continue to use Basra airport. Historically, it has never been used for large-scale passenger traffic and several practical issues, including security, would need to be addressed before it would be appropriate to open the airport for commercial use. Obviously, that is being considered.

Mr. Paul Keetch (Hereford): I join the Secretary of State in sending condolences to the families of the coalition troops killed in the recent attack on the Chinook helicopter. I also join him in congratulating the members of the British armed forces and the civilians honoured last week.

To his credit, the Secretary of State has never claimed that rebuilding Iraq—winning the peace—would be easy. I am reassured to hear what he says about the stability of the situation in Basra, but can he tell us how many British troops have been injured in Basra since 1 May? He accepts that Iraqi civilians have also been killed in the attacks, so can he give an assessment of how many have died? If Iraqi civilians continue to die, it will not assist our role in securing the peace.

Mr. Hoon: I anticipate that I can give the hon. Gentleman a list of all those who have been seriously injured if that has resulted in hospitalisation or a return to the United Kingdom, but he will recognise that many relatively minor injuries are treated on the spot and are not recorded in a way that would allow the information to be provided to him. If I may, I will write to him with the details.

Harry Cohen (Leyton and Wanstead): The other day, when asked by a Senator how many troops were expected to be in Iraq this time next year, the US military representative—incredibly—did a tap dance instead of answering, so let me ask the Secretary of State: how many UK troops will be in Iraq this time next year, and may we have an answer and not a soft-shoe shuffle?

Mr. Hoon: I am always grateful to my hon. Friend for the way in which he puts his questions and the opportunities that he affords me, but I shall certainly resist his last suggestion. To be realistic, it is difficult to speculate about precisely how many troops will be required this time next year. The security situation in parts of Iraq, especially around Baghdad, is very difficult at present. The situation elsewhere—in the south, and in the north where American forces are responsible—is encouraging and better than the pictures from in and around Baghdad might suggest. Force numbers depend on the level of security. We are working hard to improve security, to rebuild Iraq's economy and to return government of the country to the Iraqi people. We want to do that as quickly as possible, but it has to be consistent with security arrangements.

Mr. Crispin Blunt (Reigate): Does the Secretary of State agree with the analysis that it was a serious mistake to disband the Iraqi army, because it will have to be built from scratch to assist with security around Basra and elsewhere in Iraq?

Mr. Hoon: No, I do not think that it was a serious mistake, because it would have been impossible to determine which elements of the Iraqi army were loyal to Iraq as opposed to loyal to Saddam Hussein. As I am sure the hon. Gentleman knows, the Iraqi army was modelled on the Stalinist arrangement, whereby people who were absolutely loyal to Saddam Hussein were implanted in the upper reaches of the army, as we found in the course of military operations in Iraq. It was not a mistake to disband the army, but the hon. Gentleman is right to the extent that it is important that we rebuild that capability as quickly as possible to provide real stability and security for Iraq. That is why the training of the Iraqi army is proceeding with such dispatch.

Mr. Mark Todd (South Derbyshire): In June, six military policemen from this country were killed in Majar-al-Kabir while training Iraqi cadets. It would be a great relief to their families, including the family of Russell Aston from Newhall in my constituency, if we had clear answers about the operational circumstances that led those military policemen to be there and the communications that occurred between British forces in the lead-up to their murder. Would it not also be greatly to the relief of those currently serving in Iraq if we could learn lessons from anything that happened on that day that would improve our operational effectiveness?

Mr. Hoon: I am grateful to my hon. Friend, who has raised this issue with me before. I recognise the concern felt by the families of those who lost their lives. I met members of most of those families during the repatriation to the United Kingdom of their loved ones' bodies, and I entirely understand their concerns.

I assure my hon. Friend and the House that determined efforts are being made to learn lessons from the incident to which he referred. Those lessons are being passed on to serving members of the armed forces in Iraq.

Recruitment

9. **Bob Russell** (Colchester): What proposals he has to improve recruitment to those regiments that are not at full strength. [135551]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Efforts to target those regiments that are below full strength are already being made. Specific recruiting measures include financial support, use of all possible media avenues including the internet, and the continuing development of relationships with colleges and further education establishments. I expect the Army recruitment target to be achieved this year.

Bob Russell: I thank the Minister. Will he confirm that the Army is still under strength by about 3,000 soldiers, and that the situation would be even worse if 1,560 soldiers from Fiji had not been recruited? Does he agree that those parts of the United Kingdom with geographic regiments that are fully up to strength should be encouraged to recruit more? In particular, I urge him to reinstate 3rd Battalion, the Royal Anglian Regiment as a means of helping to make up the shortfall in the Army.

Mr. Caplin: The hon. Gentleman makes an interesting point. I certainly welcome the recruitment of Fijians to the British Army; they have made a significant contribution for many years, and I am surprised that the hon. Gentleman wants to desecrate that. *[Interruption.]* It is expected that Army recruitment targets will be achieved this year, and that they will be achieved the following year too.

Mr. James Gray (North Wiltshire): The Minister's remarks about desecrating the Fijians will go on the record as being particularly unfortunate. The Army is actually 4,000 men under strength. Will the Minister refute press reports that he intends to put that right by cutting manning strength in the forthcoming White Paper? Will he say what he intends to do about the Territorial Army? The strategic defence review said that we need 44,000 personnel, whereas the current strength is 38,000. Anecdotally, the figure seems to be going down rather than up.

Mr. Caplin: I apologise to the hon. Member for Colchester (Bob Russell). I should have said "denigrate".

We are still recruiting people to the Territorial Army, and they are part of its overall strength. They play an important part, as I know the hon. Member for North Wiltshire (Mr. Gray) knows from his visits to his own regiment, and they will continue to do so.

Future Strategic Tanker Aircraft

10. **Mr. Bill Tynan** (Hamilton, South): Whether he expects the future strategic tanker aircraft to be (a) crewed and (b) serviced by sponsored reserves. [135552]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Ministry of Defence is currently assessing bids from two consortiums for the future strategic tanker aircraft project. As part of our evaluation of that potential private finance initiative contract, we are considering whether a proportion of the air and ground crew personnel could be sponsored reserves.

Mr. Tynan: I thank my right hon. Friend for that comprehensive response. He must be aware that there is some concern about the future of the strategic tanker aircraft as a PFI project. Is he confident that such an aircraft could be used for air-to-air refuelling? Does he believe that such an aircraft would be secure in operation? Does he agree that sponsored reservists should not be used in the front line in any future conflict?

Mr. Ingram: My hon. Friend has taken a particular interest in this matter, but I should point out that the Ministry of Defence has already awarded a number of PFI contracts that contribute to the overall operational effectiveness of our armed forces. For example, the enhancement of a strategic sealift capability through the provision of the roll-on/roll-off ferry service proved a significant success during operations in the Gulf. The concept of sponsored reserves sitting alongside a PFI project has been tried and tested, and to good effect.

Let me assure my hon. Friend and the House that we examine each PFI /PPP proposal entirely on its merits, and we will adopt a PFI solution for the future strategic tanker aircraft only if we are fully satisfied that it meets our operational requirements at best value for money. The two bids are currently being examined. We have not yet reached a conclusion, but all the factors that my hon. Friend raises have to be taken into consideration.

Iraq

12. **Mr. David Amess** (Southend, West): If he will make a statement on the work of his Department's civil servants in Iraq. [135555]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Ministry of Defence civil servants have been supporting United Kingdom forces in Iraq since the beginning of Operation Telic. They fulfil a number of roles ranging from providing policy advice to military commanders to finance and contracts work. Scientific staff are also attached to the Iraq survey group. All civilians deployed are volunteers.

In addition, seven MOD civil servants are currently seconded to the coalition provisional authority. As I said earlier, I am delighted that a number of MOD civil servants had their contribution recognised in the Operation Telic honours list.

Mr. Amess: Have British civil servants in the Iraq survey group discovered anything of significant note that could possibly justify the alleged reasons for British troops being involved in the invasion of Iraq and for many of our troops remaining there?

Mr. Hoon: British civil servants work alongside their American counterparts, and those of other nations, so I cannot single out their contribution. I am sure that if the hon. Gentleman studies carefully the interim report made available by the Iraq survey group, he will see a number of significant elements that point to programmes of Saddam Hussein's regime developing weapons of mass destruction.

Mr. George Osborne (Tatton): The death of American troops over the weekend has increased the domestic pressure on President Bush to reduce the civilian and military commitment by the United States to post-war Iraq. Does the Secretary of State agree that it is very important that the United States and Britain resist that pressure? What we started in Iraq, with my support, we should now finish.

Mr. Hoon: I agree entirely with the hon. Gentleman. Indeed, I see no evidence that either Administration is lessening its commitment to ensure that Iraq is rebuilt, restored and becomes a rightful member of the international community with a democratic Government who are capable of providing a proper standard of security for their people.

Typhoon

13. **Miss Anne McIntosh** (Vale of York): When he expects the Typhoon to enter service. [135556]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): As announced in my right hon. Friend's written statement on 30 June, Typhoon achieved type acceptance on that day. Following type acceptance, individual aircraft were due to be accepted off-contract, the first of which was expected in October. That process has been interrupted by a problem with the landing gear, and as a precaution all Typhoon flying has temporarily been suspended while the problem is investigated and resolved. Progress is being made with the investigation and we hope to be able to resume flying and the entry-to-service process shortly.

Miss McIntosh: Can the Minister confirm to the House that he will be able to sign off tranche 2 of the Typhoon programme by the December deadline, or is he going to tell us that the Typhoon will not enter into service at the prescribed time or to the prescribed budget? How does the right hon. Gentleman respond to newspaper reports that he is being asked to make a 20 per cent. cut in the budget?

Mr. Ingram: I thought that it was the Conservatives who were announcing 20 per cent. cuts across their programme. I also thought that their potential new leader—they may have changed again; I do not know whether they have kept this one—was indicating that he wishes to make massive cuts in programmes.

The United Kingdom is party to international arrangements under which we are set to order a total of 232 Typhoons. Of those, 55 aircraft are already on order, and we are working towards an order for the second tranche of 89. The third and final order is not due to be placed before 2007, and we shall keep our requirements under continual review. We are working towards meeting those deadlines.

Miss McIntosh: Owing to the nature of that entirely inadequate response, I wish to give notice that I intend to apply for an Adjournment debate on the subject.

European Security and Defence Policy

14. **Sir Sydney Chapman** (Chipping Barnet): If he will make a statement on the European security and defence policy. [135557]

The Secretary of State for Defence (Mr. Geoffrey Hoon): On Monday 27 October, I set out the Government's detailed position on the European security and defence policy, when the House debated NATO and European defence policy.

For the European Union to play its full part in international affairs, it must have the capacity to support its common foreign and security policy objectives with an effective European security and defence policy, including the ability to undertake operations where NATO as a whole is not engaged. That involves European nations developing effective and deployable military capabilities both to undertake the full range of the Petersberg tasks and as a contribution to strengthening NATO.

Sir Sydney Chapman: Precisely—that is what the Secretary of State said in the debate last week. As it is now almost five years since the St. Malo declaration, which spawned the European security and defence policy, will the Secretary of State say which European country has increased its defence expenditure; or is it more likely that none has?

Mr. Hoon: I can assure the hon. Gentleman that the United Kingdom has, and that is the responsibility that I have. I am grateful to him for indicating that the Government have been consistent on this issue, and it is right that I should take this opportunity to congratulate the hon. Member for North Essex (Mr. Jenkin) on his consistency: he has been consistently opposed to any

kind of European defence co-operation. Indeed, if I understand the position correctly, the price of success for the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) is that the hon. Gentleman will soon be looking for new responsibilities.

Iraq

15. **Mr. David Crausby** (Bolton, North-East): What assessment he has made of the impact of operations in Iraq on the requirement for future equipment. [135558]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Ministry of Defence is currently engaged in a comprehensive exercise to capture and analyse lessons from the operations in Iraq. That will include a full assessment of our equipment and any lessons that can be extracted for our future programmes. Some early indicators were identified in our "First Reflections" report, published in July, and I expect a final report on that process to be published by the end of this year.

Mr. Crausby: I thank my right hon. Friend for that reply. Given that British forces used a full spectrum of war-fighting equipment in Iraq from SA80 rifles to Challenger 2 tanks, will he ensure that the lessons learned report examines the relationship between different types of equipment and forces? In particular, will he assure the House that, as we invest more time and money in network-enabled capability, lessons will be learned to ensure that our existing excellent equipment remains fully integrated into the network?

Mr. Ingram: Those are two interesting questions. I can give my hon. Friend the first assurance that he seeks on the lessons learned about the balance of forces, because Operation Telic showed the importance of ensuring that we have the right capabilities in strength and depth that enable us to work alongside our allies—the United States, those in Europe, or whoever we may find ourselves working alongside. So, yes, those lessons will be learned.

On investing extra money, as we move forward into the future, it is important that any investment that we make ensures that existing capable equipment can be connected to future platforms and that there is overall interoperability between platforms; otherwise, there would be weaknesses in the delivery systems. We are seeking to achieve that objective, and all investment strategies will be driven towards it.

Angus Robertson (Moray): Does the Minister agree that the military's ability to act and deliver in Iraq would have been severely impaired if the defence fire service had been privatised and been unable or unwilling to deliver under fire? Why has an announcement of the defence fire service privatisation been put back, and when will it take place?

Mr. Ingram: I shall ponder the question again: where would an independent Scotland have been in relation to any conflict and what role would it have played in seeking to secure stability and world peace?

Angus Robertson: Now answer the question.

Mr. Ingram: The hon. Gentleman asks a question about the defence fire service. An examination is currently taking place and a level playing field is in place. The public sector comparator is already showing its worth in all this, and we work closely with the trade unions as we make comparisons with the maturing bids from the consortiums that have expressed interest in a private finance initiative or public-private partnership solution. I do not have a firm date at this stage, but I assure the hon. Gentleman that delays have occurred because we are seeking to ensure best value for money for the defence budget, and I would have hoped that he agreed with that.

Aircraft Carriers

17. **Mr. John Bercow** (Buckingham): If he will make a statement on the level of aircraft carrier provision. [135560]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The United Kingdom's aircraft carrier capability is currently provided by three CVS class vessels. As decided in the strategic defence review, and subsequently confirmed by the new chapter, our plan is that they will be replaced by two larger and more capable CVF class vessels with target in-service dates of 2012 and 2015. The carriers will be the biggest and most powerful warships ever constructed in the UK and the most capable carrier force outside the United States.

Mr. Bercow: I am grateful to the Minister of State, but I am afraid that that soothing bromide is no better for me than that which he offered a few moments ago to my hon. Friend the Member for New Forest, East (Dr. Lewis). The Secretary of State for Defence told the House in January that the new aircraft carriers would

"rank alongside the most formidable and complex weapons systems deployed by any country anywhere in the world."—[*Official Report*, 30 January 2003, vol. 398, c. 1026.]

We were also led to believe that each would be of the order of 60,000 tonnes. How does the right hon. Gentleman therefore expect us to believe that the much smaller-scale versions that he now envisages will have anything like the same punch or versatility, because the naval architect responsible for the project says that they certainly will not do so?

Mr. Ingram: I hesitate to comment to the hon. Gentleman that size seems to matter to him, and I hesitate to use the word "bromide" in relation to that. In my earlier explanation, I tried to point out that that is a maturing design and capability measurement—"maturing" means getting the best capability. What the Opposition have said is that they have taken a figure given in the strategic defence review, which was between 30,000 and 40,000 tonnes for the size of the ships, against the earlier announcement, and they are now saying that that will be the size of the ships. However, we

should wait and see what outcome the whole design process delivers. The truth is that the new ship will still be two and a half times the size of the current carrier—a formidable aircraft carrier capability, alongside that which will be delivered from its decks.

Resource Accounting

18. **Mr. Dai Havard** (Merthyr Tydfil and Rhymney): If he will make a statement on the impact on his Department and its agencies of adopting the resource accounting system. [135561]

The Secretary of State for Defence (Mr. Geoffrey Hoon): In the current financial year, 2003–04, the Ministry of Defence completed the change to full resource accounting and budgeting from the old budgeting system, after a transitional period from April 2001 to March 2003. Resource budgeting uses accruals-based principles to plan and control spending. The introduction of resource accounting and budgeting has been a major change programme in its own right. With its huge and diverse asset base worth some £86 billion, the Ministry of Defence has been particularly affected by the move to full resource accounting and budgeting. That has raised issues such as how quickly it might use resources released by reducing the asset base to fund other priorities. As I indicated to the House on 16 October at columns 280–81, factors such as that and exchange rate fluctuations have led to a requirement to make some adjustments to ensure that the MOD continues to operate within its budget.

Mr. Havard: I thank my right hon. Friend, a lawyer, for giving me the accountant's answer. I want to deal with the perhaps unintended consequences of introducing the policy in three particular areas. I would like to know whether revaluations of assets have led to, or are likely to lead to reductions in acquisition spend; whether there has been an effect in relation to stock reductions, in terms of the ability to respond when there is a point of conflict; and whether the political consequences are properly understood by the bean counters of both the Ministry of Defence and the Treasury. It seems to me that if we are not careful we will end up understanding the price but not the real value of our industrial policy, our political intentions and the operational safety and capacity of our armed services. I would like some assurances on those matters.

Mr. Hoon: I am very grateful to my hon. Friend for taking such a serious interest in what is obviously a vital issue not only for the Ministry of Defence but right across government. I want to remonstrate with him for his suggestion that lawyers are somehow more interesting than accountants. Clearly, there would be a great debate about that. Although I know on which side of the argument I would fall, I recognise that there is a great deal to be said for accountants, particularly when they determine the MOD's considerable budget. Although my hon. Friend comments on the political implications of this, I am confident that we have taken them fully into account.

Decommissioning (American Ships)

3.30 pm

Mr. David Lidington (Aylesbury)*(Urgent Question)*: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the role of the Environment Agency in approving the decommissioning of American ships by Able UK, Hartlepool.

The Minister for the Environment (Mr. Elliot Morley): Hon. Members will be aware that Able UK, a company based on Teesside, won a contract for the dismantling of 13 redundant naval auxiliary vessels from the James river fleet. The contract was awarded by the US Maritime Administration—MARAD—the statutory body in the US responsible for the decommissioning of the James river fleet.

As the decommissioned vessels are classed as waste, their export from the US to the UK would be subject to controls on the trans-frontier movement of waste. In this case, as the waste is moving for recovery between two Organisation for Economic Development and Co-operation countries, the movement is subject to the controls under an OECD decision, which is implemented in the European Union through the EC waste shipments regulation.

Under the rules, the notifier of the waste, in this case MARAD, is required to inform the UK competent authority, in this case the Environment Agency, of the intention to export the vessels from the US and import them to the UK. The agency may raise reasoned objections to such notifications—for example, if the process is not actually going to recover the waste, but instead simply dispose of it. The Environment Agency consented to the proposed shipment on 22 July.

The agency was satisfied that the facility had the technical and physical ability to deal with the ships in an environmentally sound manner. The company concerned has in recent years dismantled several oil rig platforms, including ones containing hazardous waste. The proposal was that the ships would be dismantled in dry dock conditions.

Hon. Members will be aware that, since the consent for the trans-frontier movement was issued, the operator of the site applied for a modification to the waste management licence regulating the site, to increase the annual quantity of waste, including ships, able to be treated there. The agency assessed this modification on the basis that the dismantling would take place under dry dock conditions. Included in that process was an assessment of the impact of the modification on the local special protection area as required under the habitats directive. However, it has since been announced by the local authority that the operator of the site does not have the required planning permission for a dry dock at the site, though I understand that the company disputes this.

The agency's legal advice is that the waste management licence modification is invalid and the site reverts to the existing waste management licence. It is the agency's view that a new waste management licence would be required to increase the allowed throughput of waste at the site. Given the situation with the waste management licence and the planning permission for the site, the agency's legal advice is that this calls into question the approval for the trans-frontier shipment of the waste.

The Environment Agency met the company concerned on 30 October to inform it of the situation as regards the approvals for the site, and it has also informed the notifier for the waste shipment, the US Maritime Administration. The Environment Agency continues to work closely with both these contractors—MARAD and Able UK—urgently to identify a way forward. The Government and other relevant authorities—for example, the Maritime and Coastguard Agency—are being regularly updated on developments.

Hon. Members will wish to note that the EC waste shipment regulation—article 25 of 259/93—provides that, in cases where the shipment of waste to which the competent authorities have consented cannot be completed in accordance with the terms of the consignment note or contract, either the waste must return to country of export, or the waste can be dealt with in an alternative and environmentally sound manner. In the meantime, four of the vessels continue to be towed towards the UK while the agency and the contractors urgently seek a sensible solution.

I should emphasise that the vessels have been professionally verified as seaworthy and that they contain only relatively small quantities of hazardous substances, which are common to all ships of that age. They are not carrying any form of cargo—toxic or otherwise. The remaining nine ships in the contract will remain in the United States.

Mr. Lidington: I thank the Minister for his answer and start by agreeing that there will be near unanimity in the House that a way needs to be found to dispose of the vessels safely without damage to the environment. However, will he explain how the Government and their various agencies have got themselves into this almighty muddle? Does he acknowledge that there is a complete contradiction between the Environment Agency's decision last Friday to revoke the licences previously given and repeated assurances from the agency and Ministers during previous weeks that everything was in order and the regulations had been followed?

Does the Minister recall that on 1 October, the Environment Agency said that the recovery facility at Teesside had been subjected to stringent scrutiny and judged to have the capacity of carrying out the work and that, on 6 October, it stated:

"We are absolutely satisfied that we have complied with all the necessary legislation and . . . have made the right decision"?

Surely both the Environment Agency and relevant Government Departments should have checked the small print before they issued licences rather than getting round to doing so afterwards.

Does the Minister understand my sense of amazement at finding out that two of the licences now discovered to be outstanding are ones for which Able UK applied to his own Department? Do the Department for Environment, Food and Rural Affairs and the Environment Agency talk to each other from time to time, especially about controversial applications such as this? Does the Minister recognise that such muddle and confusion at the heart of government utterly undermine public trust that his Department is able to protect our environment against pollution?

[Mr. Lidington]

Does the Minister agree that we face a situation of real environmental hazard? What will happen to the four ships that are currently mid-Atlantic? Am I correct in my understanding that four vessels are at sea and two are due to arrive this week but are reported to be running short of fuel? Are today's media reports correct in saying that the Environment Agency is urging those ships to turn back to the United States, that the American authorities are instructing them to sail on to the United Kingdom and that the Maritime and Coastguard Agency in this country says that they may have to be admitted to a UK port as the least bad option because they have come too far to turn back and will need to refuel here? What assessment have the Government made of the environmental risk caused by the approach of winter storms and tides? Does the Minister share my concern about the risk of the ships either breaking up mid-ocean or having to be moored off the coast of north-east England while different Government agencies wrangle with each other over what should be done next?

May I suggest to the Minister three actions that the Government could take? First, will he set up an urgent inquiry to establish what has gone wrong in this case and ensure that we get some joined-up government on environmental matters in future?

Secondly, will he secure agreement within the Government, if necessary by invoking powers in respect of maritime emergencies, to ensure that one Minister takes responsibility for tackling the immediate crisis of the ships that are now at sea?

Thirdly, in view of what has happened and the undermining of confidence in the Environment Agency, which is inevitable after recent events, will the Minister say politely but firmly to the United States Government that we will gladly share with them our skilled workers and technology, but that the rest of the fleet of so-called ghost ships should be decommissioned in the US?

Mr. Morley: Let me deal with the points in the order in which the hon. Gentleman raised them. The Environment Agency has 30 days to raise issues of substance or concern in respect of an application for a transhipment licence. In its evaluation, it also had to examine whether it was appropriate to issue a licence in the circumstances. It concluded that it was. It also concluded that the company had the necessary consents in place or that consents could be arranged in the time available.

DEFRA's role is limited to granting a licence for dredging under the Food and Environmental Protection Act 1985. Such consents have been given. Let me set out the root of disagreement between the company and the planning authority. It applied for planning permission for the dry dock, and got the licence from DEFRA for the work and consent from English Nature with regard to the possible impact on a special protection area. The argument is whether the company proceeded with the planning permission within the statutory time limit for doing the work. I understand that those issues are being discussed today with the planning committee.

When it became clear that all the consents were not necessarily in place and the disputes came to light, the Environment Agency contacted the American authorities on 3 October, before the ships sailed. Its advice to MARAD was that the ships should not leave the United States, but the ships sailed on 6 October. The Environment Agency did act on the emerging doubts and advised that the ships should not leave until all those matters were resolved.

I understand that the first two ships are north-west of the Azores and have been refuelled at sea. The other two are about a quarter of the way across the Atlantic. I am not aware of any information that the US has instructed the ships to continue. That is news to me. I do not know whether the hon. Gentleman has evidence of that, but I do not. However, if it was thought necessary to refuel the ships and, perhaps, to provide the crews and tugs with more provisions, that could be done within UK territorial waters. Measures are in place to deal with an emergency or concerns about the weather or the condition of the ships, and we have reciprocal arrangements with other European countries on that.

I agree that the problem throws up complex issues in relation to the nature of such licences. We will require a full evaluation of the situation to set out why the problems have arisen and what lessons we can learn. That will be done as part of the normal process with the Environment Agency. The procedures are clear on who has the lead responsibility: the agency is the competent authority in this case. There is no argument about that and it has carried out its duties properly.

In relation to the US role, MARAD sought tenders for the scrapping of the ships. Some of the fleet is going to US yards, but there is a capacity problem, not least because MARAD would only approve yards that met the environmental standards required, and we support it in that. Able UK was involved in the tendering process, which was part of the international trade to deal with recycling and re-use. In that respect, MARAD is entitled to take up that facility as part of international agreements.

Mr. Jim Cousins (Newcastle upon Tyne, Central): Is the Minister aware that people in Northumberland and Durham and along the Tyne, the Wear and the Tees are very concerned about this situation because the chosen route for the ships is north round Britain and down the coast of north-east England? Will he make a clear statement that for those ships to continue on their course would be a clear breach of international law and obligations? I seek an assurance from him that, come what may, there will be no question of the ships arriving off the coast of north-east England, being incapable of being admitted to their destination and being parked there, posing a risk to the public in Northumberland and Durham.

Mr. Morley: The ships' route is the most direct; it takes them through the English channel. That has been arranged, and the ships will not go round the west side of the UK. Perhaps I misunderstood what my hon. Friend was saying.

Mr. Cousins: The Minister is misinformed.

Mr. Morley: Well, the ships are taking the most direct route. The advice given by the Environment Agency to the US authorities is that the ships should return to the

US or that another environmentally sound solution should be found. That might, for the sake of argument, be a yard in another country that meets the standards, if one exists and there is one available. At this stage, we do not know whether that is the case. We have to take into account safety and the weather, but those considerations do not overrule the very clear advice that the ships should return.

Mr. John Greenway (Ryedale): People in north-east England will wonder why in this day and age, and given the environmental accidents at sea that we have seen in Europe in recent years, it is necessary to bring ships from the US to Britain to be decommissioned in this way. The Minister said in answer to my hon. Friend the Member for Aylesbury (Mr. Lidington) that the agency told the US on 3 October that the ships should not sail, and the first two sailed on 6 October. Why, then, did the Department for Transport approve sailings on 4 October for the first two ships and 10 October for the second?

Mr. Morley: The only concern for the Department for Transport is whether the ships are seaworthy; it would not be involved in the consent process. The ships were inspected by the Maritime and Coastguard Agency to ensure that they were seaworthy before they left, and that is a responsible thing to do.

I touched on the reason for the ships coming from the US and on what they are carrying. There has long been an international trade in the re-use of ships, and we are sending fishing boats to Denmark because of a capacity problem in our yards. What is important is that we are signatories to the OECD agreement that if ships are going for dismantling, they should go to yards that have the proper facilities for waste handling, among other things, and uphold health and safety standards.

On pollution incidents, I say to the House that these are scrapped ships, and they are no better or worse than any other scrapped ship. They are not, in themselves, full of toxic materials, although they do of course contain toxic materials, as all ships do.

Norman Baker (Lewes): I welcome the agency's decision to take action to protect the environment, albeit belatedly. On 29 October an answer from the Minister indicated that the agency was happy with the arrangements, but clearly that is not the case. The main question is how it can be that rusting hulks were allowed to set sail from the US when there was no extant planning permission. Why was that not checked in the first place?

Does the Minister accept that, as a general policy, developed countries should deal with their own waste, both for reasons of producer responsibility and in the interests of minimising the transportation of hazardous waste, particularly when it is in the form of clapped-out 50-year-old ships?

I understand that the Department for Transport is today meeting with Able UK. Will the Minister assure me that the message from the Department, particularly in light of the agency's advice, to which the Minister referred in his initial answer, is that these rusting hulks will not be allowed to enter UK waters or travel through the busiest shipping channel in the world, the English channel, and that if they need to refuel, they should do so at sea, as apparently they already have?

Does the Minister agree that the Government should state clearly that, except in an emergency where there is risk to life and limb and the situation is obviously different, the ships should be turned round and sent back to the US for disposal, or does he think that it is appropriate to perpetuate the image of rubbish-dump Britain?

Mr. Morley: I do not know whether it is Liberal Democrat policy to send out the gunboats on this issue, but we must keep things in perspective. I do not think the hon. Gentleman was listening when I said that the ships have been inspected and classed as seaworthy. If they had not been, they would never have been allowed to sail. They would certainly not be allowed to enter UK waters if they were considered unseaworthy. Let us be clear about that. I also want to make it clear that the decision on the ships' return is based not on an immediate environmental risk but on the fact that the consents are not in order. If the ships go back and the consents are met, the contract can be fulfilled, but, at present, the consents are not in order and, until they are, the Environment Agency's legal advice is that the ships should return. On the hon. Gentleman's last point, ships can be refuelled and reprovisioned in coastal waters and estuaries without coming into port.

Mr. Peter Mandelson (Hartlepool): As the constituency Member of Parliament most directly concerned, I am satisfied that my hon. Friend's Department and the Environment Agency have dealt with the matter responsibly and conscientiously throughout—it has not been easy. Will my hon. Friend confirm that the original reason for choosing Able UK's facility in my constituency for the work is its high standards of environmental and employee safety protection? Is it not the case that the world would be an environmentally cleaner and less hazardous place if such ships had a safe disposal in which they were expertly and professionally dealt with, as Greenpeace itself has observed.

It is obviously important for all the necessary permissions and licences to be granted before the work starts, but will my hon. Friend confirm that there is no reason in principle why that work should not be carried out in future by Able UK? Finally, will he give my constituents a clear reassurance that in the meantime, while all these permissions and requirements are being put in place, the safekeeping of the ships, should they be unable to return to the United States quickly, will not pose any threat to our home coastline or their own safety and interests?

Mr. Morley: Yes, I certainly agree with my right hon. Friend that, whatever the arguments about the licence and consents, not one group or person has cast any doubt on the quality and ability of Able UK to deal with such work or, indeed, the skills or expertise of his constituents involved in that work. We need high-quality facilities of this type. This country has rightly pressed the EU to speed up the phase-out of single-hull tankers, which appears to be going ahead, and is likely to lead to 2,000 redundant tankers in the not too distant future. They will have to be dealt with by yards with the proper facilities, and we believe that we have that expertise in the UK. As for my right hon. Friend's final point, I can certainly say

[Mr. Morley]

that there is no reason in principle why that contract should not go ahead, as long as it fulfils all the terms of the various licence conditions. We also want to ensure the safety of our coastline and other shipping, so the environment and risks to it will be paramount in guiding our decisions on the issue.

Mr. Peter Ainsworth (East Surrey): It is not the reputation of Able UK that is on the line, but that of the Environment Agency. How is it conceivable that the ships were under way and that Friends of the Earth was threatening judicial review before the Environment Agency's announcement of its discovery that planning permission has not even been granted? That seems an extraordinary state of affairs. Can the Minister explain how that came to pass? Will he also tell the House what powers he has to enforce the return of those ships under EU law?

Mr. Morley: On the latter point, a range of treaties and legislation deals with the return of waste in such circumstances. The hon. Gentleman will know that it is open to different parties to contest decisions in the courts if they feel that those decisions are incorrect. That facility applies to anybody dealing with such matters, and it is not unique to this situation.

On the Environment Agency, I repeat that in the time it had to comment on the consent, its principal duty was to decide whether the application for a licence to be issued was valid. At that time, crucial issues such as planning permission—of course, there are other matters in that regard—were thought to have been resolved, but it now turns out that they were not.

Mr. Michael Weir (Angus): The Minister said in his statement that planning permission had not been granted for the dry dock. In his reply to the hon. Member for Lewes (Norman Baker), however, he also said that the ships would not be turned back. Will he accept that the closer the ships get to UK waters, the more difficult it will become to resolve the matter quickly? The Government's position should be that the ships will be stopped or turned back until the question of the dry dock has been satisfactorily resolved. The matter could take some time to resolve—we all know that it can take some time to sort out planning permission problems.

Mr. Morley: That is exactly the Government's position, and the Environment Agency is the competent authority in this case. The Environment Agency's clear legal advice is that the ships should return to the United States. We may need to take into account circumstances such as weather or emergencies, but those circumstances have not yet arisen, and the advice stands. MARAD, the responsible agency in the United States, should take serious note of that.

Mr. Henry Bellingham (North-West Norfolk): Will the Minister accept that he has not really answered one of the key points—that there has not been proper liaison between different Departments—in the urgent question, which was well put by my hon. Friend the Member for Aylesbury (Mr. Lidington)? Does he agree that we should not be taking a nimby view? We should be doing all that we can to help British companies secure lucrative overseas contracts, but public confidence is vital. Because of the incompetence of his and other officials a lot of damage has been done to Able UK, which is a good UK company. Why was a proper environmental impact assessment not implemented at the earliest possible opportunity?

Mr. Morley: I am not sure what the hon. Gentleman's point about the environmental impact assessment refers to. The necessary environmental impact assessment for the dry dock has been carried out, but it was done as part of the original planning application and has not been implemented. That is the root of the current complex dispute.

I do not accept the argument that there has not been proper co-ordination between Departments. The Environment Agency is the competent authority and DEFRA's direct role is limited, although we are aware of what has been going on. We have also liaised with the Department for Transport, particularly in relation to the condition of the vessels before they set out. If the hon. Gentleman wants to go into it, we have also discussed the issues with the EU, various embassies and MARAD. We are well aware of what has been going on in relation to the actual applications. The problem is that there seems to be a question mark over the consents that the company had obtained and thought were in place. The Environment Agency believes, not unreasonably, that while there is a question mark, the terms and conditions of the licence have not been met, which is why it believes that the ships should return to the United States until those matters are sorted out. As I said, if the terms and conditions are met in full, there is no reason in principle why the contract cannot go ahead.

Mr. Alistair Carmichael (Orkney and Shetland): First, may I associate myself with the remarks of the hon. Member for Aylesbury (Mr. Lidington), inasmuch as this is a matter of such importance that it should be the responsibility of one Government Minister, rather than being split between the Minister for the Environment and the Department for Transport? In the meantime, however, will he speak to his colleagues in the Department for Transport and impress upon them the important point that the current confusion surrounding the transportation of the vessels must not be used as an excuse to change the route that is currently proposed to bring them through the Pentland firth, which, as the Minister will know, is one of the most notoriously difficult tidal races around our coastline?

Mr. Morley: On the last point, the ships are not coming through the Pentland firth, and I am not aware of any proposal to alter the route. On departmental responsibilities, I come back to the point that the competent authority is the Environment Agency. It is not a split responsibility between the Department for Transport and Department for Environment, Food and Rural Affairs, although, of course, there are issues in which we have an interest, but there is a very clear competent authority and it is the Environment Agency.

Several hon. Members *rose*

Mr. Speaker: Order. We must move on.

Point of Order

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Speaker, of which I gave you notice. The Post Office dispute is now, I hope, being resolved. Many Labour Members were shocked at the tactics employed by the Post Office management. It seems clear that low-paid workers with genuine grievances were bullied and harassed. Furthermore, they were followed and spied on as they demonstrated against that treatment. The Post Office management has acted more like the Stasi than responsible management in charge of a public service such as the Post Office. Indeed, Mr. Adam Crozier, who I believe is paid half a million a year plus perks, has presided over what have been appalling tactics—

Mr. Speaker: Order. I must interrupt the hon. Lady. She is making a case against the management of the Post Office. The matter is in the hands of the Advisory, Conciliation and Arbitration Service, and it is best that no comment be made by any hon. Member at the moment. It is not a point of order. It is not a matter for me. The matter is being negotiated at the moment and it would be best to keep out of it.

Orders of the Day

Sexual Offences Bill [*Lords*]

As amended in the Standing Committee, considered.

Resolved,

That the amendments to the Sexual Offences Bill [Lords], as amended, be considered in the following order, namely, New Clauses, amendments relating to Clauses 1 to 56, Schedule 1, Clauses 57 to 72, Schedule 2, Clauses 73 to 80, Schedule 3, Clauses 81 to 93, Schedule 4, Clauses 94 to 104, Schedule 5, Clauses 105 to 138, Schedule 6, Clause 139, Schedule 7, Clauses 140 to 142, New Schedules.—*[Paul Goggins.]*

New Clause 2

PENALTIES FOR KEEPING A BROTHEL

'In paragraph 33 of Schedule 2 to the Sexual Offences Act 1956 (c.69) (mode of prosecution, punishment etc. for offences under section 33 of that Act)—

(a) for the entries in the second and third columns substitute—

(i) On indictment	Seven years
(ii) Summarily	Six months, or the statutory maximum or both";

(b) omit the entry in the fourth column.'.—*[Paul Goggins.]*

Brought up, and read the First time.

4.2 pm

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: amendment No. 142, in clause 48, page 28, line 14, leave out

'against a person under 16 is liable'.

Amendment No. 143, in clause 48, page 28, line 16, leave out subsections (5) and (6).

Government amendment No. 47.

Amendment No. 186, in clause 57, page 30, line 38, at end insert—

'(c) a person who has been subject to trafficking into the UK for sexual exploitation shall be granted the opportunity of remaining in safe accommodation in the UK for a period of up to 6 months.'.

Government amendment No. 48.

Amendment No. 49, in clause 59, page 31, line 22, leave out from 'he' to 'done' in line 24 and insert

'believes that another person is likely to do something to or in respect of B, after B's departure but in any part of the world, which if'.

Amendment No. 138, in schedule 2, page 80, line 17, leave out '48' and insert '49'.

Amendment No. 139, in schedule 2, page 80, line 27, at end insert—

'(e) an offence under section 48 where the victim of the offence was under 18 at the time of the offence.'.

Amendment No. 140, in schedule 3, page 84, line 39, leave out '16' and insert '18'.

Amendment No. 141, in clause 86, page 45, line 17, after 'Kingdom', insert 'for any period'.

[Mr. Speaker]

Amendment No. 135, in clause 115, page 63, line 2, after '16', insert 'or 18'.

Amendment No. 136, in clause 115, page 63, line 3, after '16', insert 'or 18'.

Amendment No. 137, in clause 116, page 63, line 26, after '15', insert '29,'.

Government amendments Nos. 74, 134 and 114.

Paul Goggins: This first group covers the areas of sexual exploitation and trafficking. New clause 2 raises the maximum penalty available for the offence of keeping a brothel at paragraph 33 of schedule 2 to the Sexual Offences Act 1956 from three months imprisonment, or six months for a second or subsequent offence, to seven years imprisonment. That brings it into line with our exploitation of prostitution offences in clauses 53 and 54, adding to the ability of the police to tackle the serious sexual exploitation of adults involved in prostitution.

Mr. Chris Bryant (Rhondda): I wholly agree with what my hon. Friend is saying, but in the provision there is an assumption that we all know what a brothel is, and I am sure that he is aware that that is somewhat uncertain in law. Indeed, under section 6 of the Sexual Offences Act 1967 a brothel would include anywhere to which people resorted for the purpose of lewd homosexual practices. I wonder whether my hon. Friend intends at any point to reform the law so that it is a bit clearer on precisely what a brothel is.

Paul Goggins: My right hon. Friend the Home Secretary has already announced a review of prostitution and one of the issues that that review may consider is a definition, but my hon. has raised the matter with me privately as well as on the Floor of the House. He has some concerns that the proprietors of commercial gay saunas, for example, may be caught by the new clause. I make it absolutely clear that we intend at Lords consideration of Commons amendments to restrict the use of the seven-year penalty to those cases that involve prostitution. I hope that that offers my hon. Friend some assurance.

In formulating our offences in this area, we were keen to ensure that the law is focused on genuinely exploitative behaviour. It was for that reason that the sexual offences review recommended the repeal of the offence of "man living on the earnings of prostitution" in section 30 of the Sexual Offences Act 1956, and why we created the offences in clauses 53 and 54. In Committee, the Minister for Citizenship and Immigration underlined that these offences were designed to tackle the problems of on-street pimps who exploit prostitutes in their control.

The offences are also designed to tackle those who cause, incite or control the prostitution of others in any circumstances, whether that is on-street prostitution or off-street in brothels or in any other place. However, it has come to our attention that the police were not confident that the prosecution would always be able to make out the element of "control" in our new offences where the owner of a brothel, or multiple brothels, might be exploiting several prostitutes at their premises—and making a considerable amount of money out of it—but putting himself at a distance from the actual running of the premises.

We have said throughout consideration of the Bill that the issue of brothels is outside the scope of this Bill and should be looked at in the wider context of the review of prostitution that I have mentioned. Having discussed the matter with the police, we feel that the best way to tackle this possible difficulty is to raise the penalty for the offence of keeping a brothel in section 33 of the 1956 Act to give the police another offence with a substantial penalty effectively to target those who exploit the prostitution of others in this way.

Mr. Dominic Grieve (Beaconsfield): The Under-Secretary will agree that there is a clear distinction between living off earnings and controlling activities. It might have been possible to make section 30 gender-neutral with a reference to "any person" who lives off the earnings of a prostitute, irrespective of whether that was a man or a woman. Was there any particular reason why the Government did not adopt that course?

Paul Goggins: We did not adopt that course because quite innocent third parties could be caught technically by the offence of living off the earnings of prostitution—for example, somebody earning an income from prostitution and using the money to help send a daughter to college or to help a member of the family in some other way. That is one of the reasons why we felt it important to move on. We will look at the area in greater detail in considering the legislation on prostitution.

Subsection (b) of new clause 2 and the other Government amendments in this group—Nos. 74, 134 and 114—are merely consequential and minor drafting amendments as a result of new clause 2, and simply ensure that references elsewhere in this Bill and other legislation relating to section 33 of the 1956 Act are up to date.

The purpose of Government amendments Nos. 47, 48 and 49 to the trafficking offences in clauses 57 to 59 is to ensure that the offences can be used effectively to prosecute all those who arrange or facilitate the process of trafficking, believing that someone else is going to commit a sexual offence against the victim. As drafted, the offences require a higher threshold of criminality, namely, that the defendant must intend to facilitate the third person's commission of an offence against the victim. We have been persuaded that it would be very difficult in many cases to prove this intention, with the result that many of those who take part in this horrendous trade, fully aware of what will happen to the victim at the end of the process, could be beyond the reach of the criminal law.

As the House is aware, the Nationality, Immigration and Asylum Act 2002 introduced new offences of trafficking for the purposes of controlling someone in prostitution. These made it an offence for a person to arrange or facilitate the arrival, travel within the UK once arrived, or departure from the UK of another person, when either he intended to exercise control over that person's prostitution or he believed that another person was likely to do so. That is a lower threshold than the offences currently in the Bill and, on reflection, we have concluded that the lower threshold is the correct one.

We are striving to ensure that different levels of involvement in prostitution and exploitation are reflected in a range of different offences with appropriate penalties and I urge the House to accept the Government amendments.

Amendment No. 186, tabled by the Liberal Democrats, would add a statutory requirement that all victims of trafficking as defined by the Bill be given the opportunity of remaining in safe accommodation in the United Kingdom for up to six months. I sympathise with the sentiments behind the amendment, but we believe that the application of a blanket period of leave for those who claim to have been the victims of trafficking for the purpose of sexual exploitation would not be appropriate.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): The intention of the amendment is to give an opportunity for a period of up to six months; there is nothing "blanket" about it. The Minister for Citizenship and Immigration said in Committee that each case should be considered individually, and our amendment makes provision for that.

Paul Goggins: I agree that each case must be considered on its individual merits, and I can offer the hon. Lady the assurance that no action will be taken by the immigration service while a case is being assessed. However, it is important that we do not have any blanket provisions, and we must always watch for potential abuse of a system which, although designed to help vulnerable people, could be exploited by others.

Sandra Gidley (Romsey): I am disappointed that the Minister is being so dismissive, because there are other countries that, despite having an immigration problem, seem to be able to distinguish between illegal immigration and trafficking. The two are different, and we are in danger of lumping trafficking in with all the other forms of immigration. None of us would be happy to go down that road.

Paul Goggins: I assure the hon. Lady that I am far from being dismissive, and perhaps if she listens to my further comments she will be more reassured.

We need a strong focus on victims of trafficking and we are committed to ensuring that they are treated properly. We discussed this matter at length in Committee, and as we said then, a six-month pilot project offering support and, where necessary, accommodation to women who have been trafficked into the United Kingdom for sexual exploitation was launched in London on 10 March. It has now been extended to the end of the year to allow more time for evaluation. The project is managed on behalf of the Home Office by Eaves Housing for Women, a voluntary organisation with long experience of assisting women deemed to be vulnerable as a result of homelessness, drug or alcohol dependency, mental health issues or domestic violence, and which is well able to deal with these very vulnerable women.

Women will be permitted to remain here on temporary admission while they are on the project, but they will be expected to return to their own countries in due course. In this context, I should point out that a voluntary assisted returns programme has been developed by the immigration and nationality directorate, and the project will be managed jointly by the immigration service and a specialist non-governmental organisation.

Mr. Hilton Dawson (Lancaster and Wyre): Does my hon. Friend agree that, notwithstanding the appalling circumstances suffered by adults who are trafficked into this country for sexual exploitation, the position is particularly difficult with regard to children? Does he agree that although work is being done, a great deal more needs to be done throughout the country to assist those children and ensure that protective legislation such as the Children Act 1989 takes precedence over immigration and asylum legislation?

Paul Goggins: My hon. Friend is a great champion of children and children's rights, and I am sure that we shall hear more from him as the debate proceeds. I can confirm that there is a great deal of work already taking place in social services departments, the police and many other agencies, which all treat such issues very seriously and want to give children the kind of protection and support that my hon. Friend has mentioned.

The pilot scheme to which I referred is supported by the advisory group on the victims of trafficking, which includes representation from the Home Office, the immigration service, the police, social services and non-governmental organisations. The project is being evaluated by the Home Office research development statistics unit, and a report is expected in the spring of next year.

Dr. Evan Harris (Oxford, West and Abingdon): Does the Minister believe that the fight against trafficking for sexual exploitation is being won, and if—despite the efforts being made—he does not, does he recognise that one problem is the unwillingness of victims to come forward, for fear of reprisals in this country and in their country of origin? Does he therefore feel that it might be more sensible to give them the reassurance of a guaranteed safe house? It would be easier to do that than to rely on their knowing whether or not a pilot scheme is being extended, worthy though such schemes may be.

Paul Goggins: Initially, we have to see how well the project works, and as I said it is being evaluated to establish the strengths of this approach. It would be a very bold politician who said that we are winning the battle against trafficking, but this Government have made it absolutely clear that we are determined to fight that battle. Of course, part of that is the need to provide support, counselling and various services for the women who get caught up in this dreadful trade, but we will evaluate the project and develop the resulting practice in due course. I hope that I have reassured Members on both sides of the House that we are taking appropriate action and that the amendment is therefore not necessary.

I come briefly to amendments Nos. 140, 142 and 143, which are in the name of my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) and others. Existing criminal law relating to prostitution focuses only on the activities of prostitutes themselves, or on those who

[Paul Goggins]

exploit them, such as their pimps. Although it is currently unlawful to engage in sexual activity with a child aged under 16, we are for the first time making it an offence specifically to buy the sexual services of a child. As drafted, the offence carries three bands of penalties, depending on the age of the child-victim and the type of sexual service paid for. For penetrative sexual activity involving a child under 13, an offender could face life imprisonment and would have to comply with the notification requirements of part 2. For non-penetrative sex with a child under 13, or any type of sex with a child aged 13 to 16, the offence carries a maximum penalty of 14 years. Again, that reflects the seriousness of the crime. A conviction or caution received for such an offence would require an adult offender to comply with the notification requirements of part 2.

For any type of sexual services bought from a child aged 16 or 17, an offender faces a maximum of seven years in prison and is not required to comply with the notification requirements. In effect, amendments Nos. 142 and 143 would increase that penalty to a maximum of 14 years, and amendment No. 140 would put such offenders on the sex offenders register. I continue to agree that the sexual exploitation of children up to the age of 18 through prostitution should be a concern of the criminal law; however, I cannot support these amendments. I do not believe it proportionate to have the same maximum penalty for the offence once the child is aged 16 or 17—which, in the end, is above the age of consent—and nor should such offenders become subject to the notification requirements. Likewise, we cannot justify putting people on the sex offenders register if they have paid for sexual activity with 16 or 17-year-olds. I have no doubt that such activity is exploitative and should be a criminal offence, but I am not convinced that offenders of this kind pose such a risk that they should automatically be subject to the notification requirements. Of course, it is possible for the courts to make a sexual offences prevention order on such offenders if they believe that the order is necessary to protect the public from serious sexual harm. Such an order would oblige the offender to comply with the notification requirements.

Amendments Nos. 135 to 137—also in the name of my hon. Friend the Member for Lancaster and Wyre and others—would extend the definition of "qualifying offender", for the purposes of foreign travel orders, to include offenders with a previous conviction for the offence of paying for the sexual services of a child aged 16 or 17. The amendments would also enable the court to make a foreign travel order, where it is satisfied that it is necessary to prevent the offender from committing a sexual offence against someone aged 16 or 17 overseas.

Those issues were discussed in Committee and I can assure the House that I have given them very serious consideration. I categorically agree that sex tourism is wrong. I cannot imagine that anyone in the House would not view as despicable the sexual exploitation of vulnerable young men, women and children in some of the poorest parts of our world. I can assure the House that the Government are committed to working with non-governmental organisations, other Governments and international organisations to combat this evil.

Mr. John Bercow (Buckingham): I entirely understand the rationale for the Minister's differentiation between those who are under 16 and those who are over it, although inevitably it will be a matter of some controversy. However, would the Minister at least acknowledge, if it is the case, that resources have entered his thinking? There is no embarrassment or shame about that, but was it not a relevant factor in determining the conclusion that the Minister appears to have reached?

Paul Goggins: I can say categorically that resources have not remotely entered my consideration of the matter. The key factor is the age difference: a 16 or 17-year-old is above the age of consent and, although a degree of criminality about the activity remains, a degree of proportionality is required. Having 16 as the age of consent is an issue to which I am sure we will return later in our deliberations today.

The foreign travel order has been crafted specifically as a response to one particularly abhorrent part of sex tourism—UK paedophiles travelling abroad to sexually exploit young children under 16. We all know that young children are particularly vulnerable to sex tourism because paedophiles do not face the same threat of detection, prosecution and sentencing that they would in the UK, and the opportunities to abuse children are far greater in some countries than here. I believe that the issue of paedophile sex tourism is so serious and so despicable that it warrants a particularly rigorous response.

I am concerned that the amendments, however well intentioned, will not work. To take out a foreign travel order, it needs to be established that the offender intends to commit the equivalent of a schedule 3 offence abroad. Obviously, for children aged under 16, any sexual activity is covered, because any sexual activity with a child is a serious sexual offence. However, 16 and 17-year-olds can consent to most sexual activity.

Sandra Gidley: In some countries the age of consent is completely different, so should we not err on the side of caution and use 18 rather than 16 as a benchmark? Eighteen is the age of consent in some countries around the world, so would not greater consistency help to reinforce the message that something might be right in this country, but wrong in another? Is there not a danger of condoning it?

Paul Goggins: At one level the age of consent is an arbitrary figure. The hon. Lady is right to point out that it is different in different countries, but it is interesting that some people press me to use 18 as the age of consent in some respects, but in others they press me to make dispensation in certain circumstances for a lower age of consent. Having 16 as the age of consent in this country is well established, well understood and well supported by the people of this country, and it is important to stick to it and ensure that our laws reflect it.

To return to my speech, it will be difficult to ascertain, for the purposes of the foreign travel order, whether an offender intends to travel abroad to commit a sexual

offence or to engage in consensual sexual activity with a person over the age of consent. I agree that we need to tackle sex tourism where the victims are aged 16 or over and there is a great deal of practical work on which my colleagues in the Foreign and Commonwealth Office and the Department for International Development are giving a lead in this area, and we are reflecting on what else we can do in support. However, the foreign travel order has been crafted specifically to protect those under 16 and it simply will not work if we try to extend it to cover those aged under 18. Similar arguments apply to amendments Nos. 138 and 139.

Amendment No. 141, also tabled by my hon. Friend the Member for Lancaster and Wyre, seeks to change the foreign travel notification requirements so that a registered sex offender would be required to notify the police of any intended period of foreign travel. The House will be aware that the foreign travel of registered sex offenders has attracted much debate during the passage of this Bill through Parliament. Indeed, as a result of considerable debate in the Lords and a consultation with interested parties, Lord Falconer announced the Government's intention to reduce from eight to three days the period for which a registered sex offender can travel abroad without notifying the police. We maintain that it is not necessary to reduce that period further.

We have consulted with key organisations on the issue of the foreign travel notification requirements, including the major charities working on the issue and the law enforcement agencies. The consultation looked at whether sex offenders should be required to notify all foreign travel, but it concluded that that would add little in terms of increased public protection from sex tourists. I should make it clear that the overriding purpose of notification requirements is to monitor the whereabouts of registered offenders, not to prevent travel abroad. The burden that such a requirement would place on offenders would be disproportionate to the minimal benefit that it would bring to public protection. Therefore, I believe that when the secondary legislation is made on this issue, we should set the period at three days.

I hope that what I have said in response to this group of amendments has gone some way to convince hon. Members that in these respects the Bill should remain as drafted.

Mr. Grieve: I listened with great interest to what the Minister had to say about new clause 2, and it certainly appears to be an improvement on the previous position, when the Government relied on clause 54. They have now responded to the representations of the police. However, without being unsympathetic to what the Minister is trying to achieve, I raised briefly in an intervention an issue that the House should consider.

Previously, under section 30 of the Sexual Offences Act 1956, it was an offence to live off the earnings of a prostitute. The offence did not require any control to be exercised over the prostitution. The person concerned simply had to know that the person off whose earnings he was living was a prostitute and that he was benefiting from prostitution. It therefore had the effect of catching people who might be far removed from the control of a brothel or individual prostitutes, but who knew what was going on and tolerated the situation to their advantage. I accept that the clause could potentially catch a prostitute's child who, for example, was receiving private education as a result of his mother's activities, but I suspect that such prosecutions rarely happened in reality.

The Minister started by relying on clause 54, which requires the intentional control of a prostitute's activities for gain. Control clearly implies a close connection between the person concerned and the activities of the prostitute, and the clause is principally aimed at pimping. The Minister will know that the police raised anxieties about that because they felt that in many cases it might be desirable that a prosecution could be brought against someone who was not in control of prostitution but was nevertheless intimately involved in the exploitation of the woman—or, indeed, man—concerned and was living off the earnings. That was the reason for the Government's reliance on section 33 of the Sexual Offences Act 1956 on managing or keeping a brothel, the penalty for which will be raised to a much more serious level.

I am certainly not going to stand in the way of what the Government are trying to do here. It goes some way towards meeting the concerns of the police, but it is worth noting that the Government have not gone as far as the police clearly would have wished. It will hereafter be impossible to prosecute somebody who may be living off the earnings of a prostitute—possibly, or even probably, someone well known to the police for using those earnings to engage in other criminal activities and who will now be beyond the reach of the law. I assume—this is the point on which I seek reassurance—that the Government have carefully considered that matter and are satisfied that they are willing to tolerate such a situation.

4.30 pm

Rather than repealing section 30 of the Sexual Offences Act 1956, in view of what the police have said, the alternative approach would be to try to reform or to change it so as to enable it still to catch an adult knowingly living off the proceeds of prostitution but not, as the Minister desires, a child or other dependant. I do not agree with the Minister that there was no halfway house for Parliament if we wanted to respond to police concern. I should be grateful to hear whether he is satisfied—above all, whether the police have said they are satisfied—with what the Government propose. The Government's alternative is to rethink the repeal of section 30, considering whether some new offence could be brought in that would hit those who knowingly live off the earnings of a prostitute, an activity that the vast majority of people in this country consider improper.

Mrs. Brooke: I shall discuss amendment No. 186 and leave the others tabled by the Liberal Democrats to my hon. Friend the Member for Romsey (Sandra Gidley). We tabled that amendment after much thought. In particular, we paid attention to the debate in

[Mrs. Brooke]

Committee, and I shall quote what the Minister for Citizenship and Immigration said, with which I totally agree:

> "We have consistently rejected the idea of a statutory reflection period for victims, partly because that would be inflexible and not necessarily based on the details of the case, which can vary."—[*Official Report, Standing Committee B*, 18 September 2003; c. 283.]

It is difficult to disagree with that, which is why the amendment carefully refers to "opportunity" and "up to 6 months".

As my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) said in Committee, it is crucial not to confuse the separate issues of trafficking and illegal immigration. It would be harsh if a set of people who are already badly treated were to have that treatment compounded by not being treated with enough sympathy. There is a great deal of evidence that a period for reflection of up to six months would encourage more witnesses to give evidence against exploiters. They are the people we want to punish—not the victims, but those who run the dreadful trade in exploitation of women.

I have some difficulty with the fact that the Government will not give a little more on that point, although I am pleased by some of what has been said and by the pilot project. Even so, it is only a pilot, and a lot more is needed. Many organisations will be disappointed by the Government's response today. For example, the international order of Soroptimists has placed a call for a period of reflection of up to six months at the top of the agenda for its conference in Ireland later this year. It is a major issue, and a lot of people feel some empathy on it. I call on the Government to share in that feeling: at the end of the day, we want to give something back to those women who have suffered so greatly by giving some assurance that if they want a period of reflection in safe accommodation, this country—a relatively affluent one—can provide it. After all, it is people in this country who provide the demand for the services of the women who have been so harshly traded. In spite of what the Minister has said, I hope that he will consider further the principles behind the amendment.

Mr. Dawson: I am responsible for nine amendments in the group and I am grateful for the support of hon. Members on both sides of the House. I speak to them in the knowledge that this is a fine Bill that contains excellent principles. It is momentous and will last for many years. I suspect that the House will not revisit the matter for a considerable period, so it is doubly—indeed, trebly—vital that we get the Bill absolutely right, and take every opportunity to ensure that it works well.

My right hon. and hon. Friends are to be congratulated on their work on clause 48, which will introduce, for the first time, swingeing penalties against people who abuse children through prostitution. I commend the provisions concerning those who pay for the sexual services of a child. In particular, I commend the Bill's definition of a child: the United Nations definition of someone under the age of 18, which is set out in the Children Act 1989. That is preferable to the confusing definitions used in various elements of criminal and youth justice legislation.

The Government have provided a strong statement that paying for the sexual services of a child is child abuse, and severe penalties are laid down for adults who indulge themselves in that disgraceful practice. For crimes involving children aged under 13, there is the possibility of a sentence of life imprisonment, and people abusing children under 16 may end up with a sentence of 14 years. Someone who abuses children aged 16 and 17 may end up with a sentence of up to seven years. Those are severe punishments.

The distinction, which the Government have already explained and which was, I think, supported by the hon. Member for Buckingham (Mr. Bercow), who is no longer in his place, was based on the age of consent. I cannot see the sense or purpose of that distinction. As a wholehearted supporter of an equalised age of consent at 16, I cannot see its application in the case of some of the most vulnerable children—those who are abused through prostitution. I do not believe for an instant that a child who gets involved in that dreadful world, who is abused in such foul ways, has given any form of consent whatever to that involvement.

The reality of prostitution for children aged over 16 is probably that the abuse started much earlier. They probably became involved in prostitution before the age of 16, and are involved because they are being abused, controlled, manipulated and deceived. They are being forced into a life that can only be to their grotesque and gross detriment. The House is right to recognise that children need to be protected from people who would exploit them by paying for sexual services, but I do not understand why we need to make a distinction between children under 16 and children over 16.

I do not for a minute suggest that there should be a blanket response to people who are convicted of those awful offences or that everyone who abuses a child over the age of 16 should immediately get a 14-year sentence, but I firmly believe that, if we do not amend the Bill now, there will be occasions on which judges want to impose sentences that go beyond seven years on people who have abused children aged 16 or 17 to reflect the seriousness of the crime. I do not understand why we are not prepared to make that decision today.

The other amendments that I have tabled follow from my comments on clause 48 because I also seek to amend the clauses on foreign travel orders and the notifications required of sex offenders before they travel abroad. If we define children as people under the age of 18 in this country, we should extend that definition to children living across the world. If we want to protect children up to the age of 18 from sexual abuse and exploitation through prostitution in this country, we should extend that protection to children under the age of 18 in countries abroad. We should protect children who, in many cases, are made even more vulnerable to exploitation by sex tourists—paedophiles—from this country because of poverty, dislocation and the dreadful circumstances of many developing countries.

Again, I do not understand why we cannot extend foreign travel orders—bans on people travelling abroad—to people in this country who have been

convicted of sexual offences against children over the age of 16. Extremely young children are employed in the sex industry abroad and their life is one of abuse and gross exploitation, so I do not understand why we should not try to do everything that we can to ensure that those children are properly protected up to the age of 18.

With regard to amendment No. 141, which relates to clause 86, we had a substantial discussion of such issues in Committee. Again, the Government are to be commended for reducing from eight days to three days the period for which convicted sex offenders can travel abroad without notifying the police. As has been made plain not just throughout our debates in Committee, but from our contacts with police officers during discussions on the Bill, we are dealing with devious but often highly intelligent and manipulative people who will work extremely hard to get round any legislation designed to prevent their wicked activities and appalling behaviour.

4.45 pm

It makes no sense whatever to me to say that convicted sex offenders can leave this country for up to three days without notifying the police of where they are going. We all know how far people can travel in three days. Last week, there was an item on the BBC website about the prevalence of child prostitution on the German-Czech border. It reported that tens of thousands of Germans cross the border to abuse children and that children as young as eight have been seen negotiating about sex practices and prices. According to one commentator, the Czech Republic is becoming a discount market for sex with children. The author of a report, commissioned by UNICEF, I think, said that bus stops, petrol stations and rest areas near the German-Czech border have been converted into bazaars in which child prostitutes are bought and sold.

The legislation does not just have a loophole—if it allows people who are convicted of sexual offences against children to travel abroad for up to three days without having to report to police, it is a gaping hole. Such people could make many journeys to the German-Czech border within three days. They could have an entire weekend of paedophilia and sex tourism in that time. They could travel there on a budget airline to abuse children for three days. The loophole should be closed.

This is a fine Bill, and we have a good opportunity this afternoon to improve it. I for one think that we should discount the age of consent when we talk about the appalling abuse of children through prostitution. I could not care less about the burden on convicted sex offenders of having to tell the police if they are going to leave this country. We should take this opportunity to strengthen what is a good Bill, and make it an excellent Bill for the protection of children.

Sandra Gidley: I will break my comments into two sections. First, I give a cautious welcome to new clause 2. I raised concerns in Committee, which, as the hon. Member for Beaconsfield (Mr. Grieve) rightly realised, were a result of a Metropolitan police briefing. The point of that was that the police have no difficulty whatever prosecuting the small criminals, but have difficulty prosecuting those in big business who effectively manage to erect a human firewall between themselves and the hard end—for want of a better phrase—of the organisation.

At that time, the Government rejected my amendment—which, I admit, was probably not approached in the right way—but made no real comment on the concerns that I raised. In a letter that the Minister wrote to us to explain the changes—he has just alluded to the same point—he said that the new clause was intended to try to address the concerns of the police. I struggle to understand, however, why simply using the penalty for keeping or managing a brothel will cope effectively with the key problem, which is not necessarily the management of the brothel but the barriers that can be put in the way of detection. Simply increasing the penalties may make it more likely that the police put some effort into the work, but the basic problem remains the same. I seek assurances from the Minister that the provision will be monitored to see whether it is effective. If, as he says, the laws on prostitution are to be examined and perhaps renewed, this would be a useful issue on which to start.

The second part of my comments relates to trafficking. I endorse the views expressed by my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke), and Liberal Democrats have supported the amendments tabled by the hon. Member for Lancaster and Wyre (Mr. Dawson), who has just spoken with his customary zeal on the subject. No one can doubt his commitment to vulnerable young people.

I share some of the hon. Gentleman's concerns. The notification period has been reduced from eight days to three, and that is a welcome move in the right direction. However, I questioned the Home Secretary when he made a statement on the subject, and the Minister might be interested in the Home Secretary's reply. He said that he wondered whether such offenders

"should be allowed out of the country at all, but we will have to look at that.—[*Official Report*, 19 November 2002; Vol. 394, c. 515.]

The Home Secretary is not here to speak for himself, but his remarks are on the record. We are getting a little hung up about the practicalities of what is easily doable with regard to monitoring, but not thinking of the human effects of what we are allowing, which the hon. Member for Lancaster and Wyre powerfully described.

I am afraid that I am not much of a liberal on this issue. I firmly believe that someone who abuses children forfeits all rights to the freedom that might enable him to abuse children in the future. That involves the imposition of a simple child protection order and, throughout the Bill, there has been great consensus among all parties on trying to increase protection.

Ms Meg Munn (Sheffield, Heeley): Does the hon. Lady agree that part of the process of notification and understanding sex offenders' actions involves questioning what they are doing if they travel to certain destinations or often go abroad? That might lead to an investigation that might bring to light concerns that might not otherwise be recognised.

Sandra Gidley: The hon. Lady has a point, but my fear is that such investigations might mean that we have in effect allowed abuse to take place. The fact that

[Sandra Gidley]

someone travels often to the Czech border or to one of the Asian countries may well sound alarm bells. However, a successful prosecution can follow an investigation only if that person has been allowed to offend again. That is why I have a difficulty with the new clause.

Three days would still allow quite a long time, and I understand that Interpol says that it can operate in two days. That would be a step in the right direction and I would welcome the Minister's comments on why 48 hours was not chosen. We live in an age of computers and technology and we are able to alert other police authorities as to what is going on. However, the policing infrastructure in some of the countries where abuse takes place is either corrupt or does not have the resources to deal with the problem. Such offenders are very cunning and know which countries to target so that they have the greatest chance of success.

Some time ago, I visited Cambodia where the age of consent presents a real problem. The Cambodian Government have raised the age of consent to 18, but 17 and 18-year-olds in that country look very young and might appeal to the sort of person who has a particular liking for sex with young children. However, the way in which we deal with that problem at the moment seems to be under a lesser offence because the age of the consent in this country is 16. I want reassurances that if people tried to visit regularly a country in which the age of consent was 18 to exploit the aspects of its society that I described, the problem could be dealt with.

Paul Goggins: I shall keep my remarks fairly brief because I outlined my views extensively earlier in the debate. I tell the hon. Member for Beaconsfield (Mr. Grieve) that although the police did not support the repeal of the offence of living off immoral earnings, we drafted the new clause to increase the penalty for keeping a brothel at their urgings. The Bill is an attempt to modernise the system and deal with modern circumstances and we want to avoid innocent parties being caught up by it. We need to achieve the right balance between addressing on-street pimping and capturing the more distant and vaguer figures—the Mr. Bigs, if you like—who often make a lot of money from their activities. I tell the hon. Member for Romsey (Sandra Gidley) that the police are confident that the Bill will enable them to track such people down and ensure that they are penalised, and I agree that the distant and shady characters are often those whom we really need to prosecute. I hope that that reassures the hon. Gentleman. His views and those of other hon. Members will be the sort of views that will be reflected on during the review of prostitution that I mentioned earlier.

Mr. Bryant: There is no definition of what constitutes a brothel in law, so we rely on judgments for definitions. In the case of Gorman *v.* Standen in 1964, Lord Parker said that a brothel was

"a house resorted to or used by more than one woman for the purposes of fornication".

Surely the question of whether one or several women are involved must form part of the debate that we will have during the review.

Paul Goggins: My hon. Friend points us in the direction of the debate that will no doubt ensue. I do not think that defining a brothel is among the many things that I must do this evening, so I shall pass on that, if he will forgive me.

As I tried to say earlier, I entirely understand the motivation of the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) in tabling amendment No. 186. I share her motivation and I was not trying to be negative about it in any of my remarks. I simply put the argument that given that we are trying appropriately to support the victims of trafficking as I outlined, it is not necessary to introduce time constraints. What matters is for individual decisions to suit a person's specific circumstances. We must evaluate the pilot to assess its success and decide how the work can be extended further. I underline the fact that helping and supporting the victims of trafficking is a high priority for the Government and I am sure that we share that commitment with the hon. Lady.

I am sure that the whole House, as it often does, will join me in paying tribute to the way in which my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) champions the rights and needs of children. However, we must have a degree of proportionality when considering his amendments, the offences that we are discussing and sentencing and foreign travel orders, so I urge him to reflect further. I am sorry that I have not been successful at persuading him of the need for a sense of balance. He acknowledges that the change from eight days to three days is sensible and positive. The time period of three days is balanced and although it will not be burdensome for either the police or individuals, it will give us the tighter protection that we clearly need. If there is evidence that children might be the potential subjects of attack from specific paedophiles or sex offenders, a foreign travel order is available to prevent such people from travelling abroad, so we have a further measure to prevent them from going abroad if there is evidence that they could pose a real threat.

My hon. Friend raised the interesting idea of to what extent anyone—16, 17 or, indeed, older—consents to sexual activity that is part of prostitution. Again, that will be considered in the review as part of the extent to which people have been subject to abuse, caught up in drugs or manipulated by others. It is questionable to what extent anyone freely consents to sexual activity within that wider context. There is a debate to be had on that, but it is probably for another day.

5 pm

The hon. Member for Romsey quoted my right hon. Friend the Secretary of State in his usual robust form. When he makes such remarks, he speaks from the heart and guts, as we all do on such offences. We would probably all be harsher than the measures set out in the Bill, but it is our duty in Committee and on the Floor of the House to react not just with our heart and guts but with our heads, to create a sensible framework of law that will provide protection while being enforceable and workable. I urge hon. Members to support the

Government amendments and not to press other amendments to a vote.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 3

SERVICE COURTS

'(1) In this Act—

(a) a reference to a court order or a conviction or finding includes a reference to an order of or a conviction or finding by a service court,

(b) a reference to an offence includes a reference to an offence triable by a service court,

(c) "proceedings" includes proceedings before a service court, and

(d) a reference to proceedings for an offence under this Act includes a reference to proceedings for the offence under section 70 of the Army Act 1955 (3&4Eliz.2 c.18) or the Air Force Act 1955 (3&4Eliz.2 c.19) or section 42 of the Naval Discipline Act 1957 (c.53) for which the offence under this Act is the corresponding civil offence.

(2) In sections 92 and 104(1), "court" includes a service court.

(3) Where the court making a sexual offences prevention order is a service court—

(a) sections 104(1)(a) and (4) to (6), 105, 109, 111 and 112 do not apply,

(b) in section 108, "the appropriate court" means the Crown Court in England and Wales, and

(c) in section 110(3)(a), the references to the Crown Court and Court of Appeal are references to the Crown Court and Court of Appeal in England and Wales.

(4) In this section "service court" means a court-martial or Standing Civilian Court.'.—*[Ms Harman.]*

Brought up, and read the First time.

The Solicitor-General (Ms Harriet Harman): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss Government amendments Nos. 82, 37, 53, 52, 63 to 66, 68, 69, 111, 67, 87, 88, 124, 125, 89, 90, 126, 91 to 95, 127 to 131, 96, 97, 70 to 72, 98, 132, 99, 73, 100 to 104, 54 to 56, 133, 105, 57 to 60, 76, 77, 112, 78 to 80, 113, 115, 81, 106 to 108, 62, 109 and 110.

The Solicitor-General: The amendments are minor, drafting and technical.

New clause 3 deals with the powers of service courts—that is, courts martial. It will ensure that references in part 2 to court orders, convictions, findings, offences and proceedings apply to those matters in the context of service courts as well as civilian courts. It makes it clear, for example, that if a person is convicted of a serious sexual offence before a court martial, that person will be subject to the notification requirements. It will also enable service courts to impose sexual offences prevention orders at the time of sentencing in the same way as civilian courts.

Courts martial have jurisdiction to try all offences committed outside the UK, including the most serious, when committed by service personnel, their dependants or other civilians who are subject to service law overseas, such as Ministry of Defence officials posted abroad who are accompanying Her Majesty's forces. If an offender is sentenced to imprisonment by a court martial, he will be sent to a UK civilian prison to serve his sentence in the normal way. If a service court, by which I mean a court martial or a standing civilian court, is satisfied that the test set out in clause 104(1)(b) is met—namely, that a sexual offences prevention order is necessary for the purposes of protecting the public in the UK from serious sexual harm—we consider it appropriate for that court to be able to impose such an order in the same way as a civilian court. The new clause gives a service court the power to impose a sexual offences prevention order only on conviction or sentence, not following an application by the police, as the latter power is not necessary or appropriate in relation to service courts.

On amendment No. 69, schedule 3 contains the sentencing thresholds at which the notification requirements under part 2 are triggered. For some offences, the thresholds include the imposition of a community sentence of at least 12 months. Service courts do not generally have the power to impose community sentences, but they can impose a punishment called service detention. That is considered a lesser punishment than imprisonment, although it deprives the service offender of his liberty, pay and other privileges. However, its purpose is rehabilitative, with the offender undergoing a period of corrective training and then usually resuming his or her career in the armed forces. It can be used in similar circumstances to those in which community sentences are applied in civilian courts.

Taking account of different provisions for sentence calculation, it is estimated that a sentence of 112 days' service detention is equivalent to a 12-month community sentence. The amendment adds 112 days' service detention to the thresholds as an alternative to 12 months' community sentence. That will ensure that offenders who would be subject to notification requirements if sentenced in a civilian court will not escape that because of the different sentencing powers of service courts.

Amendments Nos. 54, 55, 56, 58 and 68 are to clarify drafting or to ensure that appropriate service legislation is referred to. Amendments Nos. 57 and 59 deal with schedule 5A of the Army and Air Force Act 1955 and equivalent naval provisions, which empower standing civilian courts overseas, when punishing civilians who are subject to service law, to award absolute or conditional discharges and community supervision orders. Paragraph 5(1) of that schedule deems such sentences not to amount to convictions. Amendment No. 57 is a drafting amendment to reflect the provisions in paragraph 5(1). Amendment No. 59 applies part 2 to community supervision orders so that an order imposed by a service court will trigger the notification requirements in appropriate cases.

Amendment No. 52 to clause 67 limits the offence of exposing the genitals to the situation where a person intends that someone will see them and be caused alarm or distress.

Mrs. Brooke: I welcome the amendment. The naturists on Studland beach will be able to enjoy their time so much more. Obviously, they do not intend to cause offence but they have great concerns when they

[Mrs. Brooke]

are aware that there are walkers on the beach who do not know that they are there. I am sure that naturists all over the country will welcome the amendment.

The Solicitor-General: I shall be glad if anybody welcomes any Government amendment this evening, but I have to say to naturists, on Studland beach or anywhere else, that they will be subject to the law. If they intend, by exposing their genitalia, to cause alarm or distress, a file will be sent to the Crown Prosecution Service, who will consider the sufficiency of the evidence and whether it is in the public interest to prosecute. Nevertheless, I welcome the hon. Lady's remarks.

As the hon. Lady knows from her involvement in the proceedings, a number of amendments were made in Committee, including the removal of recklessness, which reassured naturists that they would not be caught by the offence. However, it was clear from the debate in Committee and from the correspondence that we have received that naturists were still worried about this offence. We undertook to look at the clause again, and the amendment is our response. Hopefully, genuine naturist activity, whatever that might mean, does not include the intention to cause alarm or distress, so I hope that now that we have dropped knowledge from the offence and left only intention, naturists will be reassured.

Mr. Grieve: I can be very brief. All the Government amendments are acceptable. There is only one that I need positively to welcome because it does more than tidy up the provisions, and that is the amendment on which the Solicitor-General has just touched. That reassures naturists by removing knowledge from the offence, leaving intention. The right hon. and learned Lady will remember the debates in Committee. Clearly this is not a blanket dispensation to naturists to practise naturism wherever they choose. They will have to continue to exercise restraint and show due consideration for other people.

The point that is successfully met by the amendment, which I welcome, is the need to get rid of a situation in which a naturist goes to a remote beach where they legitimately do not expect, and certainly do not intend, anyone to be in any way insulted or distressed, but nevertheless are constantly aware that somebody might turn up unexpectedly. The amendment strikes the right balance, and I hope that it will allow naturists to practise naturism discreetly, freeing them from fear that they might be unfairly prosecuted while ensuring that there is still a robust framework to ensure that the situation is not abused.

The Solicitor-General: I associate myself with the hon. Gentleman's points.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 4

ANONYMITY OF SUSPECTS AND DEFENDANTS IN CERTAIN CASES (NO.2)

'(1) Where an allegation has been made that a person has committed an offence listed in Schedule 3 to the Sex Offenders Act 1997, no matters relating to that person shall be included in any broadcast or publication that would result in his identification prior to such person being charged.

(2) If any matter is published or broadcast in contravention of subsection (1) the following persons, namely—

(a) the author or broadcaster, if the publication or broadcast took place with their consent;

(b) in the case of a publication in a newspaper or periodical, any proprietor, editor and publisher of such newspaper or periodical;

(c) in the case of any other publication, the person who publishes it; and

(d) in the case of matter included in any broadcast, any body corporate which is engaged in providing the service in which the broadcast is involved and any editor or controller of such broadcast

shall be guilty of the offence.

(3) Any offence hereunder shall be punishable

(a) on summary conviction by—

(i) a sentence of 6 months imprisonment,

(ii) a fine of Level 5 on the Standard scale,

(iii) or both;

(b) on conviction on indictment by—

(i) a sentence of 2 years imprisonment,

(ii) a fine,

(iii) or both.'.—*[Mr. Grieve.]*

Brought up, and read the First time.

Mr. Grieve: I beg to move, That the clause be read a Second time.

This issue took up a considerable amount of time in Committee, and we need to consider it further before the Bill returns to another place. As the House will be aware, the Bill came from the Lords with an amendment, made against the Government's wishes, that would have ensured anonymity for those alleged to have committed rape and other offences right up to conviction and throughout the trial process. That was debated in Committee, where the Government argued forcefully that such a blanket prohibition on reporting might interfere with the interests of justice after charge and during the trial process, and that victims might not come forward if, while the police were attempting to identify other potential victims, they did not know that somebody had been charged with an offence. I fully accept the Government's second argument that anonymity went against the general principle that the trial process should take place in public, with the public being made aware of the identity of the person on trial.

New clause 4 does not seek to reopen that wider issue. However, a narrower issue received consideration in Committee—the publicity attached to those being investigated for sex offences prior to their being charged. Examples, some of them very recent, were given of individuals who had been subjected to great media scrutiny, adverse publicity, investigation and inquiry into their background, which was reproduced in the press, but who at the end of the day were not charged with anything at all. There has been a great deal of public disquiet about this issue, and one way of dealing with it would be to impose a prohibition on publicity, broadcasting or publication that identified the person under investigation once an allegation had been made to the police.

As the Under-Secretary of State is aware, the purpose of new clause 4 is to facilitate that debate and impose such a prohibition. I apologise to the House because, as currently drafted, new clause 4 does not meet that objective. I felt that new clause 1, which the Liberal Democrats tabled, was flawed, and did my best to correct it by drafting new clause 4. However, the reference to schedule 3 to the Sex Offenders Act 1997 is erroneous—it should be to schedule 3 to the Bill. However, I do not think that the Minister was misled, and I believe that he fully understands the thrust and purpose of the new clause.

New clause 4 would prohibit broadcasting or publication identifying a suspect or defendant and would make such activity a criminal offence for the author or broadcaster if it

"took place with their consent".

The provision would also impose penalties on newspapers, their publishers and owners for such publication or broadcasting. Punishment would be a fine or six months' imprisonment or, on conviction on indictment, two years' imprisonment or an unlimited fine.

Mr. David Marshall (Glasgow, Shettleston): Many hon. Members may agree with what the hon. Gentleman is trying to do, but how could the new clause be enforced in respect of overseas publications and the internet? In high-profile cases, the word on who is involved gets around rapidly. If the new clause cannot be enforced, why discuss it?

5.15 pm

Mr. Grieve: The hon. Gentleman is right that there is a limit on the territoriality of the jurisdiction of the courts of England and Wales. It is therefore always possible to publish abroad material that cannot be published here. If someone published such material on the internet and it came into this country, however, they could be arrested and prosecuted if they subsequently happened to visit this country. I shall return to the issue of the internet in a moment, because it is important.

Mr. Douglas Hogg (Sleaford and North Hykeham): My hon. Friend will know that publishing can be defined quite widely and could extend to the vendors of newspapers. Will he confirm that the new clause is not intended to catch small shops that sell newspapers?

Mr. Grieve: I understand my right hon. and learned Friend's point. Proposed subsection (2)(b) makes it clear that the intention is not to catch the vendor, since it refers

"in the case of a publication in a newspaper or periodical"

to

"any proprietor, editor and publisher of such newspaper or periodical".

Let me make the point clear—this is a difficult area of legislation, but that is not to say that we should not consider it. I am conscious that the new clause may contain a number of flaws, some of which I shall return to in a moment. I can already see some other areas that may need to be examined, but that is not to say that we do not need to consider this area. A serious situation is developing, and it will get worse.

Mr. Michael Weir (Angus): I have a lot of sympathy with what the hon. Gentleman is saying, but there may be a fundamental difficulty with subsection (1), which states that

"Where an allegation has been made that a person has committed an offence",

they cannot be identified prior to their being charged. It strikes me that in a case in which the authorities were looking for someone who could be in any part of the UK—Scotland, England or wherever—a complete ban on identification could lead to difficulties in catching them before they committed further crimes.

Mr. Grieve: I entirely agree with the hon. Gentleman, and I was about to deal with precisely that matter. I accept that there are two areas in which one might consider it perfectly proper for a public allegation to be made. First, it would be proper where, for whatever reason, a serious allegation of a sexual offence was made against an individual, but for reasons that no one could understand, the authorities appeared to refuse to act upon it. I fully appreciate that there would be sound public policy reasons why a newspaper might want to publicise the allegation if it considered that the police were failing to take action. I accept that that matter would touch on the right to freedom of speech and freedom of expression.

Secondly—the hon. Member for Angus (Mr. Weir) was right to raise this point—there might be a circumstance in which publicity was necessary to arrest somebody for a serious offence. Again, he makes a good point.

Mr. Hogg: There is also a third situation: a person against whom an allegation has been made might want publicity, if only to establish an alibi that he might otherwise have some difficulty in establishing. He might want to identify people who saw him in a particular place. The new clause contains no defence of the consent of the person against whom the allegation has been made.

Mr. Grieve: I am most grateful to my right hon. and learned Friend for that additional example. That precise area was considered in Committee. The view that I expressed there—I continue to hold it—is that if a saving clause were introduced to allow a person to waive that right, I would not object to it.

The debate highlights the fact that we are considering a complex area. The issue before the House this afternoon is what message we should send back to the other place, which widely amended the legislation in the first place, about our attitude to the issue both in its totality and in particular in relation to anonymity before charge.

I refer the House to comments in a newspaper today by the outgoing Director of Public Prosecutions, Sir David Calvert-Smith, on matters of great importance. When the issue was raised with him of the coverage of recent rape allegations made against premiership

[Mr. Grieve]

footballers, and allegations made against the television presenter John Leslie, he said:

"I think there is a huge problem. As a prosecutor, I would be very happy to see the media exercise greater restraint, however interesting it may be"

to their readers. He went on:

"Even if they are not technically breaking the law, they are either making it more difficult or actually impossible to bring offenders to justice. The clamour to reduce trial by jury will grow the more publicity gets out of hand, because it will be said you cannot trust a jury to try these cases so they must be tried by a judge alone who will not be overly impressed by pre-trial publicity."

The issue is not just about the protection of the individual in terms of the adverse publicity that he receives through the process. My anxiety, which the House must consider, is that we may get to a stage where a person against whom there may be very strong evidence that certainly merits going to trial and may lead to his conviction, ends up having the trial process discontinued because the level of adverse publicity that he received when he was investigated by the police was so bad that no fair trial was possible. What is clear from the remarks of Sir David Calvert-Smith is that he is intensely anxious about the current trends and the way in which pre-charge publicity is developing.

Of course, one of the issues is the use of the internet, where one sees, if I may put it this way, a circular process by which the media start by not saying very much but are egged on by the fact that the information soon starts to appear on the internet. The barriers break down and the adverse publicity and identification of individuals start to follow.

I am mindful of the fact that the Government have indicated—and I dare say the Minister will indicate again this afternoon—that they are seeking to arrive at a measure of agreement with the media to try to curb the excesses that have undoubtedly taken place. I entirely welcome that, and I say that to the Minister now. It is possible that it may provide a way forward but, clearly, it will not entirely provide a way forward, because it will still be possible for individuals to put all sorts of information on the internet. Although I am mindful of the fact that that may be done from abroad, the reality is that persons who take such interest in these matters are likely to be nationals and that, if they engage in such activity abroad, they are likely to come back here. If there were penalties for such behaviour, some of the mischief that we are seeking to deal with could be curbed, although I accept that it may not be possible to eradicate it entirely.

Sir Paul Beresford (Mole Valley): My hon. Friend will be aware that many of the western nations that are among the main sources of the internet and internet data are watching the Bill with considerable interest. If we got the right approach in the Bill, along the lines that my hon. Friend is referring to, there would be some reaction among the other nations, and therefore a thinning of the sources of such placing of material on the internet.

Mr. Grieve: I am grateful to my hon. Friend. If this country shows the lead, it may be helpful in encouraging others to follow.

Vera Baird (Redcar): The hon. Gentleman is making some excellent points, which it is in the public interest to raise, and I readily accept that. Of course, the points that he makes about adverse publicity pre-charge apply to all offences, not just to sexual offences. Would not his arguments be better applied in some different quarter and not specifically to the Bill? He knows that I have real concerns about stigmatising complainants in sexual offences cases alone as we are likely not to get convictions. Is not that the unfortunate consequence of what he is advocating, when what he should be doing is looking at the problem in the round?

Mr. Grieve: The hon. and learned Lady makes an extremely good point. It would probably be a good thing if the Under-Secretary indicated that the Government were minded to propose legislation across all offences. There is a clear argument that those accused of serious offences other than sex offences ought perhaps to enjoy the same protection; I emphasise that this is not about protecting the defendant, but about protecting the administration of justice. If this process continues, there will come a time when the principles under which justice has been administered in this country will become difficult to maintain because of the amount of prejudicial material circulated pre-trial. That causes me real anxiety. The hon. and learned Lady is right and her suggestion would be a way of approaching the matter.

However, this is a sexual offences bill, and it provides us with an opportunity—one that I fear we will not get again for a considerable period—to consider this particular issue. I am also bound to say, and the hon. and learned Lady may agree, that in reality this type of problem seems to arise particularly in relation to allegations of sexual misconduct—not solely, but the examples that we have seen in the last decade centre upon it. That is partly because allegations of sexual misconduct and impropriety justifiably excite a great deal of public opprobrium, as well as a degree of public prurience and interest. We cannot argue that we should abandon the scrutiny of sex offences just because we ought to be considering the matter in its totality.

I am a believer in incremental legislation. If the House sends a signal over this matter, the Government may well start to heed that signal in the wider context. It will be unfortunate if that does not happen. My fear is that we will simply carry on as we have done, but with a deteriorating situation—partly because of the sheer number of opportunities that exist to disseminate widely information that may turn out be prejudicial to a subsequent trial.

Mr. David Heath (Somerton and Frome): I agree that the provision should apply more widely. The hon. Gentleman will be aware of the evidence from the editor of one of the tabloids to the Select Committee on Culture, Media and Sport, in which she made it plain that it was common practice to pay police officers for information about the point of arrest. Does he agree that, irrespective of the virtues of the current proposal, it should be an absolute disciplinary offence to advise the press about the point of arrest and that, where money changes hands, it should be a corrupt act and punishable as such?

Mr. Grieve: The hon. Gentleman is right. There is no doubt that the police ought to be investigating

allegations and it is part of their code of conduct that they should do so confidentially unless they have to go to the public for a specific reason—for instance, when there is a suspect who they really must get hold of. Otherwise, it is part of their duty not to publicise the case before charge. Yet we know that that is happening routinely. Parliamentary answers show that police officers have been disciplined on numerous occasions for having carried out this act, and I fear that that is only the tip of the iceberg.

That this process should exist is deeply corrupting to the police, because there is clear evidence to suggest that it is done in return for cash. The media are participating and it is for their benefit that it takes place. The public interest does not appear to be considered one jot. This is why I am so anxious that self-regulation—for which we might wish in an ideal world—will prove to be completely impossible to achieve. If it is impossible to achieve, we must look further.

Vera Baird: The hon. Gentleman dealt with one aspect of my point, in that as we are discussing the Sexual Offences Bill and nothing else, we cannot look more widely now, but he did not deal with the other aspect of it, and I now invite him to do so. If one confines anonymity for defendants to sexual offences, as he proposes, there is a real danger of stigmatising complainants in cases involving sexual offences as likely to be liars, and not to be believed.

5.30 pm

Mr. Grieve: The hon. and learned Lady raised that point powerfully in Committee, when she said, as I recollect, that she was concerned about the prospect of anonymity being granted to a defendant throughout the trial process because the underlying implication appeared to be that because the allegation was of a sexual nature, it was more likely to be disbelieved.

That point had more force in relation to the trial process, but I do not consider that it has force in relation to the investigatory process. As I have said, I am sympathetic to the idea of legislating, if necessary, to cover all criminal offences, which would get rid of the problem that the hon. and learned Lady has identified. In the meantime, however, the level of publicity that we have seen in the press means that there is no doubt that that particular problem has crystallised around sexual offences.

Applying pragmatic principles, therefore, it seems to me that we should address that matter in this Bill. Of course, I have no way of knowing what will happen when the Bill goes back to those in another place, but they originally amended the Bill to extend anonymity throughout the trial process, and if we do not address the issue before charge, they may choose to do so again.

Considering carefully what has taken place, and applying the general principle that this House should consider carefully what the other place does and come back with its own opinion, it seems to me that the greatest force in what was done there applied to the pre-trial period. The Minister has said several times that he accepts that there is a problem with the pre-charge period, and I think that this House can do something about that.

I accepted at the outset that, for technical reasons, it will not be possible to do that by using the very words of my new clause—but there is a principle here. I think that it is possible to take on board the point made by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) about his anxieties concerning any change, and to perfect the new clause so as to ensure that it still allows for publicity when required, and that the change will not be detrimental to the defendant if he legitimately requires publicity—for instance, to provide himself with an alibi—yet at the same time to send out the message that a practice that is becoming all too common in this country is simply unacceptable.

Mrs. Brooke: It should come as no surprise that we support the principle in the new clause, because we led on a similar new clause in Committee, when the hon. Member for Beaconsfield (Mr. Grieve) and his colleagues were pursuing a slightly different line. We do not therefore have much sympathy for any errors that may have been inadvertently transcribed from our new clause to this one.

More seriously, this is an important matter and we wholeheartedly support the principles behind the new clause. We had a good discussion in Committee and examined the main issues that we are addressing now. We clearly made the point that of course it would be possible to amend the general principles so that in certain circumstances reporting restrictions could be lifted. We appreciate that there may be urgent reasons for catching a suspect who is a potential danger to the public. Equally, as has been mentioned, sometimes a person might want to waive the right to anonymity because it was in their interests to do so. Those two aspects could be taken on board through a properly drafted amendment.

We also need to address the question of why we are considering just sexual offences, rather than all cases; in fact, we need anonymity pre-charge for all cases. However, the Bill provides an opportunity to start the process, and there is an argument for doing so as long as we include all sexual offences. I agreed with the hon. and learned Member for Redcar (Vera Baird) when we discussed the issue of rape alone. In the case of certain sexual offences, there have been dramatic instances of whole careers being destroyed. If we wait for the right time—when there is room in the Government's timetable—for the issue to be considered fully and legislated on, many people will suffer. We have an opportunity to help today. The point has been strongly made that under the current provisions the guilty party might not be convicted because a fair trial will be impossible. So there are various good reasons why we should start the process now.

As I pointed out in Committee, I am following a line that the Home Affairs Committee took not just with the Bill, but during its investigation of abuse in children's homes. In both respects, it strongly recommended anonymity up to the point of charge. In the light of some powerful debates on the Floor of the House and in Westminster Hall, it seems that the trawling of cases of potential abuse in children's homes may have caught the

[Mrs. Brooke]

innocent, whose lives have been damaged as a consequence of their names being published. That is something that we cannot undo.

Vera Baird: I am very alarmed by what the hon. Lady says. If she is moving towards preventing the police, when they have a couple of complaints from children, from trying to locate other potential complainants, I would be extremely concerned. There have been many rightly brought convictions in which the press have played a powerful role in promoting, in the interests of justice, the allegations made in the interests of looking for others. The hon. Lady is in danger of calling into question too readily an entire tranche of police prosecution, and mixing that up with the issue before us.

Mrs. Brooke: I thank the hon. and learned Lady for that intervention; I thought it right to refer to that issue. Of course, if an application were made for reporting restrictions to be lifted, the case would be put before someone who makes a judgment; the matter would not be dealt with in an uncontrolled way. In such circumstances, there would be an evidence-based reason for making public the particular names.

Mr. Andrew Turner (Isle of Wight): Will the hon. Lady give way?

Mrs. Brooke: If I may, I shall move on.

We are particularly concerned about information coming from the police and its subsequent publication by the media. We welcome the fact that the Minister is having discussions on the latter issue, but we have no confidence whatsoever that any voluntary agreement that is reached will necessarily be upheld in high-profile cases. Of course, there have been many recent such cases, that of Matthew Kelly being one that we might consider briefly. His arrest, after a pantomime performance, was well publicised. Indeed, an enormous amount of publicity was generated, including headlines such as, "Matthew Kelly held over child sex." He was accused of sexually attacking boys and all sorts of things, but at the end of the day the police took no further action. That shows the power of the media: they sell papers on the basis of such stories, so will a voluntary agreement ever be enough?

The discussions going on with the police are doubly welcome because there are processes available on the basis of which the police can take strong action. If police officers are found guilty of providing information to the press during the pre-charge process, the Liberal Democrats feel that the strongest action should be taken against them. Of all the points that I have raised, I should like to emphasise that it is right to consider the principle of anonymity at the pre-charge stage.

Mr. Hogg: I shall be brief. I approach the matter with considerable caution for four reasons. First, I am reluctant to make a distinction between sexual and non-sexual offences. I recognise, of course, that the House has previously made that distinction, but I am very cautious indeed about it. In my view, the distinction is not well made.

Secondly, as argued earlier, it is frequently the case that the police know who they want to interview and the only way in which they are likely to get that individual is by providing a description in the press that is sufficient to identify him. Of course, the proposal of my hon. Friend the Member for Beaconsfield (Mr. Grieve) stands in the way of that.

Thirdly, a further and related problem applies particularly to sexual offences alleged to have been committed some time previously. Quite often other complainants come forward to allege that the person against whom the allegations were made committed the same offence against them perhaps 10 or 15 years previously. If the course of action identified by my hon. Friend the Member for Beaconsfield carries the House, that particular problem will become substantial and I should not have thought that the House would want it to be a consequence of the legislation.

Fourthly—and I touched on a further point in an earlier intervention—from time to time, perhaps not very frequently, a person against whom an allegation has been made will want to gain publicity in order to assert that he or she is not the person in respect of whom certain rumours are current. I do not read football publicity very much, but I have a feeling that a footballer did just that about three weeks ago. He sought out publicity to say that he was not the footballer in respect of whom allegations had been made.

I also want to make the point that I am rather cautious about anonymity post-charge and during a trial—a point that has been ventilated in the debate. I know of a recent case in the east midlands where a witness came forward during a murder trial to assert that he had seen somebody else at a particular place at the critical moment. That evidence was, in the end, discredited, but it is not wholly unusual for witnesses to come forward as a result of evidence given in a publicised case where the defendant has been identified.

Simon Hughes (Southwark, North and Bermondsey) *rose—*

Mr. Hogg: I want to conclude this part of my speech and then I shall give way to the hon. Gentleman.

All that makes me rather cautious about the approach proposed by my hon. Friend the Member for Beaconsfield. Of course it is right to debate the matter and an important issue is at stake, but I am sceptical about my hon. Friend's particular approach.

Simon Hughes: Does the right hon. and learned Gentleman accept that one of the answers to the valid criticisms that he makes is that there is a significant time lapse between trial and charge, and that other people can come forward, bring evidence or make complaints. It is not as though that opportunity is lost. In many cases where there has been a pattern of offences, there may be more than one trial governing offences over a long period. What the right hon. and learned Gentleman says is a concern, but need not be a complete objection.

5.45 pm

Mr. Hogg: I am not trying to say that the arguments that I advance constitute, collectively or individually, a complete objection, because we should debate this issue.

It is a proper issue to address, but I am cautious about it. I have a strong feeling that there are more objections to this approach than right hon. and hon. Members have fully identified at this stage. I suspect that we will not put the matter to a vote tonight and we will have further opportunities to debate it, so I wish to do no more at this stage than express tentative doubts.

Simon Hughes: I understand those doubts, but how would the right hon. and learned Gentleman deal with the mischief caused by so much publicity about possible charges which, in many cases, prevents a fair trial?

Mr. Hogg: I agree that that is a problem. Indeed, as the hon. and learned Member for Redcar (Vera Baird) said, that is not only a problem in cases of sexual offences, but extends to all criminal cases. I would continue attempts to reach a voluntary agreement. Failing that, I would give serious consideration to enlarging the categories of case in which the Attorney-General may apply for an injunction.

I do not pretend that I have come to a concluded view. I do not know—the outgoing Director of Public Prosecutions did not tell us—how many cases have been voided as a result of pre-trial publicity. I suspect that the number is relatively small, partly because of the long gap between charges being laid and trial, which the hon. Gentleman himself mentioned. I have tried abuse of trial arguments in cases that have received pre-trial publicity. I have managed to have the venue of trials changed. But I cannot recall having a case voided as a result. It happens less often than we fear, but I accept that it may happen.

The injunction process may be the right approach to address the issue, but that may be more suitable for debate on another day. I am cautious about the approach recommended by my hon. Friend the Member for Beaconsfield, but I am sure that he is right to identify it as an issue to be addressed.

Vera Baird: This issue was discussed extensively in Committee and few new matters have been raised, so I shall direct my attention to the point made by the hon. Member for Beaconsfield (Mr. Grieve) that the category of sexual offences is as good a place as any to start. In fact, it is a bad place to start. As a lawyer, he will know that one cannot separate sexual offences from their history.

How we attempt to solve this problem is not only of academic interest, because it is not so long ago that we had anonymity for defendants in sexual offence cases only. It lasted for only a short time and was introduced in the teeth of the Heilbron recommendations. It was widely seen as a slight on complainants in sexual offence cases, because it seemed to suggest that they could be so little relied on that the defendant was expected to be acquitted and was therefore given extra protection that no other offence merited. At that time in our history, it was not even an offence for a man to rape his wife, and women rape complainants were considered so unreliable that they had to be corroborated or else there could be no conviction. That history has resonance for women today and we must not revisit it by adopting the hon. Gentleman's proposals.

The issue is not only one of history. The current conviction rate in rape trials is some 5.7 per cent., which is hopeless, especially given that it is generally thought that only 10 per cent. of those who are raped complain formally. The conviction rate for the bulk of offending is very low. The police, the Crown Prosecution Service and even judges, to some extent, have done a good deal to try to rectify that. They have tried to give complainants confidence that they will be supported, that every piece of evidence that can be looked for will be looked for, and that there is a real chance of obtaining a conviction when complainants go to court with a true allegation. To what extent will all that effort be undermined if we announce from this Chamber that Parliament thinks that rape complainants are unlikely to get convictions and that defendants should therefore be given a very special protection?

Mr. Andrew Turner: I appreciate that the hon. and learned Lady speaks from experience, but will she address a point that I have not yet heard anyone deal with? There are those whose professional lives depend on their not being faced with such allegations. A head teacher in my constituency appears to have committed suicide after being suspended when an allegation was made by one child. I cannot tell whether that head teacher was guilty—no one will ever know—but there are arguments beyond that which the hon. and learned Lady is making.

Vera Baird: The hon. Gentleman, even if he cites an example that I assume has to do with a sexual offence, simply makes once again the point in favour of the need for an adequate balance of protection for anyone against whom a nasty allegation is made. For example, surely he does not think that Mrs. West did not suffer from bad publicity, or that if, by some strange quirk of fate, she had never been prosecuted, she would not have suffered much assassination of her character when she was freed. The danger that he raises goes across the board and is not confined to sexual offences.

Miss Julie Kirkbride (Bromsgrove): There is something slightly different about sexual offences. In the case of Mr. and Mrs. West, there were dead bodies and disappeared girls who had to be accounted for. There was extra evidence suggesting that a criminal offence had taken place. In the case to which my hon. Friend the Member for Isle of Wight (Mr. Turner) referred, an allegation was made by a child, perhaps for vexatious reasons. Yet the man involved has died. He may have been guilty; we do not know. There is something different about sex, and the motives involved may be different.

Vera Baird: The hon. Lady made the same point in Committee; I thought it interesting but inconclusive then, and I do now. Is she saying that, because there tends to be physical evidence in some kinds of case and not in others, those cases in which there is not usually any physical evidence should have the protection of anonymity for defendants? She would find that a hard test to apply: the element of evidence differs widely in case after case. Frequently, evidence is available to be looked for and found by the police in child sex allegations and rape allegations. Sometimes, because the police share the tendency to think it unlikely that a conviction will follow, they do not look for that evidence with the vehemence with which they would look for

[Vera Baird]

evidence in other cases. The new clause would add to that tendency by saying that even we in Parliament do not think it worth their putting a great deal of effort into pursuing such evidence because the conviction rate is so low that we think that people must be protected against its ever being known that they have been charged.

The Minister and his colleagues have sought a voluntary agreement to try to stop leaks and to make it a serious disciplinary offence for police officers in particular to be involved with leaks. That is the right—indeed, the only—way to proceed.

Paul Goggins: We have had an excellent debate, as we did in Committee. I had spotted the technical point made by the hon. Member for Beaconsfield (Mr. Grieve), and I am glad that it did not prevent our being able to debate such an important matter. As my hon. and learned Friend the Member for Redcar (Vera Baird) said, it involves the public interest, and it is right that the House should debate that.

This issue takes us to the heart of the balance between living in an open and free society and the need to protect individuals. Some, of course, would argue that anonymity should be provided throughout the whole judicial process. As the hon. Member for Beaconsfield pointed out, that idea was built into an amendment that we rejected in Committee. There is considerable evidence to show that benefits come from openness after a charge has been made, and I am pleased that debate on the issue seems now to focus on the pre-charge period of the process. That is a step forward, because it means that we share some common ground. In most cases, individuals should be able to expect anonymity up to the point of charge. There are exceptions to that rule, such as serious cases in which the police may need to warn the public that a particularly dangerous person is on the loose so that people may be on the lookout. We all know that people who are wrongly accused—people who are merely under investigation—can lose a great deal in terms of their standing and reputation, in their jobs and in their own personal feelings and self-confidence. Given that there is some common ground between us, the central question is whether we take the legislative route or continue to pursue self-regulation.

We, as legislators, and the hon. Member for Beaconsfield, as the mover of new clause 4, must deal with another question: why anonymity should relate only to sexual offences. Clearly, other serious offences would not be covered, including murder, serious fraud or even the case of a sex offender who was accused of grievous bodily harm as well as rape. Anonymity cannot relate automatically to sexual offending; that would be a very dangerous move.

My right hon. Friend the Home Secretary made it clear on Second Reading that we were determined to continue towards self-regulation rather than taking the legislative route. We adhered to that position in Committee, and we adhere to it today. Ministers and officials have been in discussion with the police and the media about their respective systems of self-regulation in this area. Guidelines from the Association of Chief Police Officers already make it clear that information that is in the hands of the police is confidential. It is not to be used for personal benefit or given to third parties. It is absolutely implicit in the guidelines that fairness and impartiality are essential in all dealings with the public.

Mr. Hogg: Might it not be helpful to remind ACPO that an officer who sells a bit of information is committing a criminal offence?

Paul Goggins: Indeed. The right hon. and learned Gentleman is right to point out that that is a criminal offence. Disclosure of information on a suspect is clearly a serious matter, and it is almost certainly a breach of the ACPO code. It already leads to disciplinary action, and I can confirm that 61 cases were substantiated last year. ACPO is considering how to strengthen the guidelines.

Mr. Heath: The Minister touches on a point that I have already raised in an intervention. I have seen footage of police raids carried out with an accompanying camera and heard the chief constable applauding that fact and seeing it as an advertisement for his force that the footage shows people being carried away in handcuffs. That cannot be right, and ACPO needs to address the issue much more seriously.

Paul Goggins: There are instances in which that sort of thing happens because it is in the public interest. Clearly, no money changes hands in those cases, and that is the point. As the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said, that would be a criminal offence, which would not be the case with the circumstances outlined by the hon. Member for Somerton and Frome (Mr. Heath).

Discussions are also ongoing with senior media representatives. They are taking place in a positive atmosphere, although, like our debate tonight, they reflect the complexity arising from the fact that the media are not confined to our islands but are truly international—we live in the age of the internet. It is clearly a complex area, but the Government still believe that the self-regulation route is preferable and that it can help us to achieve our objectives.

6 pm

Sandra Gidley: The Minister says that self-regulation is preferable, but he has almost conceded that it is practically unworkable because of the internet and so forth. If in the long term the all-too-familiar examples continue to appear on the front pages of the media, will he review that route? On occasion, people's lives are ruined by the publicity that is generated. There will be a time when a story is so big that one of the tabloid newspapers—or even a broadsheet newspaper—will not be able to resist paying for an exclusive.

Paul Goggins: I have not conceded that that route is not possible. Indeed, I am involved in some of the discussions on it with the firm intention that they can be concluded positively. That is the spirit in which I am working, notwithstanding the fact that we live in the age of the internet and face many challenges.

Simon Hughes: I realise that my point comes on top of other pressure from the Opposition Benches, but as the

Minister cannot yet tell us that he has delivered an agreement between the chief police officers and the media, will he tell us whether he expects to deliver much tighter, agreed guidelines before the legislation reaches the statute book? Will those be published, and will breaches be punished under criminal law if the media or the police breach the rules?

Paul Goggins: It is important to make the point that I shall not be the one who delivers. It will be the police and the media who deliver, and they understand the issue. They know that we are debating it in the House today, and they know that the pressure is building. Both are looking at their internal guidelines to see whether they can be strengthened in a way that helps us to achieve a solution that is short of the legislative route.

Mr. Andrew Turner: Will the Minister address an issue that he has not addressed so far? If the new clause becomes law, it will cover publicity of the reasons for suspensions, such as the suspension of head teachers. What is the Minister's equivalent process in his case for rejecting the new clause?

Paul Goggins: I shall reflect on the hon. Gentleman's point. Indeed, I was reflecting on his earlier point about the circumstances of the constituent to whom he referred, and the place of professional people who are suspended when such information comes into the public domain. We obviously need to safeguard against those connections. Again, I believe that such a safeguard can be achieved within the voluntary route.

I conclude by saying that, in a very good speech, the hon. Member for Beaconsfield conceded that the voluntary route may deliver the sort of solution that we all seek. He said that it might prove to be a possible way forward. He then speculated about the message that we are sending from this House to the other place. I hope that he will share that message, which is to ask those in the other place not to pre-empt the possibility that the voluntary route may work by trying to force the statutory route upon us. He concedes that the voluntary route may be possible. Let us see if it can be made to work.

We should send a united message to the other place: we want to see whether that route can work, rather than jump to the legislative solution too soon. In that spirit, I hope that, even at this stage, the hon. Gentleman will agree to withdraw the new clause and send that united message to the other place.

Mr. Grieve: The Minister tempts me, and I put on record, as I have on many occasions, that my pleasure in the passage of the Bill has been the degree of consensus that we have been able to achieve and the rational debate that has taken place as a result. In that sense, it has been a remarkable piece of legislation to see through Committee, so I am sorry that I shall have to disappoint the Minister on this occasion.

As always happens with legislation, the problem is that we are running out of time. The Minister wants the legislation on the statute book by the end of the Session, which I support, but we have to send a message about the remaining areas of concern to us. This is the second reading of a new clause and, in the absence of concrete proposals from the Minister on self-regulation, the House ought to be very concerned about what I see as a deteriorating situation. I am mindful of what has been said and of the point that we make a distinction for sex offences if we go down this road. Having said that, it is noteworthy that this is the very point that the past Director of Public Prosecutions said should be of great concern. He has highlighted the fact that the current contempt of court provisions are not sufficient to meet that concern. In those circumstances, it is right that the House should pronounce on the principles in the new clause.

Question put, That the clause be read a Second time:—

The House divided: Ayes 158, Noes 276.

Division No. 348] **[6:06 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Horam, John *(Orpington)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Johnson, Boris *(Henley)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Laing, Mrs Eleanor
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James

Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Wiggin, Bill
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Wishart, Pete
Young, rh Sir George

Tellers for the Ayes:
Mr. George Osborne and
Mr. Mark Francois

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Bayley, Hugh
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Ms Oona *(Bethnal Green & Bow)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Miliband, David
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*

Singh, Marsha
Skinner, Dennis
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and Paul Clark

Question accordingly negatived.

New Clause 5

DISQUALIFICATION

'(1) Notwithstanding the provisions of section 28 of the Criminal Justice and Court Services Act 2000 (c.43) an individual—

(a) who is convicted of any offence under sections 6 to 17 inclusive of this Act, and

(b) who receives a qualifying sentence

is, subject to subsections (2) to (4) below, disqualified from working with children.

(2) Where an individual believes that he should not be disqualified from working with children then he shall, at the time of advancing a plea of mitigation, apply to the court for a declaration that he is not disqualified.

(3) Where a court hears an application from an individual under subsection (2) above—

(a) it shall hear representation from both the individual and the prosecution, and

(b) it shall only declare a person is not disqualified to work with children if, having regard to all the circumstances, he is satisfied that the individual is unlikely to commit any further offence against a child.

(4) Where a court does declare that a person is not disqualified from working with children—

(a) it shall say in open court the reasons for making this declaration; and

(b) the provisions of subsection (1) will not apply to the individual named in the declaration.

(5) For the purposes of this section "a qualifying sentence" shall mean—

(a) a term of imprisonment of at least twelve months;

(b) a community rehabilitation order of twenty-four or more months duration;

(c) a community punishment order of one hundred and twenty or more hours duration;

(d) a community rehabilitation and punishment order, where the rehabilitation order component is of at least eighteen months' duration, and the punishment order component is of at least sixty hours duration.

(6) A person who is disqualified from working with children under this Act shall be disqualified from working with children for the purposes of section 28 of the Criminal Justice and Court Services Act 2000 (c.43).'.—*[Sir Paul Beresford.]*

Brought up, and read the First time.

Sir Paul Beresford: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to consider the following amendments: Government amendment No. 8.

Amendment No. 146, in clause 28, leave out subsection (b).

Sir Paul Beresford: I am afraid that this is the second occasion in a row on which a flawed amendment has been tabled.

As the Minister is aware, I first raised this matter in Committee—*[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman. Could hon. Members who are not staying for this debate please leave the Chamber, as their conversations are causing disturbance?

Sir Paul Beresford: The reference in the new clause to

"sections 6 to 17 inclusive",

which is clearly not appropriate, should read "clauses 5 to 14 inclusive".

The reason why I raise this issue again is that, as the law stands, paedophiles convicted of sexual activities against children must be banned from working with children as part of that conviction. The simple problem is that, in the courts, the Crown Prosecution Service, or the court, on at least one occasion—I have not checked whether there are others—has simply forgotten. I want to press the Government to consider making that ban automatic.

The issue was brought to my attention by the recent case of Luke Sadowski, an individual who attempted, through the internet—initially in relation to the United States, then back in this country—to purchase a young child for sex. Fortunately, as he arrived for what he thought was the collection of his purchase, he met policemen. He arrived with an imitation firearm, and was taken to court after the usual procedures. During those procedures, his accommodation was inspected, and it was alarmingly clear from the equipment that was there, and from the attitude picked up from the information available there, that this young man was an appallingly dangerous individual to children. To make matters even worse, he was a trainee teacher. The case went to court, he pleaded guilty, but the court forgot to impose the ban. That is the difficulty.

When I raised the issue in Committee, the Minister said that he would reflect on it. The purpose of placing this slightly disturbed new clause on today's agenda is therefore to give the Minister an opportunity to tell us

[Sir Paul Beresford]

his thoughts on how to overcome this problem, so that future Luke Sadowskis will be automatically banned from working with children.

Two amendments are to be considered with the new clause, one from the Government and one tabled by my hon. Friend the Member for Beaconsfield (Mr. Grieve), who will pick up from my comments.

Mr. Grieve: I welcome my hon. Friend's new clause, and I hope that the Government will be able to respond positively in the spirit in which it was moved.

It is clear that a serious problem exists in this area, and I shall not repeat the point that has been raised by my hon. Friend. We know of one case in which the court was unable to do what it should have done. On top of that, it was not even able to correct its mistake subsequently. That must raise the question of whether an automatic provision should be introduced, if that is what is desirable. In those circumstances, of course, that automatic provision could be rebuttable by the person raising it in court. In that sense, the new clause is extremely simple—it was complex to draft, but its intent is simple. As this is not a hypothetical matter, and an example of this problem has arisen, I hope that the Government are able to respond positively to his proposal

I was slightly surprised that amendment No. 146, which was tabled by me and my hon. Friends, was grouped with ot[illegible]mendments under the heading "Protection of u[illegible]6 year olds", because, in fact, that it not what it is about, as the Minister is probably aware. It is about whether sexual activity between cousins aged between 16 and 18 should be allowed to take place if they are living under the same roof. This point was raised in Committee, and it bears repetition. The Government, understandably, have wished to provide a substantial measure of protection for those who are in the care of others. As I understand it—the Minister will correct me if I have any of this wrong—the intention behind clauses 26 to 28 is to ensure that when somebody is in a family group, the protection to prevent sexual activity between the carer and the person cared for should extend up to the age of 18. That is a principle with which I have absolutely no disagreement whatever.

In addition, the Government wish to impose certain blanket prohibitions in relation to those who may not be caring for others but are in a close familial relationship—the obvious one, even if it is not within the prohibited degrees of sexual intercourse within family relationships, is that of a stepfather and a stepson. I have no disagreement with that either. Included in the definitions of family relationships in clause 28, however, under subsection (3), is the following:

"The relation of A to B is within this subsection if A and B live or have lived in the same household, or A is or has been regularly involved in caring for, training, supervising or being in sole charge of B, and . . . A and B are cousins".

I interpret that as meaning that even if there is no caring relationship between the two individuals, if A and B are cousins and living in the same household, sexual relations between them are prohibited between the ages of 16 and 18, even though they are perfectly permissible in our general law. If I think only of Members of this House, I am aware of at least one of my colleagues on the Conservative Benches who is the son of first cousins who are married to each other. This provision has therefore puzzled me somewhat.

If the Government's purpose is, for understandable reasons, to prevent, for example, a first cousin aged 28 having sexual relations with another cousin who is aged 17, I fully endorse that principle when there may be a caring connection between the two. However, that can be provided for elsewhere in this subsection. What the Government have done is to provide a blanket prohibition in relation to two first cousins who may meet under the same roof at the age of 17 starting a sexual relationship, when in any other context it would be perfectly permissible. It is a small matter that may affect very few people, but I remain troubled by the inclusion of the provision in the Bill in this way. I do not see the sense of it.

6.30 pm

Surely the purpose behind the Minister's intent in these clauses is to ensure that those in a caring relationship do not get involved in a sexual relationship with those aged under 18. I wholly applaud that, but the provision cannot be designed to catch two 17-year-olds who happen to live together in the same household when, in any other context, their commencing a sexual relationship would be completely permissible. Even at this late stage, I hope that the Minister will take these points on board.

Paul Goggins: I thank the hon. Member for Mole Valley (Sir Paul Beresford) for all that he has done in Committee and more widely as an active member of the taskforce for child protection on the internet. He rightly said that I said that I would reflect on the points that he made in Committee. I have reflected on them and, sadly from his point of view, I have concluded that I cannot accept his new clause. I hope that he will understand the reasons for that and feel comfortable about withdrawing it.

It is common ground between us that Luke Sadowski should have been disqualified. There appears to have been an error in the court procedure, but it is worth pointing out that the Department for Education and Skills operates list 99, which disqualifies teachers and trainee teachers from being able to work with children. I also confirm that the criminal records are checked for anyone who applies to become a teacher or trainee teacher.

I have raised the issue at the heart of the hon. Gentleman's concern with the Crown Prosecution Service and the Judicial Studies Board, and they have made a commitment to me that they will reissue guidance to prosecutors and improve the training of the judiciary to cover this deeply regrettable lapse, which should not have happened.

The hon. Gentleman accepts that we cannot have a completely automatic system of disqualification. His amendment refers to the fact that there would be certain penalty thresholds and it would enable someone to appeal against disqualification. Even if disqualification were automatic, the court would still need to state that openly in court to clarify that an offender had received one of the qualifying sentences and to ensure that the

offender knew that he was disqualified. That would enable him to appeal if he wished to exercise that right. Furthermore, it would only be an offence to apply for a job working with children if the offender knew that he had been disqualified. It would therefore be essential for that to be made known in court. I hope that the hon. Gentleman understands that the answer is to ensure that court procedures work properly, as they should have done in the case of Luke Sadowski and as they must do in future.

We must ensure that disqualification happens automatically even if, in law, it is not automatic. I give the hon. Gentleman the clear undertaking that I will follow up his concerns—they are also my concerns—to ensure that disqualification is applied in all the appropriate circumstances.

Government amendment No. 8 will raise the maximum penalty for the offence of "Meeting a child following sexual grooming etc."—as clause 16 is headed—from seven to 10 years' imprisonment. This follows a positive and convincing debate in Committee in which strong arguments were advanced for raising the penalty to enable appropriate sentences to be passed in the most serious cases.

Mr. Grieve: I realise that I failed to welcome what the Government have done. I do so wholeheartedly, and I am grateful to the Minister for taking on board the representations that have been made.

Paul Goggins: I am grateful to the hon. Gentleman. In a sense, this amendment exemplifies the spirit in which we conducted the Committee stage. A great deal of consensus emerged.

A situation could arise in which a paedophile with many previous and serious convictions had repeatedly communicated with a number of children on the internet and in which there was clear evidence that he intended to commit perhaps a violent sex offence against one or more of them. He might set off to meet one of these children for this purpose, but the police might intervene to protect the child. We would all be clearly relieved that the offence of carrying out the sexual assault on the child did not take place but, in such cases, a maximum sentence of seven years' imprisonment may not be adequate. The proposed new maximum penalty of 10 years brings the offence in clause 16 into line with the preparatory offences in clauses 61 to 63 that also carry 10-year maximum penalties.

The hon. Gentleman spoke to amendment No. 146, and I remind the House that the child familial sex offences are primarily designed to protect children up to the age of 18 within the family environment where they are particularly vulnerable to sexual abuse and exploitation. Because of the balance of power within the family unit and the close and trusting relationships that exist within it, the family can create particular opportunities for exploitation and abuse.

A great deal of thought was given to the scope of this offence and the familial relationships that should be covered. It is clear that the most important factors are the proximity of the relationship and the balance of power that exists between the abuser and his victim, and these issues can extend beyond the immediate blood relatives of a child.

The definition of the family unit also needs to be drawn widely to reflect the fairly loose structure of the modern family and the sometimes transitory nature of familial relationships. Cousins have always been included in the scope of these offences and this view was generally supported in another place. The only issue raised for discussion in Committee there was the definition of the term "cousin" and the wish that this should be restricted to first cousins. That is the effect of the definition in clause 28(5)(b). I hope that the hon. Gentleman will be reassured on that point.

We believe that it is right to include cousins within the scope of these offences in circumstances where they live, or have lived, in the same household as the child or if they are, or have been, regularly involved in caring for, training or supervising the child. In such circumstances, when one cousin is so closely involved in the life of another, there will clearly be the opportunity for exploitative behaviour to take place and for an unsuitable relationship to develop. The hon. Gentleman asked for the reasons for our approach, and I have outlined why I cannot accept his amendment. I ask him not to press it.

Sir Paul Beresford: This has been an unusual Bill, and it was particularly so in Committee. The Committee kept to the timetable because we had a genuine interest in targeting our discussions on certain issues. The same thing has happened this evening. The Government have shifted their position in the other place and here in response to the pressures put on them, and this group of amendments is an example of that.

Amendment No. 146 pressed for the response that we had asked for in Committee. I think that my hon. Friend the Member for Beaconsfield (Mr. Grieve) will be satisfied that we have at least received some response.

We certainly support Government amendment No. 8. The Minister was pressed by both sides in Committee and we give him his considerable due for responding in the correct way even if he did not respond in quite the way that we would have liked.

New clause 5 was tabled to make sure that the Government were aware of the slips in court procedures that might allow a convicted and vicious paedophile to be let loose on children. The Minister has taken our points on board and clearly acted upon them. His face in Committee suggested that he would be helpful, and he has been this evening. I therefore beg to seek leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 7

ENCRYPTION (NO. 2)

'A person convicted of an offence under section 1 of the Child Protection Act 1978 and subsequently convicted of an offence under section 53 of the Regulation of Investigatory Powers Act 2000 is on the second conviction on indictment liable to—

(a) a term of imprisonment not exceeding seven years, or

(b) a fine, or

(c) both.'.—*[Sir Paul Beresford.]*

Brought up, and read the First time.

Sir Paul Beresford: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: new clause 8—*Encryption (No.3)*—

'1. After section 53 of the Regulation of Investigatory Powers Act 2000 there shall be inserted—

"53A Subsequent failure to comply with a notice where protected data likely to be indecent images

(1) Where the first and second conditions below are satisfied, section 53 of this Act shall apply as if the penalties were—

(a) on conviction on indictment, to imprisonment for a term not exceeding seven years or to a fine, or to both;

(b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both

and the offence shall be treated as a relevant offence for the purposes of Part II of the Sexual Offences Act 2003.

(2) This first condition is—

(a) a person has been previously convicted of an offence contrary to section 53 of this Act, and

(b) that person has been previously convicted of an offence contrary to section 1 of the Protection of Children Act 1978 or section 160 of the Criminal Justice Act 1988.

(2) The second condition is a further notice has been issued under section 49 of this Act.".'.

Amendment No. 190, in page 26, line 16 [Clause 46], at end insert—

'(5) Section 5 of the Protection of Children Act 1978 (c.37) shall be amended as follows—

(a) After subsection (6) shall be inserted—

"(6A) Where a person is convicted or cautioned in respect of an offence under section 1(1) of this Act, then any equipment that has been used to take, make, store or distribute indecent images of children shall be forfeited.

(6B) Section 14(1) of the Powers of Criminal Court (Sentencing) Act 2000 (c.6) shall not apply for the purposes of this section.

(6C) Where equipment has been the subject of forfeiture under section (6A) above, a person, other than the person convicted under section 1, shall be entitled to apply to the relevant magistrates' court for return of the equipment if—

(a) the equipment forfeited belonged not to the person convicted under section 1 but to the applicant, and

(b) the applicant did not have knowledge of the taking, making, storing or distributing of indecent images of children, nor could he be reasonably expected to have known.

(6D) The burden of proof for the purposes of section (6C) shall be on the applicant, and the standard of proof shall be the preponderance of probabilities.

(6E) Where the court is satisfied that the conditions set out in (6C) above are met, they may order the return of the equipment to the applicant so long as any indecent images that remain on the equipment can be permanently erased."

(b) In the first line of subsection (7) the words "(2), (6) or (6A)" shall replace "(2) or (6)".'.

Government amendments Nos. 83 and 84.

Sir Paul Beresford: New clauses 7 and 8 and amendment No. 190 are the result of what happened in Committee, where I raised the issue of encryption because I was beginning to become aware of the difficulties that it involves. Encryption is already recognised as a problem under part II of the Regulation of Investigatory Powers Act 2000—RIPA, for short—under which the maximum sentence for failing to produce a code to obtain access to encrypted material is two years.

Anyone with an interest in the activities of paedophiles knows that they collect volumes of pictures and videos of children being sexually abused, and that they film themselves. Such things are quite horrendous and it would be inappropriate for me to continue talking about them as it is not yet 8 pm. Paedophiles use such material for self-stimulation, to join paedophile groups and as a means to purchase photos, drawings and films, which are frequently kept digitally on computers, remote servers, floppy discs, CD-ROMs, storage pens and digital versatile discs. If a person is convicted of possessing such material, the sentence is usually considerably more than two years, and if the material becomes available to the police, the individual runs the risk of being prosecuted for other offences. An individual who is pressed to reveal the encryption code for such material is most unlikely to do so because if he failed to do so he could only be sentenced to two years under RIPA, and would not be put on the sex offenders list.

The Home Office and the police have told me that they try to break the encryption, which can be done in various ways and by several agencies, including national agencies. An expert who works for the Home Office and the police told me that 80 per cent. of codes have been broken so far, which means that 20 per cent. have not been broken. However, I have some doubt about the figure of 80 per cent. because information that I have received from the police shows that materials that are sent for code breaking often do not return and, if they do, there is only a 50:50 chance that the code will be broken. De-encryption also costs a lot of money and takes a long time.

I spoke to an expert from the private sector about this matter. He smiled quietly and pointed out that the technology has reached the stage of using 128-bit encryption, which is effectively impossible to break. There are now programmes to achieve 256-bit encryption and, even more worryingly, they are available to download for free from the internet. Although the programmes are slightly complicated, they are rapidly becoming easier to use.

The new clauses would provide that if individuals who had been convicted of sex offences against children failed to give an encryption code, they would face a sentence considerably lengthier than the current two-year sentence under RIPA. I would hope that the threat of a potential seven-year sentence would inspire such individuals to save the police and de-encryption individuals and groups a lot of time and money by coming forward with information, although I appreciate that one would not expect 100 per cent. of people to react to that.

The Minister listened with interest to the debate on encryption in Committee and we heard soothing noises and were told that the Government would come back to it, which is why I have tabled two new clauses. I hope that he is positive about choosing one of them and although I suspect that I am being more hopeful than anything, one can but hope that he will react in such a way.

Amendment No. 190 is quite simple and its provisions were discussed in Committee. When the police take information technology equipment from individuals who are charged with sexual offences against children, they use it to assist their investigation of the crime. Details of the data are often used in the court case. In practice, the police generally keep the equipment, often even if the owner is cautioned rather than convicted. That happens because returning the equipment to the individual would go against natural justice. It would be rather like giving lollies back to a child, if that is not bad phraseology, because it would give individuals the opportunity to return to their activities. As any IT technician knows, even if attempts are made to erase data, it is quite possible for erased data to be restored. If the data are encrypted, the police have no surety that they are destroying the material or clearing the discs.

6.45 pm

I am sure that hon. Members are aware that accidents happen: hard discs can get dropped and, as the Minister said to me one evening, there is nothing like the effect of a sledgehammer. However, an individual could technically ask the police to return the equipment, which they must do under the current law. I have tabled amendment No. 190 because I hope that the Government will accept that the police need the law to go a little further so that such equipment would be confiscated after caution or conviction.

Mr. Grieve: I shall not take up the House's time at length, save to say that I entirely support the new clauses tabled by my hon. Friend the Member for Mole Valley (Sir Paul Beresford). New clause 8 relates to the extent to which individuals might try to hide behind encryption given that the sentence for non-co-operation is so much shorter than the sentence that would be received if the full offence were disclosed when the material was found, which will cause the House anxiety. Even if the Minister cannot accept the new clauses, I hope that he will give us a positive response and say that the issue will be considered. Given the growth of internet use, and especially the use of the internet for paedophile pornography, the problem is serious and it will grow unless the Government do something to solve it. The only way to do that is to ensure that people who do not co-operate by providing encryption keys in such cases are not given an advantage. I appreciate that the new clauses might pose some problems but the police usually know when they are investigating child pornography and paedophiles. In such circumstances, it is not beyond the wit of the House to construct an amendment to address that.

Amendment No. 190 also relates to a real worry. I am especially troubled by the fact that I have been told—I am sure my hon. Friend has too—that it is almost always possible for a person with technical expertise to retrieve deleted material from a hard drive. Given that many who are interested in child pornography have expertise in the field of computers, there would be a risk that if we handed back equipment, the information remaining after the deletion process could be misused. I hope the Minister will look favourably on the amendment.

Sandra Gidley: I rise briefly to support the new clauses and amendment tabled by the hon. Member for Mole Valley (Sir Paul Beresford), although I do not think anything would be gained by prolonging the debate on them. However, I also want to make a point that was mentioned in Committee relating to Government amendments Nos. 83 and 84. We are clear about the situation regarding photographs, pseudo-photographs and images, but the Bill does not cover written material that describes paedophilia or other aspects of sexual behaviour that we might find distasteful.

I do not think that the Minister for Citizenship and Immigration understood what I was talking about in Committee. That reassures me greatly because it probably means that she has led a sheltered life. Fairly foul material exists that graphically describes sexual acts in a way that is probably best not described. That material could encourage anyone with an interest in child sex or child exploitation to go over the edge and try it for themselves. Have the Government considered dealing with such material? If so, why is there nothing in the Bill to that effect? If not, perhaps they could think about it because it has been overlooked.

Paul Goggins: Government amendments Nos. 83 and 84 will create a limited defence to a charge of making an indecent photograph or pseudo-photograph of a child under section 1(1)(a) of the Protection of Children Act 1978 when it is done for one of the specified purposes: for the detection, investigation or prevention of crime; for criminal proceedings; or by those who carry out the functions of the security service or GCHQ. That defence replaces the authorisation scheme.

I remind the House of the purpose of clause 47. There is no statutory defence to making indecent photographs of children. In the normal course of an investigation, the police and others, such as Internet Watch Foundation staff and systems administrators, need to access internet sites where they believe they will find indecent photographs. Their work will involve them in downloading and thus making the indecent photographs. After discussions with the police and representatives of the industry, the authorisation scheme that we originally drew up has been shown to be unduly burdensome to the police and subject to delays owing to the potential number of applications for such authorisation.

The amendment creates a limited defence for specified purposes. A person shown to have made an indecent photograph or pseudo-photograph of a child will have to prove, on the balance of probabilities, that it was necessary for him to do so for one of the specified purposes. That represents the right balance, allowing those who need to act to do so while preserving a very significant obstacle to misuse by paedophiles. We acknowledge that companies wishing to assist the police may require further reassurance that their actions will be viewed as complying with the defence, so as to avoid the risk of lengthy investigation and possible prosecution. We intend that the defence will be backed up by a clear code of practice involving the Crown Prosecution Service, the police, the Internet Watch Foundation and the industry in general, setting out in sufficient detail the way in which such judgments will be made. Such a code

[Paul Goggins]

is best made on a non-statutory basis as it will need to be adjusted swiftly to reflect changes in technology and investigative techniques.

Mr. Grieve: I welcome Government amendments Nos. 83 and 84, which reflect the concerns of internet service providers. They are a great improvement. The industry remains anxious about some matters. I am convinced that the code will alleviate that anxiety, but it needs to be drawn up after good consultations with the industry, which needs to be reassured that it will be able to copy and make images for the purpose of helping in the investigation of crime.

Paul Goggins: I am grateful for the hon. Gentleman's support. If the authorisation system is overly burdensome it will not be enough simply to have the defence that we propose without the wider context of the code and the support that that will afford. Clearly the code will need to give people who do that job the confidence to act. As I said several times in Committee, none of us would wish to do their job. So I commend amendments Nos. 83 and 84 to the House.

Again, I have to disappoint the hon. Member for Mole Valley (Sir Paul Beresford) by telling him that I resist amendment No. 190, on forfeiture. It has been introduced following an admittedly brief debate in Committee. My hon. Friend the Minister for Citizenship and Immigration acknowledged that there is an issue to be addressed and agreed that we would consider the position to see whether we could introduce our own proposals. Although I cannot accept the hon. Gentleman's proposals as they stand, I regret that so far we have been unable to resolve all the issues ourselves. However, I assure him and the House that we will continue to work on that problem and will introduce proposals at the earliest opportunity. As the hon. Gentleman rightly explained, I own up to belonging to the sledgehammer tendency. I hope that it gives him some comfort that that is my starting point.

The hon. Gentleman rightly identified that the provisions set out in sections 4 and 5 of the Protection of Children Act 1978, which deal with the forfeiture of indecent photographs, do not state specifically how to deal with the equipment that is used to create, handle or store the data concerned. In attempting to ensure that the equipment is not returned, however, the amendment would create difficulties in some circumstances. For example, if the permanent erasure of the indecent images is not completed to the satisfaction of the court, the equipment could not be returned, even to third parties, possibly causing a substantial loss. Similarly, the amendment would not allow for the fact that valuable data belonging to an innocent third party might be held on a computer owned by the offender and lost to its owner. That could include business accounts and other important data relating to an innocent third party's affairs.

Such issues need consideration and discussion. We have begun that process, but it is not yet complete. We have also identified that further work is needed to close a gap, which the amendment would not do, between the provisions in the 1978 Act and the general forfeiture provision set out in section 143 of the Powers of Criminal Courts (Sentencing) Act 2000. I remain deeply grateful to the hon. Gentleman for his work on the subject. I assure him that we will work hard to resolve all the problems and to introduce proposals to fill the gaps at the earliest opportunity. I regret, however, that we are not at that stage yet and ask for his forbearance.

The objective of new clause 7 is to make an offender contemplate an extended term of imprisonment for failing to disclose electronic information that he has protected. I welcome the link to part III of the Regulation of Investigatory Powers Act 2000. When implemented, the RIPA regime will provide a power to compel the disclosure of protected information, subject to statutory safeguards and oversight. I have to resist the new clause, however. On a technical level, it refers to an offence under section 7 of the 1978 Act rather than section 1, which would be more appropriate. More importantly, however, it does not clearly make the link between the conduct involving indecent images of children and the conduct, in the same investigation, of failing to disclose protected data when required to do so under RIPA. It simply refers to a "subsequent" conviction for a section 53 offence, which could relate to an entirely separate incident from the one in which the indecent photographs were found and could take place many years after the conviction, even when the person had been entirely rehabilitated.

The key consideration must be that the offence of failing to disclose protected information relates directly to the offence involving indecent images. In practice, the conviction for failing to disclose might precede or be simultaneous to the conviction for the indecent photographs offence. I appreciate that the hon. Gentleman may regard my comments as more smooth words, but I am sympathetic to what the amendment attempts to do. As in Committee, I undertake to consider introducing our own proposals, initially in the context of consulting on the implementation of part III of RIPA.

I have to resist new clause 8 for the same reasons as new clause 7, although I understand the concerns that drive the hon. Gentleman to table such amendments. Quite simply, an offence of failing to comply with a RIPA requirement to disclose protected information or the means to access that information cannot be treated as a sexual offence simply because it is a repeat offence and the offender has a previous conviction for a sexual offence.

I hope that those warm words have offered the hon. Gentleman some reassurance. I give him my pledge that I will continue to work very hard on the matter, and I look forward to working with him on the taskforce and in other forums. However, I ask him not to press his new clause and amendments.

7 pm

Sir Paul Beresford: It is going to be an evening of warm words and pledges, but in the circumstances I cannot but accept those offered by the Minister.

Certainly Government amendments Nos. 83 and 84 are welcome. I neglected to say earlier that not only has there been close co-operation in Committee, which seems to be duplicated this evening, but the internet taskforce, which the Minister chairs, and its offshoots have a huge number of experts in various areas, and it may be that the amendments were derived from those experts.

I am sorry that amendment No. 190 is not acceptable, but I am certainly relieved that the sledgehammer tendency will continue and that there is a possibility of Government proposals on this matter. The same applies to the two new clauses.

We have rattled cages again this evening, and the Government have accepted that they need to look into these matters. On those grounds, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 9

SECTIONS 17 TO 20: EXEMPTION FOR SAME SEX RELATIONSHIPS

'(1) Conduct by a person (A) which would otherwise be an offence under any of sections 17 to 20 against another person (B) is not an offence under that section, if—

(a) B is 16 or over, and

(b) prior to the position of trust existing and the consent of the person or persons specified in subsection (2) below apply.

(2) The consents are—

(a) subject to paragraphs (b) to (d) of this subsection, the consent of—

(i) each parent (if any) of B who has parental responsibility for him; and

(ii) each guardian (if any) of B;

(b) where a residence order is in force with respect to B, the consent of the person or persons with whom he lives, or is to live, as a result of the order (in substitution for the consents mentioned in paragraph (a) of this subsection);

(c) where a care order is in force with respect to B, the consent of the local authority designated in the order (in addition to the consents mentioned in paragraph (a) of this subsection);

(d) where neither paragraph (b) or (c) of this subsection applies but a residence order was in force with respect to B immediately before he reached the age of sixteen, the consent of the person or persons with whom he lived, or was to live, as a result of the order (in substitution for the consents mentioned in paragraph (a) of this subsection).

(3) In this section "guardian", "parental responsibility", "residence order" and "care order" have the same meaning as in the Children Act 1989.'.—*[Dr. Evan Harris.]*

Brought up, and read the First time.

Dr. Evan Harris: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 118 and 10 to 12.

Amendment No. 185, in page 14, line 14 [Clause 25], at end insert

'and the relationship commenced before the defendant was aware that he would be in a position of trust.'.

Amendment No. 181, in page 14, line 17 [Clause 25], leave out subsection (3) and insert—

'(3) Subsection (1) does not apply if (A) could have predicted that he would eventually assume a position of trust.'.

Government amendment No. 21.

Amendment No. 148, in page 17, line 10 [Clause 31], after 'disorder', insert 'or learning disability'.

Amendment No. 149, in page 17, line 12 [Clause 31], after 'disorder', insert 'or learning disability'.

Government amendments Nos. 22 and 25.

Amendment No. 150, in page 17, line 35 [Clause 32], after 'disorder', insert 'or learning disability'.

Amendment No. 151, in page 17, line 37 [Clause 32], after 'disorder', insert 'or learning disability'.

Government amendments Nos. 26 and 29.

Amendment No. 152, in page 18, line 20 [Clause 33], after 'disorder', insert 'or learning disability'.

Amendment No. 153, in page 18, line 22 [Clause 33], after 'disorder', insert 'or learning disability'.

Government amendments Nos. 30 and 31.

Amendment No. 154, in page 18, line 39 [Clause 34], after 'disorder', insert 'or learning disability'.

Amendment No. 155, in page 18, line 41 [Clause 34], after 'disorder', insert 'or learning disability'.

Government amendment No. 32.

Amendment No. 156, in page 19, line 19 [Clause 35], after 'disorder', insert 'or learning disability'.

Amendment No. 157, in page 19, line 21 [Clause 35], after 'disorder', insert 'or learning disability'.

Amendment No. 158, in page 19, line 39 [Clause 36], after 'disorder', insert 'or learning disability'.

Amendment No. 159, in page 19, line 41 [Clause 36], after 'disorder', insert 'or learning disability'.

Amendment No. 160, in page 20, line 22 [Clause 37], after 'disorder', insert 'or learning disability'.

Amendment No. 161, in page 20, line 24 [Clause 37], after 'disorder', insert 'or learning disability'.

Amendment No. 162, in page 20, line 40 [Clause 38], after 'disorder', insert 'or learning disability'.

Amendment No. 163, in page 20, line 42 [Clause 38], after 'disorder', insert 'or learning disability'.

Amendment No. 164, in page 21, line 8 [Clause 39], after 'disorder', insert 'or learning disability'.

Amendment No. 165, in page 21, line 10 [Clause 39], after 'disorder', insert 'or learning disability'.

Amendment No. 188, in page 21, line 11 [Clause 39], at end insert—

'( ) A person is not guilty of an offence under this section if—

(a) the touching was for the purpose of sex education, and

(b) B is a person with profound and multiple disabilities such that they require intensive and intimate support to understand and receive sex education, and

(c) the education is necessary to protect B from possible abuse or harm, and

(d) there is no alternative means of delivering this sex education because of the nature of B's disability, and

(e) the education is carried out by qualified specialists or by staff who have received training to meet the specific needs of B, and

(f) the decision to provide such sex education has been recommended by a multidisciplinary team.'.

Amendment No. 166, in page 21, line 13 [Clause 39], after 'disorder', insert 'or learning disability'.

Amendment No. 167, in page 21, line 15 [Clause 39], after 'disorder', insert 'or learning disability'.

Amendment No. 168, in page 21, line 36 [Clause 40], after 'disorder', insert 'or learning disability'.

[Mr. Deputy Speaker]

Amendment No. 169, in page 21, line 38 [Clause 40], after 'disorder', insert 'or learning disability'.

Amendment No. 189, in page 21, line 39 [Clause 40], at end insert—

'( ) A person is not guilty of an offence under this section if—

(a) A's action was for the purpose of sex education and,

(b) B is a person with profound and multiple disabilities such that they require intensive and intimate support to understand and receive sex education, and

(c) the education is necessary to protect B from possible abuse or harm, and

(d) there is no alternative means of delivering this sex education because of the nature of B's disability, and

(e) the education is carried out by qualified specialists or by staff who have received training to meet the specific needs of B, and

(f) the decision to provide such sex education has been recommended by a multidisciplinary team.'.

Amendment No. 170, in page 21, line 41 [Clause 40], after 'disorder', insert 'or learning disability'.

Amendment No. 171, in page 21, line 43 [Clause 40], after 'disorder', insert 'or learning disability'.

Amendment No. 172, in page 22, line 26 [Clause 41], after 'disorder', insert 'or learning disability'.

Amendment No. 173, in page 22, line 28 [Clause 41], after 'disorder', insert 'or learning disability'.

Amendment No. 174, in page 22, line 31 [Clause 41], after 'disorder', insert 'or learning disability'.

Amendment No. 175, in page 22, line 33 [Clause 41], after 'disorder', insert 'or learning disability'.

Amendment No. 176, in page 23, line 1 [Clause 42], after 'disorder', insert 'or learning disability'.

Amendment No. 177, in page 23, line 3 [Clause 42], after 'disorder', insert 'or learning disability'.

Amendment No. 178, in page 23, line 6 [Clause 42], after 'disorder', insert 'or learning disability'.

Amendment No. 179, in page 23, line 8 [Clause 42], after 'disorder', insert 'or learning disability'.

Amendment No. 180, in page 23, line 34 [Clause 43], after 'disorder', insert 'or learning disability'.

Dr. Harris: I do not intend to detain the House long, partly because the drafting of the new clause is flawed, as hon. Members will have seen. First, it does not state that it should apply only to same-sex couples, and secondly, as currently drafted it would appear to be covered by the exemption provided in clause 25 for relationships that pre-date the position of trust. I hope that by clearly setting out those flaws I save hon. Members the time and trouble of repeating them.

I think that what I seek to achieve has been communicated to Ministers by officials. In the situation where acts take place where B is older than 16, the same defence should exist for homosexuals as for heterosexuals. I support the Government amendments in this group which restrict the marriage exemption to cases in which B is over 16, and in any event it is more convenient to consider this issue in that context, given that the age of consent is 16 for both heterosexuals and homosexuals.

The marriage exemption in this part of the Bill is very narrow because of the exemption in clause 25, and I accept that. It covers only those areas where a position of trust pre-dates sexual activity, where there is no pre-marital sexual activity and where marriage takes place where there is a position of trust and is followed by sexual activity that, without the marriage exemption, would not be exempt, as Ministers clearly believe it ought to be. Clearly there needs to be a marriage exemption for those circumstances.

I seek to argue, through the new clause, that the same exemption, albeit narrow, should be available for homosexuals. Ideally, there would be a clause equivalent to that providing the heterosexual marriage exemption. My approach was to recognise that where B is 16 or 17, parental consent for the marriage would be needed, so clearly there could also be parental consent for a relationship that post-dates the position of trust in a same-sex relationship. That is why I have set out in the new clause the same consents that apply for 16 and 17-year-olds in the Marriage Act 1949, as amended.

I made a similar proposal during the passage of the Sexual Offences (Amendment) Bill a number of years ago. That amendment was not accepted in both Houses of Parliament because at that point there was no likelihood of civil partnerships being just around the corner. At that time it was the intention of Liberal Democrat Members, but not, perhaps, of the Government, to ensure that equality between people of different sexualities was as complete as possible, and a clause such as this would have been necessary.

The Government have started a consultation on civil partnerships for same-sex couples in which people would be able to register their relationship. If those civil partnerships apply, as the Government intend, only to same-sex couples, they will provide an opportunity for an equivalent exemption in these narrow circumstances. The consultation does not explicitly refer to this issue, and I seek to give the Solicitor-General an opportunity to explain the Government's position on providing equality here, to state whether there will be an equivalent exemption for relationships that are committed, just like marriages, but post-date a position of trust, and to say whether civil partnerships would be the way forward.

I hope that the Solicitor-General will be able to provide some reassurance that, despite the tendency that we have seen in other debates for marriage to be set aside, there is an ability to ensure that the same defences apply to same-sex couples as to opposite-sex couples above the age of consent, which is the same for both. To be honest, even if the right hon. and learned Lady cannot provide that reassurance, I do not intend to press the new clause, but I hope that I am not enabling her to sell the pass, because there is some interest in the Government's intentions for equality in criminal law in the context of civil partnerships. Many people inside and outside the House will be interested to hear what she has to say.

Sandra Gidley: I want first to talk about amendments Nos. 181 and 185, which repeat the slightly flawed attempt that I made in Committee to try to reassure myself that there are no loopholes in clause 25. I shall try to explain the case a little more clearly than I did in Committee, by relating a number of scenarios to which the clause may relate.

I apologise in advance for not being gender-neutral, but it gets very complicated when one is talking about A and B. The first possibility that occurred to me was that of a 16-year-old girl in a developing relationship with a young teacher. The teacher decides to move and obtain a teaching post at the sixth-form college to which the girl has applied. If the relationship was sexual before the girl goes to college, the Bill does not criminalise the couple. People have an opinion as to whether teachers should be in such relationships with students, but this is not the place to get into a moral and ethical argument. If the relationship was not sexual before the girl goes to college, the Bill criminalises the relationship if it then becomes sexual.

That seems rather perverse because most relationships are on a continuum, and there will come a point in any relationship at which it may become sexual. It seems fairly arbitrary to decide that if that point comes after the girl in question attends sixth-form college, there is suddenly something wrong with that. The clause could have another effect because, in practice, the girl could come under considerable pressure. The chap could legitimately argue, "Come on, if we don't have sex now we can't for the next two years." If the girl was wavering, that could affect her decision—*[Interruption.]* Members are laughing, but there is a serious point—something that puts young people under pressure to have sex when they do not want to is not necessarily a good thing, particularly given the high rate of STD infection. The Bill is therefore flawed in its current form. The defendant may also insist that the sexual relationship commenced before the position of trust arose, while the accuser states that that is not the case. That scenario is much more likely to arise if there is potential to excuse the offence by backdating the sexual intimacy.

Finally, there may be cases in which, because of a learning disability or suchlike, a young person is targeted by an authority figure and befriended or even groomed. The relationship is not initially sexual—it is merely friendly—but when the circumstances change and contact between the two becomes more regular an abuser could press for sexual relations. An outsider might find it difficult to establish exactly when the relationship became sexual, but the reality might be that a form of grooming had taken place before the abuser manoeuvred himself into a position of sexual opportunity. In Committee, the Minister urged me to withdraw my amendment, but promised further consideration of the matter. However, I am not aware of any such consideration, so I would be grateful for clarification of the clause, which is not perfect in its current form.

A number of my amendments try to reinstate the phrase "or learning disability" throughout the Bill. Instead of simply referring to someone "with a mental disorder", we would use the phrase "a person with a mental disorder or learning disability". I do not intend to repeat at great length the arguments that we had in Committee, but the crux of the matter is that the Government apparently consider that anybody with a learning disability is automatically regarded as having a mental disorder. Organisations such as Mencap have worked long and hard to establish learning disability as a separate entity and they regard the Government's thinking as offensive and belittling.

The Government's approach is inconsistent. The Youth Justice and Criminal Evidence Act 1999 makes separate provision for people with a mental disorder and people with a learning disability. Section 16 states that special measures apply to witnesses with a mental disorder, as defined in the Mental Health Act 1983, and, separately, to witnesses with a

"significant impairment of intelligence and social functioning".

It is therefore possible for legislation to use different terminology to describe people with a mental disorder and people with learning disabilities.

Page 21 of the explanatory notes to the draft Mental Incapacity Bill states:

"This could cover a range of problems such as psychiatric illness, learning disability, dementia . . . ".

A clear distinction is therefore made between psychiatric illness and learning disability.

In a briefing with the Minister and her advisers before Report, I asked which part of the Department of Health dealt with the issue raised in amendments Nos. 188 and 189, which are backed by Sense. I was told it was the part that dealt with learning disability, so other people appear to think that there is a distinction to be made. It would be helpful to establish a definition of learning disability and use it throughout the Sexual Offences Bill. If there are any changes to such a definition in the Mental Incapacity Bill, the Sexual Offences Bill could be changed retrospectively.

Finally, amendments Nos. 188 and 189 are backed by Sense and apply to people who are deaf and blind and may need sex education either because they are displaying inappropriate behaviour, perhaps in public, or are self-harming. That problem was raised on Second Reading and in Committee. The Minister has claimed that the charities involved did not agree on the way forward. There was also an understandable reluctance to include a loophole in the Bill. As a result, Sense arranged a meeting with the other charities concerned to try to reach a consensus. Unfortunately, I could not make that meeting because I could not find a parking space at a Hampshire station, but I understand that there is now consensus. The amendments tabled by the Liberal Democrats therefore have the support of those other organisations.

7.15 pm

The amendments suggest that the following factors all need to be taken into account when providing an exemption. The touching must be for the purposes of sex education, and the recipient must have profound multiple disabilities. The education must be deemed necessary because of a problem of abuse or harm—in other words, it is fundamentally about providing protection. It should also be clear that there is no alternative. If there is another way of delivering such education, it should have a priority. The education should be carried out by qualified staff who have received training, and a decision must be made by a multidisciplinary team whose members are familiar with the person who will be receiving treatment—we cannot put such decisions in the hands of one person alone.

That is a stringent set of criteria and I challenge the Minister to come up with a loophole. If the Government are still minded to reject the amendments, I should like

[Sandra Gidley]

to know how they are going to deal with the issue. They have conceded that there is a problem and, having done so, they have a duty to act. I would therefore welcome an explanation of the way in which the problem will be dealt with in future.

While noting the slight flaw that my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) noted in one of his amendments—

Dr. Evan Harris: It was a major flaw.

Sandra Gidley: I was trying to be charitable to my hon. Friend. Given the fact that the equality and civil partnership issue is rising rapidly up the political agenda, it would be useful to know the Government's thinking on the matter.

Ms Munn: I should like to speak briefly to the amendments that raise the use of the term "learning disability" and ask the Minister to respond. I, too, have spoken to at least one organisation that works with learning-disabled adults and believes that not using the term "learning-disabled" in the Bill would be a matter of great regret. I should like to focus on genuine difficulties of definition and echo what the hon. Member for Romsey (Sandra Gidley) said about the term "mental disorder", which does not include learning-disabled people. Its use to describe people with a learning disability can be considered offensive, but we must reflect on whether people would consider themselves to be covered by the Bill if the term is not included.

I may be wrong, but I understand that the term "mental disorder" is defined in the Mental Health Act 1983 and relates to the term "mental impairment". I studied the legislation as a former practitioner, and my understanding is that mental impairment refers to something over and above a learning disability. It is generally taken to mean a state of arrested or incomplete development of mind that includes significant impairment of intelligence and social functioning, and is associated with abnormally aggressive or seriously irresponsible conduct on the part of the person concerned. If that is the case, using only the definition of mental disorder has serious implications for people with learning disabilities. I want the legislation to be introduced as soon as possible. It is enormously important and takes forward the current position of learning-disabled adults, who are some of the most vulnerable people around. Rightly, we are struggling to get the legislation right, and the inclusion of the term would help.

The Solicitor-General: Further to undertakings made in Committee, we have tabled Government amendment No. 118 to bring further categories of adults within the scope of the abuse of trust offences. Perhaps I can explain it before I deal with the issues raised by the amendments moved by the hon. Member for Romsey (Sandra Gidley), which I shall get to in due course.

Connexions personal advisers are already covered in clause 22(7) by virtue of the fact that they fulfil their duties under section 114 of the Learning and Skills Act 2000. Such persons can also fulfil those duties under sections 8 to 10 of the Employment and Training Act 1973. It is clearly necessary to refer to both Acts to avoid a loophole that would enable a defendant to claim that he did not fall within the scope of those offences, and Government amendment No. 118 achieves that purpose.

Government amendment No. 118 also brings within the scope of the Bill those who have unsupervised contact with children in the context of their duties under sections 20 or 21 of the Children Act 1989 and equivalent legislation in Northern Ireland. Such persons arrange accommodation for children who, for whatever reason, are not being looked after by those who have parental responsibility, and check that their welfare is being looked after once such accommodation has been found. They include local authority staff such as social workers and family centre staff who visit the accommodation in which a child has been placed to oversee the child's welfare. The amendment also fulfils an undertaking given by my noble Friend Baroness Scotland to Baroness Blatch when the Bill was debated in another place.

Government amendments Nos. 10 and 11 remove the requirement that unsupervised contact between children and those who fall within the scope of the offences by virtue of their employment as children and family reporters, children's guardians and guardians ad litem must take place with the child alone. We have become concerned that the requirement for the contact to take place while the child is alone would create a loophole in the legislation that would apply where, for example, another person is present and that person has no role in supervising the defendant. For example, we would not want the presence of the complainant's younger sibling to allow the defendant to claim that a meeting did not take place with the child alone and that he does not therefore fall within the scope of the abuse of trust offences.

We are satisfied that the requirement for the defendant to have unsupervised contact with the child is sufficient to bring him within the scope of these offences. It will be for the courts to decide, on the individual facts of each case, whether the defendant's contact with the child was unsupervised. In practice, the addition of the word "alone" adds little but creates a potential loophole, and I hope that hon. Members will support our decision to remove it from the statute.

Government amendment No. 12 amends the definition

"looks after on an individual basis"

in clause 23 by replacing the words

"has unsupervised contact with B alone"

with

"has unsupervised contact with B".

That addresses the same potential loophole identified in the previous two amendments, whereby a person could argue that they fell outside the scope of the offence because, for example, a younger sibling was always present at the meetings with the complainant.

Amendments Nos. 181 and 185 were tabled by the hon. Members for Mid-Dorset and North Poole (Mrs. Brooke), for Romsey and for Winchester (Mr. Oaten). Amendment No. 181 would amend clause 26 by removing subsection (3), which includes a reverse

burden of proof ensuring that it is for the defendant to prove that a pre-existing relationship existed. We can see no justification for removing that requirement because the evidence is within the particular knowledge of the defendant and the fact of a pre-existing relationship is a true exception to the offence. A legal burden of proof on the defendant is therefore justified and proportionate in those circumstances.

Amendments Nos. 181 and 185 would restrict the pre-existing sexual relationship defence in clause 25 so that it would not apply if the defendant were aware at the inception of the relationship that he would be in a position of trust or that he could have predicted that he would eventually assume a position of trust. That relates to the example raised by the hon. Member for Romsey. There are various drafting difficulties in the amendments. For example, the terms "predicted" and "eventually assume" are, as I am sure she is aware, too vague to be included in statute. What criteria would be used to determine whether the defendant could have predicted something, and what exactly is meant by "eventually"?

I also note that the amendments do not require knowledge that a position of trust would arise specifically between the defendant and the child concerned. Nor do they require knowledge on the part of the child of the potential future position of trust. The hon. Lady mentioned that point in her example, but it does not feature in the amendment. The defendant's knowledge, or rather prediction, of that alone is not sufficient to create a situation in which a position of trust could be used to enter into an exploitative relationship.

There are two points on which there is certainty: when the sexual relationship started and when the position of trust started. The hon. Lady was right to remind us that there is sometimes a continuum in such matters. However, the law must try to be as certain as possible. The two certainties are when the sexual relationship started and when the position of trust started, and I think that is probably the best we can do.

Leaving those specific points aside, I do not believe that alleged knowledge of a potential future position of trust that would arise between the parties, whether that information is known only to the defendant or to both parties, is sufficient to bring that relationship within the scope of the offences, which is the point that we are discussing. Not only would it be extremely difficult to draft such a requirement with sufficient clarity, as is evidenced by the hon. Lady's attempts, but it would not be right in principle to do so. The purpose of the abuse of trust offences is to protect young people over the age of consent from being manipulated into an exploitative relationship because of the imbalance of power that exists in a relationship of trust. Until that relationship of trust has been formed, I do not see how such a causal link can be made.

The amendments have been tabled out of genuine concern for child protection, but where two persons who are over the age of consent have willingly entered into a sexual relationship before a relationship of trust exists between them, I cannot see that it would be right to bring the relationship within the scope of the criminal law. Where such a pre-existing sexual relationship is subsequently continued after a relationship of trust has been formed between the parties, the matter may fall to be regulated by professional guidelines and employment codes of conduct, but I continue to believe that it would be unreasonable to bring such a relationship within the scope of the criminal law. For those reasons, we cannot accept the amendments.

Although new clause 9 seeks to create a new defence on the basis that a same-sex relationship existed prior to the onset of the position of trust, which is unnecessary because such a defence already exists in clause 25, I understand that the real intention of the hon. Member for Oxford, West and Abingdon (Dr. Harris) is to create a same-sex relationship exception that would mirror the marriage exception at clause 24. I agree with the sentiments that he expressed, but he has put the civil partnership cart before the horse. None the less, his point has been well flagged up.

I appreciate the efforts made in the new clause to ensure that the exception would apply only where the relationship had the approval and consent of those who have parental responsibility for the child concerned. However, I remain concerned that such provisions would not create the same level of reassurance as a marriage contract or indeed a civil partnership.

7.30 pm

As I have explained, the Government have been involved in the consideration of proposals relating to a civil partnership registration scheme and intend to introduce legislation as soon as parliamentary time allows. Instructions are already in place to ensure that, if such a scheme is introduced, sexual offences legislation will be amended by that legislation to provide an equivalent to the marriage defence for persons who have entered into a registered civil partnership. I hope that that meets the point that the hon. Gentleman has done the House a favour in raising, and that that can be flagged forward into the civil partnership Bill. In the circumstances, I consider that new clause 9 is unnecessary and I hope that he will agree to withdraw the motion.

I turn to the mental disorder clauses 31 to 34, which give specific protection to those with a mental disorder who lack the capacity to consent. The amendments seek to loosen but not sever the causal link between the mental disorder and inability to refuse in subsection (1)(c).

Someone who has a severe mental impairment may not have the capacity to consent, and that can be seen to result entirely from the severity of their mental impairment. There is a direct causal link. However, there are others with a mental disorder who also would not pass a test of capacity. Their lack of capacity may result in part from circumstances other than the fact of having a mental disorder but which relate to their mental disorder: for example, someone taking medication for a mental disorder, or who has spent all their lives in an institutional environment and become perhaps very compliant with requests that staff make of them but who may have had no opportunity to become aware of what sexual activity entails, or may not know that there is a choice to be made when it comes to engaging in sexual activity. They have a mental disorder, they lack the capacity to consent, they are equally vulnerable and they need our protection. However, their mental disorder may have combined with their environment in producing someone who lacks the capacity to consent.

[The Solicitor-General]

We are concerned that a strict causal link would call into question the applicability of the clauses to such persons, and lead to challenges as to the link between the mental disorder and the capacity to consent, which, in many cases, may be very difficult to prove. Consequential amendments are included to subsection (1)(d), which deals with the mens rea of the offender. It is for those reasons that I am proposing the amendments.

I turn to amendments Nos. 188 and 189, which reintroduce a change allowing the provision of hands-on sex education, such as teaching a person with profound and multiple disabilities to masturbate, or getting them to masturbate themselves, in strictly limited circumstances—the hon. Member for Romsey set those out—where there is no alternative way that sex education can be provided. In Committee, we made it clear that we were aware of certain differences among the learning disability charities as to the legitimacy of sex education that involved any form of sexual touching. My hon. Friend the Minister met with Sense. He spoke to it about those differences and suggested that it should meet with the charities that had reservations to see if together they could achieve some consensus on the issue.

I understand that Sense met the other charities on 2 October and that a level of agreement was reached. As the hon. Member for Romsey said, there is a consensus in the voluntary sector. Since then, the proposals have been under consideration by the Department of Health, which in turn is having discussions with Sense. We can say that there is now, as a result of the discussions that were initiated by my hon. Friend the Minister in response to the hon. Lady's amendments, consensus in the voluntary sector. We are not quite there yet in terms of consensus between the Government and the voluntary sector. The process is ongoing, so I do not believe that we are yet in a position to decide whether a sex education exception should be legislated for and, if so, precisely what form it should take.

Mr. Grieve: If that is the case, can that still be done if the Bill goes back to the House of Lords unamended? Will there not be a procedural difficulty if this part of the Bill has not been touched or handled in this House? There would be no scope for the Government to bring in such an amendment.

The Solicitor-General: I think that this Bill would not be the legislative vehicle for that amendment, but the hon. Gentleman can rest assured that there are always more legislative opportunities, which he constructively engages in, trundling along, whether it be from the Home Office or the Department of Health.

I say absolutely genuinely that this is not a fobbing-off exercise. These are immensely difficult areas. We want to ensure that people with learning disabilities have as many rights and as full opportunities as they possibly can, but we also want to be very careful not to expose them inadvertently to sexual abuse. We must get it right. We are on our way there and have made a lot of progress, but we are not there yet. We are not in a position yet to decide.

I will not pretend that there are not significant areas of concern about such an exception, so I am not guaranteeing that there will be agreement between the voluntary sector and the Department of Health; I hope that there will be agreement but I am not guaranteeing it. We must be extremely careful not to open a loophole for abuse. However, the Government are committed to continue considering the issue and, if it is resolved in favour of an exception, to legislate when a suitable opportunity becomes available. For the reasons that I have given, I must resist the amendments.

I turn to amendments Nos. 148 to 180. My hon. Friend the Member for Sheffield, Heeley (Ms Munn) also participated in the debate on them. I understand the reasons and the strong feelings behind the amendments, as they were expressed in Committee. Again, as with civil partnerships registration and hands-on sex education, this is perhaps not the right Bill to have these discussions: while I sympathise with those views, I do not believe that the Bill is the right place to legislate on the issue.

A new approach to defining those who should be included in the new mental health Bill is being considered, and similar consideration is taking place in relation to the mental incapacity Bill. That is the context in which all these decisions should be made. We need to have consistency across the board. Primary mental health legislation is the place to have the discussion, and that is indeed taking place.

I reiterate that the amendments in no way affect the scope of the protection afforded by the clauses: we are not talking about changing that through the amendments. They cover that which we want to cover. We are talking about the language, and I do not say "only the language", because I understand very well that the language and how we define things is crucial. Mental disorder as defined in the Mental Health Act 1983, to which the Bill has been linked, includes those with learning disabilities. Therefore, the scope of the protection is assured. For those reasons, I must resist the amendments.

I acknowledge that there is a separate reference to those with learning disabilities in the Youth Justice and Criminal Evidence Act 1999 but just because there is an anomaly there, it does not mean that we should create loads more in the Bill. What we need to do is get it sorted, amend all previous legislation across the board and get it dealt with in the right context—primary legislation. That is the place we should do it. I do not want us to be out of line, not least because there are concerns about challenges to detention under the Mental Health Act 1983 that may arise out of the Youth Justice and Criminal Evidence Act terminology, so we want to be consistent in that respect.

Dr. Evan Harris: I am grateful to the Solicitor-General for her comments on new clause 9, particularly in respect—she went as far as she could—of the Government's intention that, should there be civil partnerships legislation, registered civil partnership should apply as marriage applies. Indeed, in that respect, it was encouraging to hear her say that she thought that that would be a more suitable vehicle than going just with the consent, as set out in the new clause. In the light of that, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 10

SEXUAL ACTIVITY IN A PUBLIC PLACE

'1. A person is guilty of an offence if he intentionally engages in sexual activity in a public place or in a lavatory to which the public or a section of the public has or is permitted to have access, whether on payment or otherwise, which he knows or ought to have known was likely to cause harassment, distress, alarm or offence to any other person and which causes or has caused harassment, distress, alarm or offence to any other person.

2. It is a defence for the accused person to prove—

(a) that he had no reason to believe that there was any person within sight or hearing who was likely to be caused harassment, distress, alarm or offence; and

(b) that his conduct was reasonable.

3. A constable may arrest a person without warrant if—

(a) he engages in sexual activity which the constable warns him to stop; and

(b) he engages in further sexual activity immediately or shortly after the warning.

4. A person guilty of an offence under this section is liable on summary conviction to imprisonment not exceeding six months or a fine not exceeding level 3 of the standard scale or both.

5. In this section "sexual" is as defined in section 79.'.—*[Dr. Evan Harris.]*

Brought up, and read the First time.

Dr. Evan Harris: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 50 and 51.

Amendment No. 194, in page 34, line 18, leave out clause 66.

Amendment No. 147, in page 34, line 20 [Clause 66], after 'lavatory', insert 'or shower cubicle'.

Government amendments Nos. 85 and 86.

Dr. Harris: This is an important debate because there are real problems with the drafting of clause 66, which amendment No. 194 would delete and new clause 10 would replace. It is important and habitual to set out that, like others who have spoken on the Bill, I am opposed to sexual acts in public and to sexual acts in lavatories. One need not labour the point that they are distasteful—to say the least—offensive, distressing and alarming to people. However, I should like to explain why the new clause is a better way of achieving what we are seeking. I shall then show how the Government's approach, unlike the new clause, fails to implement the recommendations of "Setting the Boundaries" or the intention behind the White Paper, and does not address concerns raised about the extent of the proposal.

The first problem with the clause is that it is too narrow in its geography because it relates only to public lavatories. My hon. Friends the Members for Mid-Dorset and North Poole (Mrs. Brooke) and for Romsey (Sandra Gidley) have also tabled an amendment to demonstrate that the clause is too narrow. A consequence of the narrowness of the clause is that the measure is indirectly discriminatory against men who have sex with men, including gay men but not just men who regard themselves as gay. That is what we are talking about in terms of public lavatories; men who have sex with men.

Mr. Grieve: I can assure the hon. Gentleman that if he read the Committee *Hansard*, he would see that that is not the case. The examples I cited there included the misuse of public lavatories in various buildings for the purposes of heterosexual activity. I can assure him that the proposal is gender neutral.

7.45 pm

Dr. Harris: As phrased, it is gender neutral but that is not its impact because of the frequency with which the offence takes place. I have read *Hansard* and am aware of the case that the hon. Gentleman adduced involving sex between a man and a woman in the toilets of a court. It was not clear whether they were lawyers or not. If we study the history of prosecutions of this sort of activity, we see that there were always more complaints, prosecutions and convictions against men. As a consequence of that indirect discrimination and the disproportionate impact on men who have sex with men, the Bill fails one test—to be non-discriminatory in its impact as well as its wording.

Sandra Gidley: My hon. Friend is over-egging the pudding with regard to the proposal having too great an impact on men who have sex with men. The simple fact is that it is easier for men to go into a toilet together than it is for a man and a woman. It is a more common offence—not a greater or lesser offence—because it is easier. There is no sinister intent to criminalise gay men.

Dr. Harris: My hon. Friend misunderstands my point. The clause does not deal with places where men and women have sex together in public, such as in parks, lover's lanes, on trains and on top of buses. *[Interruption.]* Hon. Members may be suggesting their own favourites. The clause is restricted to public lavatories, and my hon. Friend makes my point; that is where men go—wrongly, in my view—to have sex with other men, but it is not where men and women go to have sex in public together. That is self-evident and—as I said at the outset—the clause is too narrow in that it includes only public lavatories and does its best to exclude from the offence sex between men and women in public places. That is the key point. As a consequence, the clause fails to meet the test of the Bill—that it should be non-discriminatory—and may give cause for redress under the Human Rights Act because of that discrimination.

The second problem is that the clause as worded is discriminatory in its effect on gay men in their defences, compared with the equivalent defences that might be available to a heterosexual couple charged, as they would need to be, under public order legislation. Public order legislation deals with the need to avoid depraving public morals and with offending, alarming or distressing people, so clearly someone has to make a complaint and someone must be a victim of the offensive behaviour. The wording of clause 66 does not require that that offence, distress, alarm or fear be caused, so the defences available to people caught under it are fewer than those available to heterosexual people; or, indeed, people of the same sex caught in other places. That is unfair and unreasonable.

[Dr. Harris]

I believe that, as drafted, the clause would catch people who were not engaging in sexual activity. The clause defines an activity as sexual

"if a reasonable person would, in all the circumstances but regardless of any person's purpose"—

the purpose of the people concerned—

"consider it to be sexual."

If two men were seen leaving a toilet cubicle together, a court might consider it a reasonable assumption that they had engaged in sexual activity, which would be sufficient under the clause to convict, even if they were doing drugs or whatever. Surely we do not propose to enact a law that does that.

The proposal recreates a victimless crime. We have gone through decades of gross indecency and buggery laws, which—where there was consent—were victimless crimes. The clause would recreate that as there is no provision for anyone needing to be distressed or alarmed. The new clause proposes that it should be an offence if someone is distressed, alarmed or afeared by such action. The history of the victimless crime and its disproportionate effect on gay men was set out by the hon. Member for Rhondda (Mr. Bryant) earlier, and part of the reason for "Setting the Boundaries", the White Paper and the Bill was to get away from the time when victimless crimes, particularly those of which gay men are convicted, were commonplace.

Mr. Grieve: Does the hon. Gentleman not consider that if a public lavatory is regularly misused for sexual purposes, it ceases to be a victimless crime; not because people are not present when the activity happens, but because, as a result, the use of the lavatory for legitimate purposes becomes impossible?

Dr. Harris: On that basis, the hon. Gentleman should support the new clause, which makes it clear that that would still be an offence in a public lavatory, because one could say that it would never be reasonable for someone to consider that such activity was not likely to distress or alarm anybody. I shall deal with that when I talk about the new clause in more detail. I am prepared to make common cause with the hon. Gentleman to make that an offence, but it is not right that the definition should apply exclusively to public lavatories.

Clause 66 reopens the possibility of entrapment. There is nothing to prevent entrapment; indeed, there is every likelihood that it will lead to an increase in convictions involving entrapment, when the police may go looking for someone willing to have sex, or to expose themselves for the purposes of sexual activity. The wording of the Bill means that the entrapper would not need to be distressed, alarmed or afeared—as someone who was "asking for it", and seeking to provoke the activity, would generally not be—so entrapment would reappear.

As well as entrapment by the police there would again be scope for blackmail to take place, even when no distress or alarm had been caused to anyone. It is the job of modern sexual offences law to avoid as far as possible allowing someone to provoke an offence for the purposes either of blackmail or of securing an easy conviction.

In contrast, the new clause covers more public places, without the drawback in the Government's first attempt, which caused difficulty because it was regarded as extending even to secluded garden areas, because they were outwith the dwelling that was initially excluded. The new clause makes it clear that the provision would also apply to behaviour in other public places that a person

"knows or ought to have known was likely to cause harassment, distress, alarm or offence to any other person",

and where the behaviour provokes a complaint and

"causes or has caused harassment, distress, alarm or offence to any other person."

The new clause would cover other areas. If it is the Government's intention to reclaim public lavatories for the use of the public without the distress referred to by the hon. Gentleman, I support that, but the provision should apply to commons, parks and heaths as well. The Government have failed to make it do that. We now have what may be a once-in-a-generation opportunity to tackle the issue, and I do not understand why the Government do not feel that parks, heaths and commons are not suitable for reclaiming.

The new clause requires a victim and a complaint, but the complainant could be a policeman. If two people were engaging in sexual activity in a public lavatory or other public place, a policeman could be the person who was offended. However, the wording of the new clause does not mean that anyone engaging in sexual activity in a very secluded place—such as a wood, or, indeed, their own back garden—would be liable to be convicted. That is appropriate, and strikes the right balance.

We have to remember the Bill's context, which was based on the Home Office report "Setting the Boundaries". The report's basic set of assumptions were that

"any application of the criminal law must be fair, necessary and proportionate";

that

"the criminal law should not discriminate unnecessarily between men and women nor between those of different sexual orientation";

and that

"the law should not intrude on consensual sexual behaviour between those over the age of consent without good cause".

In the summary of the report, section 0.21 says:

"We thought it important that the law should be able to deal with problems caused by inappropriate sexual behaviour in public places, including public toilets. We recommend:

a new public order offence to enable the law to deal with sexual behaviour that a person knew or should have known was likely to cause distress, alarm or offence to others in a public place."

That was the basis for recommendation 56, which says:

"A new public order offence should be created to deal with sexual behaviour that a person knew or should have known was likely to cause distress, alarm or offence to others in a public place."

Chapter 8 of the report goes into some detail about that, and paragraph 8.4.2 and 3 says:

"some public facilities are extensively used for sexual purposes, and the law needs to be able to deal with this problem as part of wider powers to deal with sexual activity in public places . . . The common law offence of outraging public decency includes 'all open lewdness, grossly scandalous behaviour, and whatever openly outrages decency or is offensive and disgusting'"—

to someone, presumably—

"or injurious to public morals by tending to corrupt the mind and destroy the law of decency, morality and good order'".

Someone therefore has to have their morals depraved—although recent case law does not require that their morals be actually depraved, so long as they are in a position where that could take place.

Paragraph 8.4.4 points out that the Wolfenden committee argued that

"criminal law should apply to all sexual behaviour in public and not in particular to same sex behaviour."

Paragraph 8.4.6 says:

"The law should be able to tackle these public order/decency issues whether they relate to heterosexual or same sex activity. Finally, we thought it "unnecessary and disproportionate to prohibit all sexual activity in public."

This was a Home Office review, not necessarily the Government's own views, but the Government set out their view in the White Paper "Protecting the Public". I want the Government to accept that my new clause would bring them back to their original correct intention, because chapter 6.77 of that White Paper says:

"We will also be introducing a new public order offence, specifically targeted at specified sexual acts that take place in public. The new offence of *Sexual behaviour in a public place* will send out a strong signal of our intention to protect people from being unwilling witnesses"—

at that stage the Government thought that there had to be a witness

"to overtly sexual behaviour that most people consider should take place in private. It will be in addition to, and not a replacement for, existing public order offences. However, it is not our intention to interfere in everyday behaviour in public that does not cause offence to the vast majority of people such as kissing or cuddling".

I hope that the Government will recognise that the new clause is more closely related to that intention than is the clause that was given to us by the House of Lords, even as amended in Committee.

On entrapment, a letter from Stonewall to the Minister dated 24 October states:

"It would be very regressive indeed if the result of this clause was a return to practices such as entrapment, particularly when there are far more pressing matters for the police to be dealing with".

Stonewall states clearly that it opposes sexual activity in public lavatories, but it recognises the danger of entrapment.

I would say that the complaints that we hear are about the use of public toilets exclusively by men having sex with men—almost to the exclusion of other people being able to use them at all—but it is not surprising that there should be more complaints about that, because the culture of gay men having sex, especially men who are married and therefore do not recognise themselves as gay, is a culture of furtive experiences.

Another reason why it is not surprising that there are more complaints about that activity is homophobia, and people's reaction to men kissing in public—and, indeed, on the television—which raises far more complaints than the sight of men and women of the same age, with the same degree of consent and the same depth of relationship, kissing. There is a differential acceptance of public displays of affection, and, therefore a different acceptance of public displays of sexual activity. That is wrong, because there should be no discrimination. People find homosexual acts offensive in a way that they do not find heterosexual acts offensive.

The very fact that disproportionate offence is caused by homosexual acts should warn us of the pitfalls of going down a path that leads to a predominantly gay-only offence. A low threshold for distress or alarm—or likely distress or alarm—may be appropriate under the new clause, but there is no threshold at all for distress, alarm, fear or offence under clause 66 as it stands.

Clause 66 is inadequate in many ways. For those of us who want a specific provision banning sexual activity in public places, but which is not directed only and specifically against gay men, the new clause is the way to go. If the Minister is willing, I am prepared to explore ways to tighten it further. For example, subsection (2) of the new clause, which provides for the defence of a person's having reasonable belief that they were unlikely to be causing offence, need not apply to a public lavatory. That might be a way to ensure that the unacceptability of sex in public lavatories is made clear. On that basis, I hope that the Minister and other Members recognise the merits of new clause 10.

8 pm

Mr. Grieve: I am sorry that the hon. Member for Oxford, West and Abingdon (Dr. Harris) is dissatisfied with the way in which the Bill has been amended in relation to public lavatories. This matter took up quite a lot of time in Committee and has obviously done so in the House of Lords as well. I am grateful to the Government for accepting the Lords amendment, which they amended further themselves. We have arrived at a sensible outcome, and I am sorry that the hon. Gentleman is dissatisfied with it. The simple position is that public lavatories are not a proper place for sexual activity—full stop. It does not matter whether somebody notices what is going on or not; in reality, it is most unlikely that any prosecution will be brought unless somebody complains about the state the public lavatory has got into as a result of improper use. The hon. Gentleman should stop worrying about this matter and accept that the Bill as drafted is perfectly sensible.

I turn briefly to the Government amendments in this group, which I welcome. The Minister has taken on board all the points made in Committee, including that relating to uncles and nephews and the definition of prohibited relationships; I am extremely grateful for that. I particularly welcome the fact that, as a result of the debate in Committee, the word "structure" has been removed from clause 69 and replaced with "place". That sensible amendment will provide a greater degree of protection from the activities of voyeurs for those who

[Mr. Grieve]

are legitimately in an enclosed space, and have no reason to believe that they will be seen. I am grateful to the Minister for those amendments.

Sandra Gidley: I rise to speak to amendment No. 147, which is a slightly tongue-in-cheek attempt to show that clause 66 as it stands is flawed. As my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) pointed out, we are very hung up about the particular environment of a public lavatory. There are other places, such as showers on camp sites, to which the public have access, but apparently there is no problem with such structures: the door can be closed and there is no problem with people engaging in any sort of sexual activity.

I agree with my hon. Friend the Member for Oxford, West and Abingdon, in that the Government seem to want to single out toilets, for a reason that I cannot quite understand. I agree with those who say that public toilets are not the place to have sex—they should be used for the purpose for which they are designed—but the subtext of some of our debates in Committee suggests that this issue involves discrimination against gay men. I do not want to pass legislation that discriminates in any way, but I must admit that I am struggling to understand that argument. Perhaps that is because I am not a gay man, but I cannot see in what way the provision discriminates, given that it applies to heterosexual sex in toilets, as well as to gay sex.

Mr. Bryant: I am sorry that the hon. Lady entices me to my feet. I had resolved not to say any more on this matter, having failed dismally to persuade the hon. Member for Beaconsfield (Mr. Grieve) of my argument in Committee; indeed, I note that the hon. Member for Oxford, West and Abingdon (Dr. Harris) has done just about as well as me in that regard. The history is that the police have spent vast amounts of time and energy deliberately trying to catch men having sex with men in gentlemen's toilets, and the enormous worry exists in the gay community that the police will start doing that again, because we will have expressly decided to retain this element of the legislation. Many police forces have extremely enlightened views, but as we have discovered in the past few weeks, some police forces and officers do not. It is wholly right to seek to prevent the misdemeanours referred to, but the worry is that the provision is discriminatory.

Sandra Gidley: I thank the hon. Gentleman for his intervention. Much of what is said on this issue is based strongly on historical argument and expressed in that context, but I would contend that we live in an ever more accepting society. There are some who have a complete abhorrence of any sex other than heterosexual sex in the missionary position, but in general society is much more tolerant, particularly young people.

I have to question the slightly muddled thinking, as it could be regarded, of my hon. Friend the Member for Oxford, West and Abingdon. He said on one occasion that the public have a greater abhorrence of seeing a gay couple speaking—[HON. MEMBERS: "Kissing."] Sorry, I meant kissing, not speaking; things have not got that bad. He said that the public have a greater abhorrence of a gay couple kissing than of a heterosexual couple kissing at a similar stage in a relationship. However, he then said that an element of distress, alarm or offence should be involved when an offence is committed. What happens if even minor forms of sexual activity are included? As we know from discussions of another matter, kissing is sexual activity. People might be very shocked to see two gay men kissing in a public toilet, but they may not be shocked to see a heterosexual couple doing so.

Dr. Harris: My point is that, even if we accepted the new clause, sadly, because of public attitudes, there would still be a low threshold in terms of complaints made against men having sex in public. However, the existing clause provides no threshold whatsoever. It is not as if the new clause would not allow those who are offended—we must accept that people are offended by whatever offends them—to make a complaint. But one need not reach that threshold for sex in public lavatories, whereas the existing public order offence—which might catch such behaviour in a park, or on a bus or train—does require that someone be distressed and alarmed. In other words, we are writing a disproportionate level of offence into law, even despite public attitudes.

Sandra Gidley: I am not sure that I am any the wiser for that intervention.

Amendment No. 147 is intended to point out a slight anomaly whereby certain activities that are just as offensive, in some eyes, are not covered by the clause as drafted. My hon. Friend the Member for Oxford, West and Abingdon sought to go further, but his new clause does not achieve quite what he intends. I support his comments on the public order offence; indeed, initially, we wanted to develop our thinking on the treatment of this offence in that way. It is an offence, but I hope—and I seek reassurance from the Minister and others—that undue weight will not be placed on using the clause as a means of persecuting people or going on a witch hunt. That may not be quite the right term, but it is the only one that I can think of without a double meaning.

To sum up, clause 66 is flawed. I would welcome hearing the Government's opinion on what has been said, but I do not think, sadly, that new clause 10 quite takes us to where we should be either.

Mrs. Brooke: I want to say briefly that I welcome Government amendment No. 85, which came out of an excellent debate. I did not participate much in it myself, but it was fascinating to listen to it and it provides a good example of some of the good work that was done in Committee.

On the present subject of debate, which has taken up considerable time, I want to repeat some of the points that we made in Committee. We do not feel that the Government amendment of the time, which is now clause 66, is appropriate for the Sexual Offences Bill. Our point was that it was an interim measure, but in the fullness of time when appropriate legislation came along—we acknowledged that it could not be attached to the Criminal Justice Bill—we wanted there to be a new public order offence, as recommended in "Setting the Boundaries". We do not want to lose sight of that. It is how we believe that matters should be progressed. As

I mentioned in Committee, it would have been helpful if the phrase "distress, alarm or offence" was in the clause, because it would have made it easier to move this forward as a public order offence in the future.

I want to put those comments on record. We have heard some reassuring words from the Minister to the effect that there remains the possibility of inserting amendments into other legislation. I hope that this is not the end of the story—*[Interruption.]* I do not want much more talk, but suitable action on a public order offence in the future.

Paul Goggins: Unlike the hon. Lady, I hope that this is the end of the issue.

I begin by responding to the hon. Member for Oxford, West and Abingdon (Dr. Harris). As he made a powerful and knowledgeable speech, I thought that he would have made an interesting member of the Committee. If nothing else, we could have observed his developing relationship with his hon. Friend the Member for Romsey (Sandra Gidley), who asked some searching questions. I shall also deal with amendment No. 147, which would add sexual activity in shower cubicles to the existing clause 66.

Hon. Members who have followed the debate here and in the other place will be aware of the history behind this offence. We believe that existing legislation—public order Acts and provisions on outraging public decency—are already capable of covering sexual activity in public. However, we have accepted the case for a specific offence of sexual activity in a public lavatory, in acknowledgment of particular public concerns, which have been reflected in debate and in correspondence. I have to say to the hon. Member for Romsey that similar concerns have not been raised about sex in shower cubicles.

Mrs. Claire Curtis-Thomas (Crosby): I support my hon. Friend's observations. I greatly welcome the introduction of this new offence. It is something that preoccupies quite a number of my constituents, because we have a plethora of seaside gardens that have lavatories, which, unfortunately, have attracted a considerable amount of sexual activity of the sort that we have heard discussed this evening. In common with my hon. Friend, I have never received any correspondence about sex in the shower. When I receive the same sort of mailbag on that as I do on sex in the toilet, it might become an issue. For the moment, I am delighted that we are carrying this measure forward: it will bring much relief to many offended people in my constituency.

8.15 pm

Paul Goggins: I am delighted to hear that my hon. Friend is pleased with this particular clause. Those who might engage in sex in shower cubicles may be caught by existing legislation, which could cover that particular instance.

The new clause proposed by the hon. Member for Oxford, West and Abingdon does not recognise that we are making an important distinction—

Sandra Gidley: If the offence of having sex in a shower cubicle is covered by existing legislation, why is the parallel offence of having sex in a public toilet not so covered?

Paul Goggins: That is the whole point, and we covered it extensively in Committee. We believe that sex in toilets is already covered, but we are making the point of explicitly making it a separate offence. That has always been clear and we accept it. Indeed, the constituents of my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) are delighted by it.

Several hon. Members *rose—*

Paul Goggins: I am not going to give way again, as I am conscious of the time and of the fact that we have much else to debate. Those who spoke to the various amendments have received a fair hearing in the House.

As I was saying, new clause 10 does not recognise that we are making an important distinction between sexual activity in toilets and sexual activity in public generally. We are seeking to outlaw all sexual activity in public toilets, but sexual activity in public per se is not a crime unless it causes harassment, alarm, distress or offence. The Government believe that sexual activity in public toilets is wholly inappropriate. On the other hand, if a couple take care to find an isolated area where they may reasonably expect to be unobserved in order to engage in sexual activity, we would not wish to criminalise them. However, we do wish to make it absolutely clear that sexual activity in public toilets is wrong. We do not wish to allow offenders to argue that they did not expect someone else to see or hear them because it was late at night, or to question whether an unfortunate witness was really distressed by their activities.

Concerns have been raised in the debate tonight—and movingly in Committee by my hon. Friend the Member for Rhondda (Mr. Bryant), who may not have won the day but made a powerful case—that the provisions could become a modern way of targeting the gay community. I said to my hon. Friend in Committee and repeat it now that in cultural terms we live in a very different age, frankly, than when homosexuals were pursued by the police in public toilets. I recall a time when the gay community, or individual homosexual men, were targeted in public toilets in Manchester. Yet within a mile of those toilets today, there is the gay village, which shows that the whole culture has changed.

I must make it plain to the hon. Member for Oxford, West and Abingdon that the police have an obligation to prosecute the law equally. I certainly undertake to monitor the impact of the legislation to ensure that it is implemented fairly and that gay men or any other group are not singled out in any particular way. If there is any question of people being blackmailed, blackmail is an offence, which should be dealt with in the appropriate way. I therefore resist the new clause and associated amendments.

I shall not detain the House for long in dealing with the Government amendments. The hon. Member for Beaconsfield (Mr. Grieve) has acknowledged the

[Paul Goggins]

improvements that we have made. We concluded that there was no justification for treating categories of relatives any differently, so we tabled Government amendments Nos. 50 and 51 to bring relationships between aunts and uncles and their blood nephews and nieces within the scope of the offences in the Bill.

Finally, I should like to deal with the offence of voyeurism. As the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) said, we had a very good debate in Committee, although she acknowledged that she was a voyeur rather than a participant in it. These Government amendments remove the reference to "structure" from the definition in clause 69 of a private act for the purposes of the voyeurism offence. I was certainly persuaded by the strength of the argument put forward by members of the Committee about the scope of the offence. As drafted, the definition of a private act covers someone being undressed, in their underwear, using the toilet or engaging in a sexual act of a type not normally done in public when in a structure in which they might reasonably expect privacy. In Committee, we discussed the scope of the offence, and whether it should protect those not only in a structure that affords privacy, but in other places or spaces where privacy might reasonably have been expected.

Government amendment No. 85 removes the term "structure" in this context and replaces it with "place". I am grateful to my hon. and learned Friend the Member for Redcar (Vera Baird), because she made that clear and simple suggestion in Committee. The amendment will widen the scope of the offence to protect someone engaging in a private act in any place where they could reasonably expect privacy. It will be for the court to determine whether or not their expectation of privacy was reasonable. Government amendment No. 86 is simply a minor consequential drafting amendment ensuring that the definition of "structure" remains in force to cover the term as it is used in clause 68. I urge the House to accept these amendments and I hope that the hon. Member for Oxford, West and Abingdon will withdraw his new clause.

Dr. Evan Harris: It is disappointing that the Minister would not engage in formal debate on this important issue by taking interventions. I would have asked him two questions. First, he says that he wants to make sex in public lavatories a particular offence because of the number of complaints from the public, but why must we always give in to public opinion when the impact will be discriminatory? That was the justification used for years of discriminatory sex laws. Secondly, why is the Minister concerned only with public lavatories? Does he not think that no-go areas on Clapham common and Hampstead heath and in other parks are worth reclaiming for the public for the same reason? If this new offence is good enough for public lavatories, it should be good enough for other areas.

The Minister said that the police have a duty to prosecute the law equally. I agree, but the law is not equal in this instance. The hon. Gentleman would not take an intervention on the point, but it is clear that the standard of complaint required for sex outside public lavatories, which can take place between men and women and not just between men, has a higher threshold—the need for someone to be distressed or alarmed by it—than sex in public lavatories. That means that convictions will be easier to obtain and even with an equal prosecution of the law there will be a disproportionate effect. The law will no longer be equal in terms of the defence available. The Minister has failed to deal with that point and has therefore spoilt what would otherwise be a useful Bill, for me and for many people outside the House who are concerned about the history of discrimination in this area.

I am grateful to my Front-Bench colleagues for recognising that clause 66 is unsatisfactory. I recognise that they have a responsibility to deal with the best possible outcome at this point rather than with the best outcome possible, but I maintain that in years to come the Bill will have a disproportionate effect. The Government, and those who have acquiesced to the Bill, have created an inconsistency and have failed to take the action in other areas of the law that would be necessary for a widely based law. The Government need only look at the proposals in their own White Paper to see that they have made a U-turn and conceded an unreasonable argument from the official Opposition and Members of the House of Lords. Time will show that it will lead to unjustified discrimination.

I would not win a vote on the issue and I shall not divide the House, but I wished to make it clear that if prosecutions are disproportionate—and entrapment and blackmail ensue—the Minister had the opportunity to take a fairer approach that applied to people of all sexualities. Having said that, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 4

SEXUAL ASSAULT

Mrs. Brooke: I beg to move amendment No. 187, in page 3, line 15 [Clause 4], at end insert—

'(c) a person aged below 18 years at the time of the offence shall be assessed by a multidisciplinary team and be eligible for treatment, even if he does not subsequently become subject to notification requirements.'.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following:

Amendment No. 116, in page 5, line 34 [Clause 13], leave out '9' and insert '10'.

Amendment No. 144, in page 5, line 34 [Clause 13], leave out '9 to' and insert '11 and'.

Amendment No. 117, in page 5, line 34 [Clause 13], at end insert—

'( ) A person under 18 (A) commits an offence if—

(a) he intentionally touches another person B,

(b) the touching is sexual,

(c) B is under 13 or B is over 13 but does not consent to the activity and A does not reasonably believe that B consents.'.

Amendment No. 145, in page 5, line 34 [Clause 13], at end insert—

'(1A) A person under 18 commits an offence if he does anything which would be an offence under sections 9 and 10 if he were aged 18 save that conduct by a person (A) with another person (B) which would otherwise be an offence under this section shall not be an offence if:

(a) B is aged between 13 and 16 and A is no more than 2 years older than B,

(b) B has the capacity to consent to that conduct,

(c) B does consent to that conduct,

(d) The conduct does not involve penetration,

(1B) B will be regarded as having the capacity to consent to conduct by A only if B is capable of understanding the nature and implications and reasonably foreseeable consequences of such conduct.'.

Amendment No. 192, in page 5, line 34 [Clause 13], at end insert—

'( ) A person under the age of 18 does not commit an offence if the sexual activity is consensual and with someone of similar age and is initiated by the participating parties. Exempted sexual activity does not include penetration of the vagina, of the anus or of the mouth by a penis.'.

Amendment No. 193, in page 5, line 39 [Clause 13], at end insert—

'(3) In respect of consensual sexual activity any decision about prosecution would be based upon consideration of the best interests of any child involved.'.

Amendment No. 196, in page 5, line 39 [Clause 13], at end insert—

'(3) Any decision about prosecution would be based upon consideration of the best interests of any child involved.'.

Mrs. Brooke: In Committee, I welcomed the amendments tabled by the Government to the effect that young people under 18 who had committed what might be regarded as more minor offences would not necessarily be put on the sexual offenders register. However, the Minister commented in Committee that as a result not all individuals would be eligible for a multi-agency assessment and subsequent treatment. On Second Reading, I mentioned a case in my constituency of a boy who committed an offence at the age of 14 and received a fine of £10 but no treatment. At the age of 19, he committed a serious offence and 13 years later he is still in prison. I feel passionately that we must ensure that young offenders, even those who receive only a caution, receive assessment and treatment. That is when it is most needed. I know that the Minister does not want such a provision in the Bill, but I am very concerned that it will slip through the net unless we make the point to him over and over again. I hope that the Government will appreciate that I do so with the greatest sincerity and from my experience of the tragedy experienced not only by the victim and their family, but by the family of the offender.

I come to the most important issue that we will discuss tonight. It was unresolved in Committee, even though we all tried to find a solution. At this late stage we still have a responsibility to try to reach that solution. This is a 21st century Bill, but it must be a matter for great concern that it will criminalise normal teenage behaviour. My colleagues and I do not propose that the age of consent should be lowered and we made that clear in Committee; however we have to find a solution to this issue.

We need co-operation from the Department of Health and the Department for Education and Skills on the guidelines for the Bill. We need to introduce information about relationships between young people to sex and relationship education—including at parenting classes. It is vital to get this right. A young teacher asked me at the weekend whether the Bill would mean that teachers should stop 12 and 13-year-olds kissing at school discos. I do not make that point lightly. If the Bill criminalises that sort of activity, what are teachers supposed to do, given the positions that they hold? That comment gave me a good reason for carrying on with the amendment.

8.30 pm

Our amendments resulted from a great deal of thought, if not a great deal of legal input—in fact, none, since we simply reflected on all that had been said in Committee. As all our complex arguments, complicated amendments and even common-sense amendments—more of which we offer now—were turned down, it seemed that we should try to achieve the bare minimum tonight. It was clear in Committee that we needed to detach clause 9 from clause 13—they were clauses 10 and 14 in Committee, but I shall stick now to the new numbers. I thought that I would try to go no further than that this evening, even though I am pretty concerned about some of the Bill's criminalisation of normal activities. In that way, I thought, I might at least tackle this basic problem about kissing and affection.

Amendment No. 116 would simply detach clause 9 from the all-embracing clause 13. Having done that, I then seek to add to clause 13 to provide for child protection—a point I ask Members to consider closely. If the amendment were accepted by itself, it would require follow-up work on clause 9, which would then not be compatible with clause 13. It would be possible to make the two clauses compatible simply by adding a fourth point to the effect that A would have to be more than two years older than B. I was reluctant to do that because I do not find offensive the idea that a 17-year-old and a 14-year-old should kiss. However, making the difference three years would trigger the need for consequential amendments to clause 9, and that, as I am neither a lawyer nor a draftsman, is not my job.

The basic approach of detaching clause 9 from clause 13 and putting all possible safeguards into the Bill—more could be added in the way that I have suggested; for example, A could be more than two years older than B or more than three years older; or more could be added on the test for consent—offers a solution to our problem, although I cannot pretend that it is a perfect one. It took me hours of thought and determination to reach that point, although the House may not think so given my rather ragged amendment. I hope that the amendment will not simply be knocked out of court because it is not complete. I can see a way through that problem.

I will be minded to press for a vote on the amendment if the Minister does not say something that addresses the problem. I should be happy to support other amendments, but I am convinced that we must show the world and young people that we care about them and do not want to criminalise them for normal behaviour.

Mrs. Curtis-Thomas: I appreciate what the hon. Lady is saying, but according to the police, one reason why there are so few prosecutions in this area is that the law simply is not specific or clear. I have gained the impression that the hon. Lady seeks to introduce a series of caveats to clauses that seem to me to be very straightforward. That would not bring any progress or any more convictions than occur at present because of the lack of clarity.

Mrs. Brooke: That was an important intervention, allowing me to say categorically that I am here because I do not want 14-year-olds or 15-year-olds to be convicted for kissing. I have not attempted to remove from the Bill anything involving penetration or any of the other things that obviously go on, given what we hear about the number of teenagers who engage in sexual activity. I have not attempted anything as ambitious as that, but I feel that we need to tackle the problem in clause 13, which really is most offensive. It has been brilliant working on the Bill, but I have a huge commitment to trying to obtain something sensible on this point and to give a better message to young people. They receive enough bad messages from us, and this one will buzz around all sorts of youth groups—"Now they are doing this to us." That is the message that is being sent out, and we need to send a better message and to put common sense back into the Bill in this area, alongside all the good proposals that it contains elsewhere.

I am minded to push for a vote on amendment No. 116 to establish the principle that the Government, with all the expertise at their disposal, should do all that they can to come up with a technical answer.

Mr. Dawson: I sympathise with the case made by the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke). I want to speak only to amendment No. 196. I beg the forgiveness of the House if there has been any confusion—amendment No. 193 was a mistake. I handed in the wrong piece of paper—mea culpa.

Amendment No. 196 would add to clause 13 the provision:

"Any decision about prosecution would be based upon consideration of the best interests of any child involved."

I agree that the clause is the most unsatisfactory provision in what is, on the whole, an extremely fine Bill. The clause is appropriately named, but if it is not amended I foresee the day when youth groups throughout the country will produce shock-horror videos about it.

I do not believe that clause 13 will lead to young people being prosecuted or being put into youth custody for kissing or touching each other. The Government have assured us that that will not happen and that the regulations will operate in such a way as to prevent it. I accept their good intentions.

I also accept and share the Government's concern to protect children from sexual offences committed by other children. It is an extraordinary and disturbing fact that as many as 40 per cent. of offences against children are committed by their peers. I share, too, the Government's commitment to an equalised age of consent at 16 and to the principle, reinforced throughout the Bill, that a child aged under 13 is not capable of giving legally significant consent. Those are vital, protective measures that will help children to resist peer pressure to take part in sexual activity before they feel that they are ready.

I share all the Government's intentions for the protection of children, and my main concern about clause 13 is that it will undermine those efforts. Young people have already greeted with complete incredulity the fact that we could even consider such provisions. I have spoken to young people from the UK Youth Parliament and from my constituency and they feel that politicians who could even consider implementing such a clause are wholly out of touch and are certainly out of sympathy with the lives of young people.

All our positive efforts in the Bill will be dismissed if we do not amend the clause. All the messages that the Government are trying to get over and all the positive work that they are doing to try to help young people will be dismissed out of hand and forgotten. The clause will undermine all that work.

We are told that a third of all men and a quarter of all women claim to have had sexual intercourse before the age of 16. The bald statements in the clause will undermine the serious efforts that are being made to address teenage pregnancy and sexually transmitted diseases. Clause 13 sends out conflicting messages to young people who need good information and responsible help.

The clause could compound the problems of a young person who is being pressured into a sexual relationship. They could be told that, after all, they consented, or that they, as well as the person who is pressurising them, could be put into custody. That is the sort of message that could be given to young people and it will undermine the rest of the Bill.

At present, clause 13 is a hostage to fortune—or to the misfortune of vulnerable young people. It leaves the Government in the position of saying, "Yes, that is what the Bill says, but it is not what we really mean". That cannot be right; it cannot be an appropriate message to give young people.

Clause 13 offers nothing to young people who have actually committed serious sexual offences. Their problems would be compounded by a period in custody, yet their dangerous and damaging behaviour could be addressed by appropriate treatment.

Amendment No. 196 is the most modest amendment of all. It would introduce no radical new principle, but it would incorporate the paramount principle of the Children Act 1989. It would not preclude the consideration of other factors, such as the public interest, in deciding whether to prosecute, but it would give appropriate prominence to the best interests of the child. In addressing itself to the best interests of any child involved, it would allow an opportunity to consider the merits of treatment for those who have committed offences before, or possibly in preference to the case for prosecution. I hope that it would reinforce the message that although we do not condone sexual activity between under-16s, we do not prefer condemnation to sympathy, understanding and care.

I have had the opportunity to have a preview of what my hon. Friend the Minister might possibly say in response to amendment No. 196, because he wrote to me last Thursday in response to letter in which I raised the issue. I am grateful to have this opportunity to get my

retaliation in first. The purpose of the amendment is to be sceptical about the merits of prosecution, but it would not reduce the protection afforded to young people. In fact, as I have argued, it could increase that protection.

Amendment No. 196 would in no way weaken the age of consent or introduce any element of decriminalisation. Despite the fact that, so far, there has been no consensus about the ways in which clause 13 could be changed, there would be a consensus about the desirability of incorporating the paramount and well-accepted principle of the Children Act 1989.

This issue is extremely difficult and the Government have an extremely difficult balancing act to perform. In giving way to the best interests of the child, amendment No. 196 would achieve a better balance—a balance more in keeping with the commitment in the long title of the Bill to protect children from harm than clause 13, and I hope that amendment No. 196 will be supported.

Lynne Jones (Birmingham, Selly Oak): I very much share the sentiments expressed by the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) and my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). Although I wish to speak to amendment No. 192, which I tabled, I realise that since it was devised the hon. Lady has tabled amendments that are more clearly drafted and suit the purpose of dealing with teenage sexual activity more effectively.

Members of the parliamentary Labour party have received a briefing note on the Bill today that states:

"The age of consent for all sexual activity is 16. This is well known, well respected and well understood".

Well, I disagree. I think that most people believe that the age of consent relates to penetrative sexual activity, not to the sort of thing that many young people get up to as part of their normal activity—the sort of kissing and cuddling or even heavy petting in which young people engage, and in which I suspect many hon. Members engaged when they were younger. Many people would be shocked to discover that we are introducing laws that will criminalise such activity.

The Minister told me in a letter that

"under the existing law, children are not prosecuted for engaging in harmless sexual activity and"

the Government

"do not expect this Bill to make any difference".

He added that the Government would introduce guidance to ensure that that was the case. Of course, he repeated those assurances in Committee. Although the Government state that their aim is not to criminalise young people, that is exactly what the Bill will do. The reason why nothing serious happens at the moment is that, as I have said, the law is not understood or is ignored.

I am very concerned that the new offence replaces old terms, such as "indecency", with the much broader and more easily proved term, "sexual activity". As other Members have said, these measures will do nothing to enhance the reputation of parliamentarians among young people, who will be alarmed that we are considering criminalising the sort of activity that many of us will have engaged in when we were young. Even if the guidance makes criminal charges unlikely, a new law sends strong messages even when not enforced—the obvious example is section 28, which had a blighting effect on education about homosexuality for a whole generation of children.

8.45 pm

Finally, will my hon. Friend tell me how complaints to police using the literal wording of the legislation will be avoided? Is he not concerned that third parties could easily bring forward complaints under this legislation as it stands, causing distress to young people involved and wasting police time? I hope that the Government will consider introducing amendments that have the effect of ensuring that young people are safeguarded from inappropriate sexual advances, while at the same time not criminalising normal sexual activity in which young people engage, in the way that the Bill currently proposes.

Mr. Grieve: I have a great deal of sympathy with the points made on both sides of the House about the problems that this part of the Bill has presented. On Second Reading, I said to the Home Secretary, in response to his challenge, that I hoped that one of us—I hoped that it might be me—might obtain the magnum of champagne that he had promised to anyone who solved the conundrum of how to deal with providing protection for those aged between 13 and 16 while not overtly criminalising activities that everybody regards as perfectly normal. Amendment No. 145 is my last attempt at doing that. It is similar to the proposal of the hon. Member for Birmingham, Selly Oak (Lynne Jones), and seeks, with an age difference of two years, to permit sexual touching that does not involve penetration. It is a simple amendment, and if it were accepted by the Government, it would meet that problem.

I cannot escape the fact that, as we debated this matter in Committee, it became clear to me that if my amendment were accepted, it would decriminalise activities between a 16-year-old and a 14-year-old or a 17-year-old and a 15-year-old that many might regard as extremely undesirable. The question that I asked the Minister in Committee was: notwithstanding that, might it be proper to say that however undesirable it was, it was not a matter on which the criminal law should be invoked if it were to happen? Other sanctions might have to be applied—or other disciplinary regulations imposed—if it were in a school setting where it should not take place.

I accept that this is a big problem. I can see that the Minister has a point, which he made perfectly properly in Committee. There will be occasions when the nature of the relationship, and the anxiety about the relative absence of proper consent because of a dominance by one party over the other, gives cause for serious concern.

I must therefore say reluctantly that the Minister has persuaded me at least to the extent that I am not willing to press my amendment to a vote this evening if it does not meet with the Government's approval. I am not saying that I am happy with the situation: I remain as concerned about the matter as I was when I first raised it on Second Reading. Having said that, I accept that the Government's approach to this matter has been

[Mr. Grieve]

reasonable and measured, even though the end result remains unsatisfactory. I suspect that the Minister shares that view, but sometimes I fear that Parliament may simply be left with unsatisfactory consequences of perfectly acceptable legislation.

Paul Goggins: I am grateful to the hon. Gentleman for his remarks. I will deal with clause 13 and the amendments to it in a moment.

On amendment No. 187, I fully understand the desire to ensure that young offenders who are at risk and in need of care receive appropriate advice and protection. However, for the reasons that I outlined in Committee and that I would explain again now if we had longer, I remain unconvinced that imposing a statutory requirement would add anything to the current arrangements. I want to encourage the statutory services and voluntary organisations to continue to develop those arrangements.

Many of the amendments exemplify an issue that has focused my mind for the best part of the past six months. Since Second Reading, in Committee and through the summer, I have sought with officials, colleagues and others to try to find a solution to the problem that we face. I wish to place on record my appreciation to all those who participated in that—whether they were politicians, non-governmental organisations, officials or whoever. A genuine attempt was made to try to find a solution, but I have concluded that the solution that people were looking for is simply not available.

The Bill tries to balance concerns about innocent, consensual sexual activity between under-16s with the need to provide protection for children. My hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) was right to point out the level of sexual assaults carried out on children by other children. In that context, I visited the Haven project in London, one of the sexual assault referral centres—*[Interruption.]* I am advised that it is in the constituency of my right hon. and learned Friend the Solicitor-General. Such is the level of concern, the centre has found it necessary to develop a specialist service for children.

I want to re-emphasise that my aim is not to criminalise children and young people, but to protect them and ensure that we do not have confusion but clarity in the law. I know that hon. Members on both sides have tried to find different ways of resolving the problem. The first was by reference to age, but we immediately hit the problem that age is not a proxy for maturity. Children and young people of a similar age may have very different levels of maturity.

The amendment of my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) refers to people of a "similar age", but there is no definition of what we mean by "similar". Does it mean a difference of one or two years? Such issues are extraordinarily difficult. Amendment No. 117 refers to children under 13 and to children over 13, but it does not tell us what we would do with children who actually are 13. Many difficulties arise from trying to resolve the issue by reference to age.

Others have tried to resolve the problem by reference to type of activity, drawing a distinction between penetrative and non-penetrative sexual activity. However, there are many forms of non-penetrative sexual activity which, when undertaken by children, would be extremely serious. We cannot, as Members of the House, ignore their seriousness.

My hon. Friend the Member for Lancaster and Wyre tried to resolve the problem by referring to the welfare of the children, but whose welfare does that mean? What happens if issues of welfare conflict between the two children involved? There is also a public interest in such decisions.

Mr. Dawson: I do not find my hon. Friend's argument at all conclusive. Balancing the interests and welfare of the children concerned will be a prime consideration in any case.

Paul Goggins: It will be a consideration in relation to deciding whether to prosecute. The interests of children are taken account of at all stages in the criminal justice system. Nothing is added by my hon. Friend's amendment. The interests, welfare and background of those who commit offences when they are children are always taken into account in decisions about whether to prosecute and in the outcome in court if they are found guilty.

Lynne Jones: Would it not therefore be appropriate to enshrine such a provision in the Bill so that it sends out a clear message to young people?

Paul Goggins: I understand my hon. Friend's point, but a clear message will be sent out via the guidance that will go to the prosecution service. That will make it absolutely clear that a whole series of considerations about circumstances and the children involved should be taken into account. Such guidelines currently exist for situations when sexual activity between children is illegal and there have not been prosecutions. I believe strongly that there will not be prosecutions in future.

I hope that hon. Members have observed from the Government amendments that the Government listened carefully in Committee and beyond to the many points that have been made, and we have listened just as avidly to points made today. My overall conclusion is that all the options that have been offered would have driven a hole through the age of consent. It is important for the House to send out a clear message—not least to young people—that the age of consent counts for something. Children should not feel under any pressure from the age of consent in any sense or feel that if they do consent to sex under the age of 16, there is something wrong with them.

There are no convictions at present. The guidance will be strong and I do not think that there will be prosecutions in the future for less serious consensual sexual activity between children. On that basis, and having listened carefully and agonised over the issues, I hope that hon. Members will not press their amendments to a Division because I shall certainly resist them.

Mrs. Brooke: I thank the Minister for his words and given the lateness of the hour, I shall not press amendment No. 187 to a Division. However, I shall press amendment No. 116 at the appropriate time. That

is not because I want to weaken child protection in any way but because I want to register in the strongest terms my opinion that the issue should have been addressed. At the very least, we must send the strongest possible message that the guidelines must be comprehensive. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 8

CAUSING OR INCITING A CHILD UNDER 13 TO ENGAGE IN SEXUAL ACTIVITY

Amendments made: No. 1, in page 4, line 7, leave out from 'section,' to 'if' in line 11.—*[Ms Harman.]*

No. 2, in page 4, line 16, at end insert

'.

is liable, on conviction on indictment, to imprisonment for life.

( ) Unless subsection (2) applies, a person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.'.—*[Mr. Heppell.]*

Clause 9

SEXUAL ACTIVITY WITH A CHILD

Amendments made: No. 3, in page 4, line 26, after 'section', insert

', if the touching involved—

(a) penetration of B's anus or vagina with a part of A's body or anything else,

(b) penetration of B's mouth with A's penis,

(c) penetration of A's anus or vagina with a part of B's body, or

(d) penetration of A's mouth with B's penis,'.

No. 4, in page 4, line 27, at end insert—

'( ) Unless subsection (2) applies, a person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.'.—*[Mr. Heppell.]*

Clause 10

CAUSING OR INCITING A CHILD TO ENGAGE IN SEXUAL ACTIVITY

Amendments made: No. 5, in page 4, line 37, after 'section', insert

', if the activity caused or incited involved—

(a) penetration of B's anus or vagina,

(b) penetration of B's mouth with a person's penis,

(c) penetration of a person's anus or vagina with a part of B's body or by B with anything else, or

(d) penetration of a person's mouth with B's penis '.

No. 6, in page 4, line 38, at end insert—

'( ) Unless subsection (2) applies, a person guilty of an offence under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.'.—*[Mr. Heppell.]*

Clause 13

CHILD SEX OFFENCES COMMITTED BY CHILDREN OR YOUNG PERSONS

Amendment proposed: No. 116, in page 5, line 34, leave out '9' and insert '10'.—*[Mrs. Brooke.]*

Question put, That the amendment be made:—

The House divided: Ayes 40, Noes 278.

Division No. 349] **[8:57 pm**

AYES

Allan, Richard
Barrett, John
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Dawson, Hilton
Doughty, Sue
Foster, Don *(Bath)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hogg, rh Douglas
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Marsden, Paul *(Shrewsbury & Atcham)*
Oaten, Mark *(Winchester)*
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Rendel, David
Robertson, Angus *(Moray)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Tonge, Dr. Jenny
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wishart, Pete

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. David Heath

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Bailey, Adrian
Baird, Vera
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blunkett, rh David
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cousins, Jim
Crausby, David
Cruddas, Jon

Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Edward *(Kingston)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Goggins, Paul
Griffiths, Jane *(Reading E)*
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Michael, rh Alun
Miliband, David
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pope, Greg *(Hyndburn)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Geraidine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and Charlotte Atkins

Question accordingly negatived.

It being after Nine o'clock, MR. DEPUTY SPEAKER *put forthwith the Questions necessary for the disposal of proceedings to be concluded at that hour, pursuant to Order [15 July].*

Remaining Government amendments agreed to.

Order for Third Reading read.

9.10 pm

The Secretary of State for the Home Department (Mr. David Blunkett): I beg to move, That the Bill be now read the Third time.

I am in a unique position this evening because, thanks to the work of hon. Members from all parties, Members of the House of Lords and many outside organisations, we not only have a better Bill but one that is built on consensus. I thank my right hon. and learned Friend the Solicitor-General, who has done a good job tonight, and two former Home Office Ministers who helped with the Bill—the Secretaries of State for Constitutional Affairs and for International Development. As hon. Members can see, people get promotion by being involved with the Bill. Above all, I thank my good friend, the Under-Secretary of State for the Home Department, the Member for Wythenshawe and Sale, East (Paul Goggins)—I almost called him Sir Paul—for his work in Committee. In all seriousness, we are grateful for the

work of Committee members, the way in which the Opposition have responded and the spirit of consensus that developed from Second Reading onwards. That is an exemplar for Parliament as a whole, and embodies the way in which the Chamber and politics generally should operate.

It was with trepidation that we drew up the Bill, and dealt with the balance between offenders and offences. For the past 50 years, from 1956 onwards, people have been reluctant to change the law or engage vigorously with difficult issues because of the dangers of taking them out of context. This Parliament has engaged with those issues, and one Committee member even described the measure as a "model Bill". We owe everyone from all parts of the House who has led and participated in debate on the Bill a deep debt of gratitude. I am more of a politician than a parliamentarian, but I think that it has been is an example of Parliament at its best.

The tone that was adopted when the Bill was introduced, and continued in Committee and on Report, showed that we wanted to deal with some of the most difficult problems as well as issues that required sensitive handling in their presentation to the public. On Second Reading, we reflected on comments made in the House of Lords, some amusing, some which made us grimace, and some things that we would rather forget. However, in the House and in Committee those issues have been dealt with in a way that has led to consensus, and I am grateful to everybody for that. Of course, different points of view have been expressed. I am not often outdone by Parliament on the sentences that should be imposed on people who commit crime, but on the issue of grooming we accepted the additional penalty that the Committee and the House suggested. We have been able to close loopholes that were drawn to our attention by the media, making it an offence, for example, to undress a child without the interference that would previously have warranted immediate action and a court case.

We have had genuine differences, which have arisen again today, on issues such as anonymity, where for once it was not the Government who wanted to legislate; I know that we in the Home Office sometimes go for legislation first and think of other solutions afterwards.

Simon Hughes: An unusual paradox.

Mr. Blunkett: This is not the former Liberal Democrat spokesman's swansong. I could not miss the voice, the manner or the heckling. Nevertheless, his contribution is welcome because he has seen the Bill through with us.

On anonymity, I hope that the Association of Chief Police Officers and the media, as well as the way in which we can toughen the guidance, will make a difference. I am certain that, if they do not make a difference, the attitude that has emerged in this House and the House of Lords will ensure that further steps are taken. That is both a clarification and a warning to those who have engaged with the issue.

Implementation will be vital. As was mentioned on Second Reading and in the statement on domestic violence, unless action is forthcoming from good words, there is no point in our spending time deliberating in Committee and in the House. The inter-ministerial group on sexual offenders and the taskforce on child protection on the internet are crucial in carrying forward Members' work and ensuring that we have solutions that work.

As I said, modernising the law on sexual offences has been a bed of nails for a very long time. We needed to modernise the law in the 21st century not simply because of equality or fairness, or simply because it was right to do so, but because it was essential to get the law right to tackle acts that all of us would agree are heinous crimes. It was therefore important to ensure that we were not engaged in a past agenda concerning private behaviour and how people live their lives—an agenda that occupied people in the 20th century for far too long. As someone who is known in Labour circles as a bit of an authoritarian, it has been a particular pleasure and pride for me to be the Home Secretary who has introduced this legislation in 2003. I do not want to be compared with Richard Nixon, but it took him to recognise the Republic of China, so there is hope for me in the future—although not, it must be said, in recording people's phone calls.

Mr. Barry Gardiner (Brent, North): We've got the tapes.

Mr. Blunkett: You've got the tapes; you've got the message.

Finally, I thank the non-governmental organisations that have campaigned, advised and, on occasion, supported us. The venture has been collaborative and a genuine model for how we should proceed. It has been an example of how Parliament can make a difference. It is a great pity that because of consensus rather than controversy, very little of what has occurred will be recorded in the news media tomorrow morning.

9.18 pm

Mr. Grieve: I am grateful to the Home Secretary for his words and the spirit in which the legislation has been introduced. The subject is not easy—I certainly did not find it so, and I am sure that that is true of all those who served in Committee. There was a common determination that we should not approach the Bill in a partisan way, and I hope and believe that we have created legislation that will stand the test of time.

A great deal of credit goes to the Government. When the Bill started out in the House of Lords, there may well have been a temptation, particularly when the key areas relating to rape were placed under scrutiny, for the Government to cease the consensual approach and feel that they were being threatened. It is greatly to the Home Secretary's credit that he listened carefully to what was being said and accepted amendments that I believe have in no way detracted from what he was trying to achieve in changing the law in relation to rape, but have provided essential safeguards that will guarantee that a fair trial can take place. The Government are to be commended for what they have done in that respect.

When we have approached the Bill here, it has been noteworthy that, because of the good work in another place, many areas of the Bill have gone through, I hope not on the nod—I hope that we have always scrutinised it sufficiently—but at any rate with no dispute whatever.

[Mr. Grieve]

On those matters where there have been anxieties, one has only to look at the number of amendments tabled by the Government on Report to acknowledge that they have taken on board most, if not all, of the anxieties that have been expressed. In every respect, the Bill leaves the House in a better state than that in which it arrived, although it had already arrived in a good state because of the Government's attitude from the outset.

I thank—I echo what the Home Secretary said—the non-governmental organisations. I also thank the police, who have provided us throughout the Bill with much support and assistance in difficult areas, particularly many of those dealt with by my hon. Friend the Member for Mole Valley (Sir Paul Beresford). I thank him for organising some briefings that we received during the Bill's passage. I also thank the Government Whip exceptionally in respect of this Bill, and those who have whipped for the Opposition. We have succeeded in scrutinising in every aspect in Committee a Bill that was timetabled. I am sorry that we did not quite achieve it on Report but I do not blame the Government for that. Indeed, it would be churlish to blame Liberal Democrat Front Benchers. The blame certainly lies elsewhere.

The Bill is modernising and it is now gender neutral, and I am delighted about that. I am also delighted that it will clearly provide greater safeguards for children, which has been a great anxiety in the House. I hope very much that those work. I am pleased by the modernisation of some areas of law, which while understandable were archaic. I greatly welcome the Government's last-minute decision to accept that the marriage exception was irrelevant in the 21st century. While it may have been appropriate 100 years ago, it ceases to be so when we are living in a much more diverse society where there have to be ground rules about the way people behave.

I do not want to take up more of the House's time. It has been a pleasure and, indeed, a privilege to participate in the passage of the Bill. As for anonymity, the one outstanding matter, I am grateful to the Home Secretary for what he said. It is an area of deep anxiety. I hope that he can accept in that spirit the reason why we have kept on raising it, even though I accept that the Bill will not stand or fall by that particular clause. I hope that the Government can come away with constructive proposals by negotiation with the media, but if they cannot it is a matter that we will have to tackle, because otherwise the administration of justice will become very difficult.

I do not want to end on an unhappy note. The good note that I can end on is that I think that we have done—I hope that we have done—a good job. I thank all those who have participated in the Bill for making that possible.

9.24 pm

Ms Munn: It is difficult to overstate the importance of the Bill. As has been said, this is an incredibly complex area. Legislating on it is not easy. Indeed, the more we look into it and examine the situation, the harder it is to come up with proposals that will work. Offences of this nature change over time. In particular, the introduction of such things as the internet have made such matters very complex.

To be subjected to a sexual offence is devastating. It is not to overstate the case to say that, for many people, it can scar their whole lives, but that is not to take away from the people who come through that experience and, rightly, describe themselves as survivors. Many of those people have suffered for many years the frustration of seeing inadequate justice in place to deal with those offences. Their families and those who work in that sector, as I did for a number of years, have felt that our justice system was not up to dealing with such offences. Equally, it is important that future offending is prevented and the Bill, commendably, seeks to do that as well. I am encouraged by the seriousness about the offences and the lengths to which the Bill goes to ensure the protection of the most vulnerable in our society.

The Bill seeks to offer protection not just to children but to adults with learning disabilities and mental disorders, and it recognises that part of the devastation that people experience when subject to such offences is the betrayal of trust. How can vulnerable adults and their families and children and their parents who have been subject to such an offence ever feel that they can trust people who are placed in positions of responsibility?

The Bill sends out a clear message to society in general as to what is acceptable and unacceptable and, beyond that, it takes seriously the fact that this is not just a question of what happens in our country and tackles so-called "sex tourism." The Bill states that what is not acceptable for children in our country should not be acceptable for children in other countries.

There are relatively few people in the Chamber, but we should not underestimate the importance of the Bill to many people. There will be people out there watching this on television and looking at what has been said. Following previous debates on this subject, I have received phone calls and letters from people throughout the country saying how important it has been to have these matters debated.

The Government have done a good job in tackling the issue and should be congratulated on that, as should Members on both sides of the House. It is a complex area, and the Bill needs to be implemented and monitored. It is only through the process of implementation that we will learn whether the clauses we have agreed will achieve the aims that everybody wants to see achieved. In monitoring that, we will come to understand whether we need further legislation to tackle these serious offences.

9.27 pm

Simon Hughes: I am pleased to have the opportunity of seeing the Bill through. The Home Secretary knows that there are two other Bills that we have to see through together before my current Home Office work load is passed on entirely to my colleagues.

It is a great pleasure to welcome a Bill that, as the Home Secretary said, had been sitting around as an idea. Some of us had been lobbying for a reform of this area of the law for a long time, and I pay tribute to the Government for bringing the Bill through a proper consultative process, a good review body that came up with a set of sensible suggestions and then a consultative Government paper. Like the reform of coroners, a subject that has also been sitting on the shelves of the

Home Office for a long time, this matter needed the attention of Ministers, who have produced what is substantially a very good Bill.

I pay unequivocal tribute to the Home Secretary and his Ministers for the way in which they have made sure that the Bill got on to the statute book. His colleagues past and present have co-operated with my colleagues and me, and with others, to make sure that we get the best possible agreement in all areas of the Bill. I pay tribute to the Under-Secretary of State for the Home Department, the hon. Member for Wythenshawe and Sale, East (Paul Goggins), to the Solicitor-General and to now-elevated colleagues who have gone before. As the Home Secretary said, we all hope that being on Home Office duty provides us with a launching platform for greater things. There may even be those on the Conservative Front Bench with the same hope, although they are not all here tonight to express it.

Mr. Bryant: They are not here at all.

Simon Hughes: They are well represented by the hon. Member for Beaconsfield (Mr. Grieve), although his elder and better is no doubt not far away.

I add tributes to four of my party colleagues in particular. My hon. Friends the Members for Mid-Dorset and North Poole (Mrs. Brooke) and for Romsey (Sandra Gidley) have borne the brunt of the effort in this place and have done their job extremely well, while my colleagues Baroness Walmsley and Lord Thomas of Gresford did the same in the other place. This was a Bill where one had to be pretty committed to do the work, and the work was done by my colleagues to their credit and to the benefit of the Bill. They worked well with colleagues from all parties. I add a tribute to Lord Alli, who tabled significant amendments that were supported across the House. Like many of my colleagues, he sought to improve some areas that were technically very difficult, and about which there had been much controversy. As a result we have produced a much better Bill, but not without considerable effort.

Finally in my thank you list, as well as thanking many voluntary bodies and the police in general, I pay particular tribute to the Metropolitan police, who briefed colleagues in all parts of the House effectively, competently and supportively.

This was none of my doing, but I appreciate the fact that, apart from the last three groups of amendments on Report, everything was dealt with within agreed times. That is certainly the best way to approach such legislation. We should not be passing laws relating to criminal offences without having time to debate them and ensure that we get them right.

I shall now single out the substantive issues. As the hon. Member for Sheffield, Heeley (Ms Munn) said, this Bill is hugely important outside this place. We have reformed the law on rape significantly and for the better. The struggles that the House of Lords went through to try to get that right are important. There was a moment when it looked as if it would be possible to convict someone of that most serious offence without their having understood what they were doing. At one stage in the Lords, there was the possibility that a defendant in a rape trial would no longer be able to argue that he believed that the alleged victim was consenting. That has been changed in a way that does not, I believe, prejudice the victim, but does ensure that the person accused is given a fair trial. That is a hugely important factor in dealing with this most serious offence.

Various other areas of the law were improved in the House of Lords, with the result that on a whole set of issues the prosecution was indeed required to establish the burden of proof, which had not been clear at the beginning. Another small but important issue was raised in the Lords, and the Government agreed that people who give advice, such as the agony aunts of this world, should not be criminalised for the advice that they give.

It was also important to state in law that people who abuse positions of trust should be prosecuted, and minors are now much better protected, whether from grooming, from people abusing positions of trust or from other people in the family. I agree with the Minister that that protection also applies within the marriage relationship. We cannot allow young people to be abused and exploited as was possible under the previous law.

There are other tricky areas, which are difficult to deal with, and which I am aware sometimes raise a laugh outside among the public. We did not get it right in the beginning, and people who walk round their homes with no clothes on, without doing anything else, could have been prosecuted just for that. The Government understood that the law needed to be drafted properly so that people who chose to do that did not unwittingly find themselves in court. Likewise, people who cause no offence and have no ill motive can be without clothes in parts of the country where that is permitted—such as on beaches in Dorset, as my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke) explained, or elsewhere.

We may not have perfectly right the difficult subject of sex in public places. The Minister knows my views: we argued that that activity should be dealt with within a public order context rather than in sexual offences legislation. None the less, the Liberal Democrats, like all the other parties, are clear that it is important to understand that public conveniences are just that, and must not be abused by people in a way that prevents the public from using them as conveniences. I hope that message has come out loud and clear from all parts of the House.

Finally, I hope that it will be noted that we have also tidied up a few little things that would otherwise have been wrong and anomalous. For example, people who have committed offences that are no longer offences will not remain on the sex offenders register. Such matters are important. Their implications may be limited, but they are hugely important for the individuals involved.

I draw two messages from the Bill. One is that young people are now better protected by the law from people within their family, from other people whom they know, and from outsiders who seek to abuse them. Secondly, where that happens, we need to make sure that the police have the resources they need to follow up offences that will be on the statute book in the next few days. If we are to ensure, as we should, that those who groom young people into prospective crime are caught, we need to ensure that all the police authorities have the facilities and numbers to follow matters through.

[Simon Hughes]

As the hon. Member for Sheffield, Heeley (Ms Munn) said, this is good legislation—not perfect, but significantly better than before—that is fair to men and women and to different types of relationship. But the proof of the pudding will come when we discover whether it is used wisely and understood clearly, and whether those with the authority to implement it are given the resources to do so. We wish the Bill well, and I am pleased that my colleagues in particular have been able to contribute to improving substantially what is very important legislation.

9.35 pm

Mr. Bryant: This is becoming a bit of a love-in, with all of us congratulating one another—

Mr. Blunkett: Only in the legal sense.

Mr. Bryant: Indeed. I, too, would like to congratulate the Home Office on being courageously bold in a quiet way, and on achieving what is, by all accounts, important legislation that will probably have a more direct effect on people's lives than much other legislation, even though it will barely be reported in tomorrow's newspapers and other media. This has been a good process. The initial consultation did, indeed, set the boundaries, and Ministers' response to probing amendments in Committee was entirely helpful. Making sex and sexuality, which are so often profoundly divisive issues in society, matters of open consensus in the House is a remarkable achievement; if only we could provide the same advice to the Anglican Church.

This is an excellent Bill primarily because of the added protection that it gives to children. Many of my constituents have been very concerned in recent years about the seeming increase in the number of child abuse stories. They will be pleased to learn that we are moving with the times and providing stronger protection, at a time when people are able to travel more around the world. One of my constituents is a very close family relative of two young children who were abducted and murdered some 15 years ago. Still nobody has been convicted of those murders, and I know that my constituent passionately wants the double jeopardy rule to be reformed as the Government would like it to be. My constituent does not understand why the House of Lords still has not finished with the Criminal Justice Bill, and looks forward to its completing its legislative passage.

I should also like to congratulate the Home Secretary as a gay man, because one of the most extraordinary aspects of this Bill is that it is probably changing more laws on homosexuality than on many of the other issues facing us. We barely talked about that issue in Committee because there is general consensus on it, but it took some courage to introduce many of the amendments. Ironically, the law on homosexuality in this country has probably been more illiberal and discriminatory in the past 150 years than it has in the past 1,000. Indeed, every time a Bill has been introduced to try to improve matters in the past 50 years, we have tended to take two steps forward and one step back. Many people will be profoundly happy to see the end of the offences of solicitation, of gross indecency, of procuring others to commit homosexual acts, and of assault with intent to commit buggery.

The hon. Member for Southwark, North and Bermondsey (Simon Hughes) has referred to the Government's recent decision to include section 93 and schedule 4, which provide for those convicted of now abolished homosexual offences to come off the sex offenders register. That is good for those individuals because it allows them to get on with the rest of their lives. Equally importantly, it is good for the register, because people can now have absolute confidence that those on it are included for a very good reason.

Many congratulations, then, and further congratulations to the Home Secretary on the amendment tabled in the other place to the Criminal Justice Bill, which will make homophobic hate crimes illegal in the same way as racial hate crimes. That is a movement entirely in the right direction and should be welcomed.

I believe that this is a fine Bill. For once, we have not moved two steps forward and one step back. This is a resolute step forward and, as the hon. Member for Beaconsfield (Mr. Grieve) said earlier, it is a Bill that will stand the test of time.

9.40 pm

Dr. Evan Harris: This is indeed important legislation and I share the pleasure of the hon. Member for Rhondda (Mr. Bryant). I am pleased to see the abolition of existing discriminatory offences, particularly gross indecency and buggery, which were especially important in terms of their scope and the number of people whose lives were blighted by the threat of blackmail and shame for what were consenting offences. The changes made in that area of law are more important than other legal changes in respect of rights for gays and, more widely, for gays and lesbians.

The Government can rightly take pride in taking action, because it was not an easy process. It was clear from the outset that it would take a good deal of departmental time to have a review, a consultation and a White Paper and then a contentious Bill that would be difficult to whip, particularly in the other place. Gaining consensus in the House of Lords was particularly difficult.

I take particular pleasure in knowing that when the idea of having a review, which later became "Setting the Boundaries", was first mooted from the Dispatch Box in February 1999, it was partly in response to a new clause that I had proposed to the Sexual Offences (Amendment) Bill 1998—a Bill that was later blocked in the House of Lords and had to be pushed through under the Parliament Act. The amendment dealt with the privacy provision, which meant that even a consensual homosexual act could never be lawful if more than two people were present. A review was proposed in response to my new clause and I would like to take this opportunity to thank the Government for initiating it. I also thank the people who served on that review, which set out for the first time the need for gender-neutral and sexuality-neutral legislation.

I share the joy of the hon. Member for Rhondda at seeing both clause 93 and schedule 4 enacted. It is all the more laudable that the Government acted in that

respect—they can again take great pride—because it was not the Government's initial position that something needed to be done in this area. In the Committee considering the Bill to which I referred, the right hon. Member for Brent, South (Mr. Boateng), then a Home Office Minister, said to me:

"It is important that we get one thing crystal clear. I suggested that the hon. Gentleman was being cavalier in his apparent disregard of the public expenditure implications of the course that he is proposing. Is he seriously suggesting that police time should be spent going through the charge sheets of individuals who have pleaded guilty, been convicted or been cautioned for the offences in question, in order to determine into which of the three categories"—

consensual, non-consensual, private—

"they fall, and so whether his new clause will bite? Does he consider that to be a justifiable use of police time?"—[*Official Report, Standing Committee E*, 11 February 1999; c. 148.]

The Government have certainly now accepted that it is an appropriate use of Home Office time for that work to be done. We have had to wait a long time for those measures, which should have been introduced earlier.

In respect of the one substantive amendment—amendment No. 195—that was not agreed, I hope that there will be an informal time limit on the Home Office's determination of this matter. Even a month taken to act in respect of something that has always been consensual and should never have been registrable is a month too long.

It was a little churlish of the hon. Member for Beaconsfield (Mr. Grieve) to argue that 45 minutes for debating the issue of sex in public lavatories was too much, particularly when he himself made several pertinent interventions in that debate. As I said, singling out public lavatories for a lower standard of complaint, a lower standard of proof and a lower number of available defences than for sex in parks, commons, heaths and other areas is a questionable path down which to go. That is my only negative point about the Bill.

Finally, it is important to note that the Government have only just started to deal with some issues, particularly trafficking and the exploitation of people—mainly women, and often, sadly, children—as sex workers. I am glad that, following the evaluation of pilot schemes, cross-European and international work, the Government have recognised that there is clearly more to do. On the question of prostitution, I am delighted that the Government have had the courage to initiate a review in that area also and I hope that it leads to legislation—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I remind the hon. Gentleman that on Third Reading he should be talking about what is in the Bill, and not speculating about the future. Other hon. Members are waiting to speak on the Bill.

9.45 pm

Mr. Dawson: It was a privilege to serve on the Committee on this historic Bill. It is a fine Bill that will offer protection to many vulnerable people in this country and abroad for many years to come. It was a very positive experience being part of a Committee that had a genuine debate, with sincere and committed people on both sides doing their level best to try to improve the legislation.

Huge challenges lie ahead. We have improved the law on prostitution, on the protection of children who have been sexually abused, on young people who are themselves abusers and on trafficking. It is now essential that we improve the resources for, and availability of, treatment and support for offenders to ensure that the legal protection that we have put in place makes a real difference to people's lives. I have great hopes for further legislation that may stem from this Bill. We have laid down important structures in the Bill, including provision on the inability of young people under the age of 13 to consent to sexual relations. That will have profound implications for the age of criminal responsibility in the future.

The biggest challenge that will arise from the Bill will be faced not only by the Home Office, the Government and Ministers, but by all of us. The most important way in which we can protect children who are sexually abused in our society is by ensuring that we have a nationwide network of treatment centres for adult abusers. That heinous behaviour can and must be addressed properly, and it is a challenge for all of us whether we are prepared to accept such centres, whose fundamental role is to protect children, in the heart of our constituencies. These are huge issues for all communities. Sexual abuse is rife in our society and we must ensure that children are much better protected by putting such a network in place.

9.47 pm

Mrs. Curtis-Thomas: Like all the other hon. Members who have spoken on Third Reading, I am profoundly grateful to the Government for introducing this Bill, especially the clauses that will protect young people with learning difficulties. I am the mother of a daughter with a learning difficulty, who will achieve the maturity age of a six-year-old. Like many other hon. Members, I have had parents of children with learning difficulties coming to my surgeries. Some of those children have been sexually abused, some of them in care homes. Unfortunately, achieving a prosecution has always been incredibly difficult because there have always been debates about whether or not such an individual is capable of consenting to sex.

The reality is that my daughter will never be in a fit position to consent, or otherwise, to sex. In fact, it would take very little to induce her into any form of behaviour. The prospect for many parents of children with such difficulties was that they could never be exposed to society. They would never have the opportunity to live in sheltered accommodation, because if they were exposed to some sort of sexual activity, it would be almost impossible to achieve redress. There would only have been a terrible assault and no actual justice for the individual. That remains the case until we prove that this legislation works.

I was unable to speak on the Bill earlier because it covers such a highly emotive area for me and for people and parents like me. The effectiveness of the Bill will be borne out only if there are successful prosecutions, as the Minister said. It will be so if my colleagues in Mencap tell me that it is working and that those people feel that they have more rights and a greater chance of justice when acts are committed against them. It will be so if the police feel more disposed to take prosecutions

[Mrs. Curtis-Thomas]

to the Crown Prosecution Service and when the CPS is confident enough to take those cases to court. Few cases get there now.

I welcome the Bill from that personal perspective and on behalf of many parents in a position similar to my own. I thank the Home Secretary for his reassurances on anonymity. The guidelines that will soon be issued to the press will, I hope, have the desired effect. I am deeply concerned about the publication of scandalous stories and their effects on innocent people and on the juries who are expected to reach judgment.

Vera Baird: I pay the greatest of respect to what has just been said by my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas).

I shall return the mood to one of congratulation by complimenting the Government on the excellence of the Bill. It was a true pleasure to serve on the Committee, and I congratulate the Home Secretary and the Under-Secretary who has dealt so well, so amiably and so flexibly with the Bill this evening. I also compliment the advisers who have worked extremely hard, sometimes running to stand still.

Clause 1 is of particular importance. It did not end as it started and has been amended for the better. Its purpose has unflinchingly remained the same throughout. For women, it is a progressive and symbolic provision. It has taken since 1975 to find a Home Office sufficiently understanding to reverse the rule in Morgan *v.* the Director of Public Prosecutions. That rule said that it is a complete defence to rape for a man, whatever the woman says or does, to say that he believed that she was consenting. Because of the emphasis placed by the clause on the actions carried out by the defendant to check the complainant's state of mind, it will also be much less possible for previous sexual history to be used to say that that was what persuaded a man that a woman was, in fact, consenting.

Finally, I appeal to the Government to hold the fort on anonymity. Clause 1 brings twin changes of great benefit to women in the continued fight for sexual rights. I congratulate the Home Secretary.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, I shall put together the Questions on the two motions.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Family Law

That the draft Child Support (Miscellaneous Amendments) (No. 2) Regulations 2003, which were laid before this House on 10th September, be approved.

Road Traffic

That the draft Road Vehicles (Registration and Licensing) (Amendment) (No. 3) Regulations 2003, which were laid before this House on 15th October, be approved.—*[Ms Bridget Prentice.]*

EUROPEAN COMMUNITY DOCUMENTS

Mr. Deputy Speaker: With the leave of the House, I shall put together the Questions on the two motions.

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

Reduced Rates of VAT

That this House takes note of European Union Document No. 11817/03, draft Council Directive amending Directive 77/388/EEC as regards reduced rates of Value Added Tax; and supports the Government's position both that the proposals as they relate to zero rates are unacceptable in their current form and that it will not accept any proposals that would harm its social objectives or undermine the fairness of the United Kingdom's VAT system and the competitiveness of the UK economy.

Official Feed and Food Controls

That this House takes note of European Union Document No. 6090/03, a draft Regulation on official feed and food controls; and supports the Government's view that the measure will improve the consistency and effectiveness of feed and food law enforcement throughout Europe thereby increasing consumer safety and protection and facilitating the functioning of the single market.—*[Ms Bridget Prentice.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 6th November, the Speaker shall put the Questions necessary to dispose of proceedings on the Motions in the name of Mr Peter Hain relating to Programming of Bills and Deferred Divisions not later than Six o'clock; such Questions shall include any Questions on Amendments selected by the Speaker which may then be moved; the Questions may be put after the moment of interruption; and the Orders of the House of 28th June 2001 and 29th October 2002 relating to Deferred Divisions shall not apply.—*[Ms Bridget Prentice.]*

HOME AFFAIRS

Ordered,

That Mr David Cameron be discharged from the Home Affairs Committee and Mr John Bercow be added.—*[Mr. Luff.]*

Acute Hospitals (Working-time Directive)

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

9.54 pm

Dr. Richard Taylor (Wyre Forest): I am amazed and delighted to have been able to hear the concord and unanimity of our previous debate, which was a delight, rather than the usual arguments that go from side to side of the House. I am also delighted that I shall not have to watch the clock and that I may be able to go on for a little longer than a quarter of an hour—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It may help the hon. Gentleman to know that I shall have to interrupt him at 10 o'clock to put the Question again.

Dr. Taylor: You are very kind, Mr. Deputy Speaker. I have had that experience once before, so I shall sit down quickly when the time comes.

Unfortunately, I shall not be continuing the picture of concord, pleasure and happiness, as I am about to throw a large stone into that lovely tranquil pond. The effect on acute hospital services of the European working time directive can be likened to a time bomb. There is some warning so that people can begin to plan how to cope with it, which is why I am raising the subject. I am pleased to see the Under-Secretary of State for Health, the hon. Member for South Thanet (Dr. Ladyman), and hope to hear from him that the Government are taking that potential time bomb seriously and that they have some answers.

The problems are recognised by the professions, although not by the public; nor are they recognised by many MPs, given the staggering lack of attendance in the Chamber—unless that is due to my reputation for thoroughly boring oratory. I fear that if the time bomb is not defused it threatens to disrupt the Government's splendid intentions for updating the national health service and improving hospital services. I am purposely scaremongering, in the hope that I shall stimulate a response from the Minister that reassures me that my worries are somewhat in vain.

The threat from the working time directive is especially to acute services—accident and emergency departments, medical units, surgical units, acute orthopaedic units and obstetric units. The hours of junior doctors have, rightly, been cut. My first job—44 years ago—was half a mile from this place. I worked for one of the old-style consultants who expected all the castors on the beds in the ward to be pointing in the same direction. At any time of the day or night, he would summon his housemen to greet him in the hospital foyer. He expected them to work 24 hours a day, seven days a week, for six months at a time. Inevitably, housemen such as me cracked up halfway through, so I am wholly in favour of junior doctors being given a reasonable lifestyle.

I am delighted that over the past few years there have been progressive cuts in hours and improvements in pay. The onerous on-call rotas have been better paid. More recently, there have been limitations on hours. Those measures are essential in the interests of the health of junior doctors and of their family life. Most of all, they are essential in the interests of patients because of the quality of care that junior doctors can give when they are reasonably rested.

However, there are already some grumblings from some junior doctors, especially junior surgeons, that they are not receiving enough hands-on experience—the surgical term is "not enough cutting". Under the working-time directive, there will be further restrictions on the hours of junior doctors: 58 hours a week soon, progressing slowly to 48 hours. However, the killer fact, as the Secretary of State for Health acknowledged last week at a meeting of the Select Committee, is that time on call, even if one is asleep, counts as time working and has to be included in that 58—ultimately 48—hours. There will be huge penalties if trusts do not manage to get down to those levels. Obviously, the effect is that we need more doctors of all grades very rapidly. That is impossible because of the speed with which—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

Dr. Taylor: The major problem with the reduced hours is that on-call rotas become impossible and we have to move entirely to shift systems for junior doctors. Shifts are largely unpopular. Doctors do not come into the job to work shifts; they come in to get to know patients and to see them through the whole admission process and then perhaps to follow them up as out-patients. That becomes entirely impossible with the shift system, so continuity of care becomes a problem.

Doctors need absolutely excellent notes, and excellent hand-over and excellent communication between doctors and between nurses are needed. There has been a very sad recent example of that simply not happening. The Health Committee conducted an inquiry into Lord Laming's report on the Victoria Climbié tragedy. The communication between doctors, nurses and, indeed, hospitals handling that tragic case left so much to be desired that the importance of the continuation of care was underlined time and again. Not only do the notes have to be written and be legible, they have to be read by the people taking over. So shift systems are very difficult to make work.

I must mention the consultant. Life becomes impossible for the really conscientious consultant because he or she is aware that he or she is the only person providing continuity of care, as everyone else is on a shift system. Let us consider what that is like for patients. They arrive at hospital and are clerked in by a junior doctor. They unburden their soul and tell the doctor all about themselves, their illnesses and their secrets, but they never see that doctor again. That is demoralising not only for those patients, but for the doctor. To get round the problem, we obviously need more consultants and more junior doctors very rapidly. I fully support the Government's plans for more money, more doctors and more nurses, but we need them quickly. We have to be worried about vacancy figures for consultants because they contain certain inaccuracies.

I shall spend a few minutes talking about the views of those in some of the different specialties. Not very long ago, the Royal College of Physicians—my own

[Dr. Taylor]

college—carried out a survey of 211 acute hospitals in England and Wales. It found that 166 of those hospitals were felt to have insufficient middle-grade doctors—specialist registrars—to give continuous 24-hour cover for acute medical admissions and 44 of them had fewer than five middle-grade doctors, and we do not know how they are coping at the moment.

Mr. Archie Norman (Tunbridge Wells): The hon. Gentleman is making an excellent speech. I agree with every word he has said and I congratulate him on raising what is, as he says, a very important subject. Does he agree that the greatest difficulties will be experienced by the smaller acute units that simply do not have the number of registrars and doctors to provide the necessary cover and that, if we proceed with haste in implementing the working time directive, some of those units will have to close?

Dr. Taylor: That point is well made, and I shall deal with it—I am not pulling any punches—by listing the hospitals that will soon be under threat.

The Royal College of Physicians is extraordinarily worried. The Royal College of Surgeons is also worried. It is concerned, too, about the abbreviated teaching that surgeons are now getting, and it is worried that if the training is hurried through even more, we will get newly appointed consultants who do not have as much experience as they ought to have.

The president of the Royal College of Obstetricians and Gynaecologists kindly wrote to me in July this year, saying that

"there are currently insufficient junior doctors to provide adequate levels of service cover on wards and there will not be enough qualified doctors to fill vacant consultant posts in the near future."

That is without taking into account the working time directive, if it is to be fully enforced. For the obstetricians, the situation is compounded by a tremendous shortage of midwives, and one sees little chance of that being improved. The obstetricians are also worried about the adverse impact on training. The move for obstetricians and gynaecologists to be either gynaecologists or obstetricians will compound the problem again, because twice as many are needed if they are not doing both jobs.

The anaesthetists perhaps present the starkest problem. It is already a shortage specialty, and I have heard a claim that to meet NHS targets and comply with the working time directive from the anaesthetic point of view, every graduate from every medical school for the next five years would have to become an anaesthetist.

Lastly, accident and emergency is the bread and butter and is most important to all our constituents. It depends on all the other specialties being there, and it also depends on rotas, which will be extraordinarily difficult to meet. That raises the question, as the hon. Member for Tunbridge Wells (Mr. Norman) mentioned, of the viability of a number of hospitals, A and E departments and acute services. Where hospitals that are quite large are very close together, we must ask how much can survive at each of them. We think of Shrewsbury and Telford, Ormskirk and Southport, Wakefield and Pontefract, Cheltenham and Gloucester, and Hartlepool, which is very near Stockton and Middlesbrough. In relation to smaller acute hospitals, we must look at Bassetlaw, Grantham, Horton hospital in Banbury, Weston-super-Mare, Halton general in Runcorn, Hexham, Montagu hospital in Mexborough, Bridlington, Newark, Clacton, Louth—I could go on. The list is very long.

What is the Government's role? First, it is to admit the potential crisis. I was delighted that the Secretary of State said to the Health Committee that the working time directive—particularly the effect of being on-call counting as work, even when one is asleep—was a killer. A glimpse of recognition is therefore coming through. The solution must bear in mind the patient as well as the staff. It must steer between safety, what is financially possible, access and conflicting advice. On the one side are the militant junior members of the British Medical Association saying, "Get on with it. We can't wait for it." On the other, the more sane and sober royal colleges are injecting an air of realism, saying, "For goodness' sake, please give us more time. We know you are putting in more doctors, and you are putting in the money, but it must have time to filter through."

The Government have made a start in addressing the problem with the splendid document, "Keeping the NHS Local—A New Direction of Travel", which came out in February. It emphasises the importance of local services to local people. I am sure that you, Mr. Deputy Speaker, will realise that I would not be here at all if wholesale downgrading against local people's wishes was a viable possibility.

In my neck of the woods, we have shown absolutely that we cannot replace a full A and E department serving 135,000 people who live close by with a minor injuries unit without a doctor, and expect those needing to see a doctor in an emergency to go 14 to 35 miles without overloading other A and E departments and the ambulance service and without dire social consequences.

Only last week, I received a letter from an 88-year-old lady who had been taken to hospital in an emergency after she had suffered a minor collapse. She was taken 18 miles away and her two elderly friends of 90 and 91 went with her. She did not need admitting to hospital; she only needed to hear a doctor say that she was all right. However, she ended up 18 miles away from home and the only way to return was by taxi. These three elderly ladies, of whom two are partially sighted, had to find a taxi and rake out their handbags when they got home to find the £46 to pay. That is absolutely unacceptable.

The answer must be to provide if not all full A and E departments, acceptable local emergency centres that will keep most local people within their area. That is essential for my constituents as well as for those who go to the small local hospitals, which will almost inevitably have to be reconfigured in some way or another. I hope that the Minister will explain how the Government will solve the problem by taking into account the needs of patients and staff.

I finish with some comments from the Royal College of Physicians specialist registrar adviser, who forecasts two possible scenarios. If the Government press ahead with full implementation of the working time directive, he says that the consequences may be catastrophic.

However, the Government could be forced politically by umpteen threatened closures to accept at the eleventh hour that postponement is inevitable. I conclude with a quote from the same specialist registrar adviser. He says:

"Ultimately, there may be a difficult choice between compliance with bad European law and the maintenance of safe levels of care."

10.13 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I congratulate the hon. Member for Wyre Forest (Dr. Taylor) on obtaining this debate and on his continued interest in an important issue about which he has strong views.

I assure the hon. Gentleman that we do not in any way underestimate the impact of the working time directive on the NHS. I am not sure that I would liken it to a time bomb, but it certainly represents a huge challenge. Recent judgments by the European Court of Justice have complicated matters further, and the hon. Gentleman asks us whether we are prepared for the implementation of the directive by August 2004. Let me make it clear that we have put in place a considerable and extensive work programme designed to help and support the NHS with its implementation. That said, it is unrealistic and wrong to expect the Department of Health to micro-manage compliance. As the hon. Gentleman implied, thorough local planning for the working time directive is crucial to achieving compliance.

For that reason, we have instructed strategic health authorities to monitor progress in every trust. In turn, we are working closely with SHAs in particular on those issues where national solutions or actions are needed. All trusts have been asked to provide SHAs by the middle of this month with a summary of their plans to achieve compliance. They have also been asked to provide fully detailed action plans by 31 December this year to facilitate national solutions where appropriate. Nationally, we are picking up on reports from SHAs and many pilot sites and other projects, and we are already working hard to help spread good practice from the pilots and provide tools to help with implementation, as well as taking direct action on national issues.

Implementing the working time directive requires examining the quality of service that we provide to patients and improving the working lives of doctors in training. Tired doctors and long hours are not acceptable in this day and age. The directive is not unwelcome. It is a sensible reform that could improve the health and safety and working lives of all employees in the NHS.

The recent judgments of the European Court of Justice have changed our understanding of what is meant by working time and made it much more difficult to comply with the requirements of the working time directive for doctors in training. There are particular questions about whether time spent asleep but on call should count as working time and trigger an entitlement to compensatory rest, and how soon such rest should be taken. We have registered our concern with the European Commission about the impact of those judgments. Other countries have joined us in expressing their concerns and we shall continue to press the case for a revision of the directive to deal with the problems raised. However, let me stress that the deadline of 1 August 2004 remains in place and it is important that we work towards it.

On the other hand, we should not be too pessimistic about our ability to meet the requirements of the directive for doctors in training. We have achieved much over recent years through the new deal initiative and I think that we can claim already to have made significant progress in reducing the hours that junior doctors work. I am pleased that the hon. Gentleman recognised that progress.

Our latest national monitoring exercise, which was carried out earlier this year and validated by junior doctors themselves, indicated that, as a result of new deal, almost 90 per cent. of all junior doctors were working fewer than 56 hours per week and almost 80 per cent. of junior doctors met both the 56-hour limit and the new deal rest requirement. However, I accept that we need to go further. Reducing the hours that doctors in training work will involve changing the way in which we organise and provide many of our services, especially at night and weekends. It will also require changes to how we employ many of our staff and the way in which they work. It is for that reason that several national pilot sites are testing new ways of providing services so that we can learn lessons from their experience.

To facilitate that further, we are working with the Academy of Medical Royal Colleges under the terms of a memorandum of understanding. In addition, we are working with individual medical royal colleges, the joint consultants committee of the British Medical Association, the Royal College of Nursing and other key stakeholders through regular meetings to consider issues for which national solutions are needed. Let us be clear that this is not only a junior doctor issue. It is about different and better ways of working throughout all professional groups in the NHS. The potential contributions of nurses, midwives, therapists, pharmacists and support workers, as well as doctors, are critical to the redesign of services. Redesign is one of the key tools to help to achieve a reduction in the hours that doctors in training work, and it has the potential to provide new ways of delivering services that avoid the need for reconfiguration.

Mr. Norman: Does the Minister accept that the case made by the hon. Member for Wyre Forest (Dr. Taylor) and many others, including the Royal College of Physicians and the BMA, is not that the working time directive is a bad idea of itself but that the NHS is simply not prepared for its implementation? It is common sense to say that there is every case for deferring implementation so that hospitals, and especially smaller units, are allowed more time to prepare for it. If the Minister does not accept that, will he guarantee that not one single acute bed will be lost and that not one single acute unit will close at night as a consequence of implementation in August 2004?

Dr. Ladyman: The guarantee of not losing a single bed or a single service is unreasonable. Services will certainly change. However, it would be our objective to strive to meet that guarantee. I expect to give the hon. Gentleman an idea of how we intend to achieve that and I hope that he will be in a better position to judge whether the NHS will be prepared in time.

[Dr. Ladyman]

As I said, the issue is not simply about junior doctors: it is about different and better ways of working across all professional groups, and redesigning services so that we do not need to reconfigure them. That means approaching planning for reducing the hours that doctors in training work from a different perspective, especially in dealing with acute services out of hours. Our hospital at night pilot sites are developing some interesting models. For example, rather than maintaining multiple rotas across all the specialties at night, a single, multidisciplinary team is put together to cover the whole hospital, or at least a large part of it, for the out-of-hours period. The composition of the team is determined by analysing what actually happens during the out-of-hours period and, from that, defining what skills are needed within the team to ensure safe, high-quality services at all times. That is the sort of reconfiguration and redesign of working practice of which the hon. Member for Tunbridge Wells (Mr. Norman) is no doubt aware from his experiences outside the House. It shows the effort that we need to make in the NHS.

In respect of maternity services and the care of the new born, paediatrics and obstetrics are two acute specialties that do not easily lend themselves to cross-cover. We are funding national pilot sites concerned specifically with those services. We recognise that they require particular and different solutions from those needed for general acute services. I am delighted that Professor Bill Dunlop, president of the Royal College of Obstetricians and Gynaecologists and chairman of the joint consultants committee, is chairing a working party to consider the issues and possible solutions further.

Some solutions that we are considering specifically to keep services local include increasing the supply of staff and exploring skill-mix, but that will, of course, need to be considered in light of the national service framework for children, which will cover maternity services. Other options available for consideration will include innovative models of maternal and neonatal care, including the scope for extending midwife-led care and the potential for midwives to enhance their roles. The Department has also invested centrally in the growth of both paediatrics and obstetrics and gynaecology specialties. As a result, the number of trainees increased by about 27 per cent. for paediatrics and 10 per cent. for obstetrics and gynaecology between 1997 and 2002.

So far as smaller hospitals are concerned, reconfiguration and implementation of the directive need not mean closure of local hospitals. When combined with the potential of redesign, and considering the whole health system in the locality, models of care can be developed that enable all the hospitals in an area to work together to provide the full range of services for local people. There will need to be significant changes to ways of working, including much greater use of non-medical practitioners and increasing use of emergency teams to provide cover at night. That is why we are encouraging and funding the piloting of innovative service delivery models that have the potential to improve sustainability of services, especially in smaller hospitals. That includes working with health systems to plan change and build on the evidence base to support the concepts and service models described in "Keeping the NHS Local—A New Direction of Travel", which I was delighted to hear the hon. Member for Wyre Forest describe as a splendid document.

Importantly, that strategy means that the NHS needs to develop options for change with, rather than for, patients and local people, another point made by the hon. Gentleman. That does not mean, however, that local hospitals will never change. There will be times when there is strong evidence to support the centralisation of some specialised care into larger centres to give patients the best possible outcomes. Equally, there will be opportunities to move services out of larger centres into more local settings. That is another reason why I cannot give the hon. Member for Tunbridge Wells the guarantee that he sought because there will be times when it is inevitable that services change.

Our focus is on redesign rather than relocation. Redesigning services extends the options for meeting local needs and expectations. The NHS needs to exploit the contributions of different hospitals and primary, intermediate and social care providers. They need to work in partnership, with genuine integration and joint planning of services. The strategic health authorities are also overseeing that work. In very simple terms, the key to planning for compliance can be described as the three R's: rotas, roles and redesigned services. Many parts of the NHS are already putting that planning into effect.

As well as the hospital at night pilots we have 10 working time directive pilot projects up and running, testing new approaches to service delivery and showing how effective new roles for staff and new ways of working can be. Some of those pilots are looking at doctors' rotas. They are testing the benefits of consultants working at night and of senior house officers cross-covering between medicine and surgery or medicine and accident and emergency. They are testing shift systems for doctors, and rotas that combine SHOs with other practitioners at night and out of hours. Those changes can be challenging, but they can also be rewarding.

Other pilots are testing changes to the traditional roles of non-medical practitioners; there are new roles for nurse practitioners on call to the wards at night. In another pilot, theatre technicians have been given the opportunity to train to work in resuscitation teams. One of the pilots is developing new, non-medical roles in anaesthesia in several trusts around the country, supported by the Modernisation Agency's changing work force programme. In another pilot, nurses, operating department technicians and a physiotherapist are training together as peri-operative specialist practitioners to take on the complete care of patients before and after operations.

Overall, our strategy for reducing the hours that junior doctors in training work is a multi-faceted challenge and one that is underpinned by the safety of patients. Although it is individual NHS trusts that have to find the right solutions for their local circumstances, they can do that only with the right support from their strategic health authorities, from professional organisations and from the Department of Health. So I am pleased to be able to tell the House that all those organisations are indeed working closely together at

national level to ensure that the quality of service is maintained and, where possible, improved during implementation of the directive.

I recognise that more must be done to reduce working hours, and that will inevitably mean further investment to support the changes that will be necessary. We have already allocated over £21 million this year to the NHS to prepare for the directive's implementation. Of that, over £7 million has supported the working time directive and hospital at night pilot projects, and a further £12 million is going to SHAs to provide further local support.

Clearly, if we are to succeed in reducing the hours that junior doctors work there will be a need for more doctors, although that is not, and cannot be, the only solution. It is important also that trusts demonstrate that they have considered all the options and not gone straight for the more and more doctors scenario. We must use this opportunity to move away from outdated working practices that are not helpful to doctors in training or, more importantly, the quality of patient care.

On that point, I am proud to say that we have increased significantly the number of consultants in post: their numbers have risen by nearly 7,000 since 1997, an increase of 32 per cent. We will increase the numbers of consultants and GPs by a further 15,000 by 2008 over the 2001 figure. The hon. Member for Wyre Forest acknowledged what we have achieved so far, but said that he wanted the doctors to become available more quickly. We want that too, but they do not grow on trees, and they take time to train. We are producing them as rapidly as we can.

In addition, we have achieved our target of a further 1,000 specialist registrars 18 months ahead of schedule, and that growth is continuing. In 2003–04, we are distributing central funding for the implementation of 400 more training opportunities and we have also given trusts scope to create up to 1,500 additional specialist registrar opportunities through local funding. We have made it clear that those training opportunities should be implemented in a way that supports compliance.

As I stressed earlier, we have made it clear that SHAs must ensure that every trust prepares a fully detailed action plan to achieve compliance. The strategy for achieving that may include additional specialist registrar posts, and opportunities to fund additional posts locally should be targeted to support that. If further national training numbers are needed to support compliance, they will be released on the completion of plans signed off by SHAs in collaboration with postgraduate deaneries.

We must be clear that increases in training numbers should not be a substitute for changing working practices; it is not possible to comply with the directive solely by increasing the number of specialist registrars. To target the limited resource of additional doctors most effectively, it is essential that plans are quality-assured and produced through a robust process, including consultation with neighbouring work force development confederations and postgraduate deaneries where necessary.

Trusts already have the scope to convert SHO posts to specialist registrar posts—up to 700 in surgical specialties and up to 600 in other specialties. WDCs and postgraduate deans are currently working with trusts on SHO conversions, and that should be explored as a strategy to help to achieve compliance, linked to a review of the level of cover needed at different times of the day and night.

In 2003–04, we are distributing central funding for the implementation of 400 more training opportunities, and we have also given trusts scope to create up to 1,500 additional specialist registrar opportunities through local funding. Postgraduate deans are giving priority to hospitals facing working-time directive challenges when considering—

The motion having been made at Ten o' clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House, without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Tuesday 4 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Radiotherapy Services

1. **Mrs. Anne Campbell** (Cambridge): What action he is taking to reduce the waiting time for radiotherapy treatment following cancer surgery. [135967]

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): We are increasing the numbers of therapy radiographers in post and in training, making better use of existing staff, making unprecedented investment in new radiotherapy equipment, and streamlining the patient journey.

Mrs. Campbell: May I thank my hon. Friend for that reply and take this opportunity to congratulate the Government on the 10 per cent. reduction in cancer mortality, which is very good news for all cancer patients? In January 2002, when I last asked a question about this issue, I was told that one way of coping with the shortage of radiographers was by using assistant practitioners who are not fully trained as proper radiographers, but can do some of the work. Can my hon. Friend give me any news on how that pilot scheme is going and on whether assistant practitioners will be in general use from now on?

Miss Johnson: I am grateful to my hon. Friend for her congratulations on the 10 per cent. reduction, which is in large measure the result not only of a lot of work by staff in the health service, but of the £570 million of extra investment that is going into cancer care.

On assistant practitioners, my hon. Friend probably knows that her local hospital, Addenbrooke's, has two fully-qualified assistant radiography practitioners in post and three in training, and plans to take on four more next year. I am sure that she is aware that such good practice is being spread across the NHS through the cancer networks and cancer services collaboratives.

Mr. Archie Norman (Tunbridge Wells): The Minister is of course right that the number of radiographers employed in the NHS has increased, but may I gently suggest that her response is a little complacent? The three-months vacancy rate for radiographers has risen every single year since the data have been collected—now, at 10.7 per cent., it is the highest vacancy rate of any personnel category in the NHS. Is the hon. Lady aware that, in west Kent, in my constituency, it is running at 19.6 per cent? Is not the reality that the growth in demand for technologically advanced radiographers is far outstripping the rate of increase in radiographers coming on supply, and that the result will inevitably be an increase in waiting lists?

Miss Johnson: I think that the hon. Gentleman is drawing the wrong conclusion from the data that he advances. Since 1997, we have increased the number of radiographers in post by 10 per cent. from 1,407 to 1,542, and doubled the number of therapy radiographer training places. As a result, many more are coming to serve in the NHS, as I indicated in my answer to my hon. Friend the Member for Cambridge (Mrs. Campbell). I think the hon. Gentleman is mistaken: what he is doing is drawing a conclusion about the vacancy levels that is partly based on the fact that there are now more posts and more equipment is coming on stream. We are not complacent, however, and he should understand that we are doing all that we can to ensure that all those posts are filled. Were his party to be in power, it would be extraordinarily difficult to make the investment that we are making, because there would be a 20 per cent. cut—

Mr. Speaker: Order. I call Mr. Michael Clapham.

Mr. Michael Clapham (Barnsley, West and Penistone): The extra money that the Government have put into cancer treatment is bringing about great improvements, but there has been little improvement in one particular type of cancer—mesothelioma caused by exposure to asbestos. There are reports that treatments have been developed in Australia and America. Will my hon. Friend cause inquiries to be made into the kind of treatment that is being offered, with a view to drawing up a plan for mesothelioma sufferers here?

Miss Johnson: I am grateful to my hon. Friend for that question. I know that he has taken a particular interest in this subject for many years, and I commend him for his persistence in pursuing the case with us on every occasion. I certainly undertake to look into the points that he raised and to write to him or meet him to discuss them further.

Mr. Julian Brazier (Canterbury): May I urge the Minister to reconsider the so-called ambulatory model for radiotherapy that is being forced on the cancer centre in my constituency? Is she aware that that process has never been successfully used in this country in any cancer centre, and that it is vehemently opposed by all the clinicians in the Kent and Canterbury cancer centre? Is it not the case that that will to all intents and purposes amount to its closure as a true cancer centre, and that it will simply become a satellite working on an untested model?

Miss Johnson: I will of course look into the points that the hon. Gentleman makes, but I must evince some scepticism about this. We have made a £570 million extra investment in cancer care, cut premature deaths by

10 per cent. and achieved a 30 per cent. increase in the number of cancer consultants in the service. That does not square with the suggestions that the hon. Gentleman is making.

NHS Dentistry

2. **Mr. Paul Keetch** (Hereford): What plans he has to improve the provision of NHS dentistry in Herefordshire. [135969]

The Minister of State, Department of Health (Ms Rosie Winterton): In the past three years, more than £3 million of revenue and £288,000 of capital has been invested in the Hereford dental access centres. Herefordshire will benefit from the provisions of the Health and Social Care (Community Health and Standards) Bill, which will give new duties to primary care trusts to secure primary dental services, which will be financed by the £1.2 billion currently held centrally. It will also benefit from the £44 million that I announced last month to assist those primary care trusts in which it is hardest to find an NHS dentist.

Mr. Keetch: I am grateful to the Minister for that answer. I pay tribute to the primary care trust access centre and to the local dentists. Does she realise, however, that a recent survey of 20,000 residents in south Herefordshire showed that, of those who were concerned about health care provision, 60 per cent. were particularly concerned about dentistry, compared with only 11 per cent. who were concerned about GP waiting times—the next highest issue? A constituent of mine who came to see me at the weekend has still not found a dentist after two years and makes a 400-mile round trip to Essex to see his old dentist. I appreciate what the Government are doing, but will the Minister agree to talk again to the PCT, and to meet some of my constituents to discuss their very real concerns?

Ms Winterton: GP waiting times are going down because we are getting quicker access to the GPs. With regard to dentistry, I certainly understand the hon. Gentleman's concerns. I will ask the NHS support team to work with the NHS locally in Herefordshire to see what assistance can be provided. After those meetings have taken place, I would be more than happy to discuss with the hon. Gentleman and his constituents the conclusions that have been reached.

Mr. Bill Wiggin (Leominster): The trouble is that we do not have enough beds in our hospitals in Herefordshire. We have had complacent answers time and again from the Government about how much money they have spent, yet when we get down on the ground, there is nothing happening. What is the Minister actually going to do for my constituents—

Mr. Speaker: Order. The question is about dentistry. I call Mr. Burstow.

Mr. Paul Burstow (Sutton and Cheam): Does the Minister accept that the position regarding dentistry in Herefordshire is mirrored nationally? In Herefordshire, almost half the population are not registered with a dentist; across the country as a whole, more than half the population are not registered. Indeed, 25 million people are having to find their way to treatment centres that are miles away from their homes. Is this not an indictment of the Government's record on investing in the health service? Have they not failed to put this matter right, and have we as a country not failed, as a consequence, to ensure that we have a comprehensive dental health care service?

Ms Winterton: We inherited a legacy of underinvestment from the Conservatives. Dentists were walking away from the NHS because of the way in which the Conservatives implemented the contract. However, we recognise that there are still problems. In the longer term, we are going to enable PCTs to work with dentists locally and to do the contracting there, so that they can deal with local problems. At the moment, money is returned to the centre if dentists no longer wish to undertake NHS work; that will now remain locally. However, in the mean time, to assist the NHS support team, we have allocated £43 million to help the areas with the biggest shortages. I believe that that will lead to better provision. I accept that we are not there at the moment, but we are working towards that.

Mental Health Services

3. **Mr. Andrew Mackay** (Bracknell): If he will make a statement on mental health services. [135970]

The Minister of State, Department of Health (Ms Rosie Winterton): Mental health services are being modernised in line with the standards set out in the national service framework and the commitments announced in the NHS plan. We are encouraged by the progress made, but we are also aware of the special challenges facing some services.

Mr. Mackay: Does the Minister not realise that my constituents will see that answer as hopelessly complacent, against the background of the Berkshire Healthcare NHS trust, which looks after the mentally ill in Berkshire, having to make £8.1 million worth of cuts this year in services to the most vulnerable and dependent people in the community? How do I explain to my constituents that, while Ministers claim that more money is going into the NHS, those vulnerable people are going to suffer hugely in the forthcoming year?

Ms Winterton: Berkshire Healthcare NHS trust has consistently met the key national service framework targets, particularly in the development of a 24-hour service such as crisis resolution. In Bracknell especially, there are gateway workers in place who are key to service improvement for patients. I suggest that the right hon. Gentleman explain to his constituents how services would be provided after the 20 per cent. cut that his party would institute.

Mr. David Hinchliffe (Wakefield): The Government deserve great credit for many of the improvements that are taking place in mental health services, particularly through the national service framework. One of the areas that remains a concern to many in mental health is the role of the special hospitals. In the light of the possibility of mental health legislation coming through

in the new Session or the one after that, will there be any chance of reforming the special hospitals and following the various recommendations of numerous reports initiated by the Government themselves and suggesting that we ought to move away from the current model of special hospitals?

Ms Winterton: I know my hon. Friend has great expertise, particularly in the issue of mental health as well as in wider health issues. Of course, a number of changes in the way in which the special hospitals operate have been made in recent years. We are looking at the reports that have come forward, and I can assure my hon. Friend that we want to ensure that the special hospitals meet the needs of the 21st century. If that requires further changes to be made, of course we will do that.

Tim Loughton (East Worthing and Shoreham): The Minister's answer to my right hon. Friend the Member for Bracknell (Mr. Mackay) was exceedingly complacent; for "challenges" read "failure"—what the Government have failed to achieve so far. In 2000, the NHS plan gave a commitment to establish 335 crisis resolution teams by 2003, with 24-hour access by 2004. Our recent survey revealed that over 38 per cent. of mental health trusts do not have crisis resolution teams, over 50 per cent. do not offer 24-hour aecess and very few have anything like a full complement of staff in any case.

Will the Minister give us an update on when that pledge will be met, or is it another empty promise that is to be shelved? Will she also tell us why there has been a loss of 4,000 mental health beds since her Government came to power?

Ms Winterton: The hon. Gentleman is quite mistaken. There have been significant steps to support the delivery of national targets through the National Institute for Mental Health in England. There are now more than 100 crisis resolution teams and more than 200 assertive outreach teams in place. Progress is being made on the targets for early intervention schemes. We know that £262 million extra was spent on mental health services last year.

I ask the hon. Gentleman to pledge that he will continue the investment that this Government have put in. We are improving mental health services; his party would cut them.

Dr. Jack Cunningham (Copeland): Will the Minister look very closely at any conclusions that emerge from the mental health and learning disability review consultation which has just concluded in north and west Cumbria? May I join the Chairman of the Select Committee, my hon. Friend the Member for Wakefield (Mr. Hinchliffe), in welcoming the Government's determination to commit additional resources to mental health service provision—a decision that is long overdue and was never taken by the Conservative party in government? Is the Minister aware, and will she accept, that it is unacceptable in west Cumbria for crisis and acute bed provision to be removed and located in the centres to which my hon. Friend referred earlier? That is a backward step. We need care and provision in the community, not centralisation of those services.

Ms Winterton: I am aware that my right hon. Friend has expressed concern about that situation on behalf of his constituents and that he is meeting the Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), to discuss the proposed changes, the consultation and the real anxieties that he and his constituents have raised.

Hywel Williams (Caernarfon): Anti-oppressive practice is central to mental health services, and to the Mental Health Act 1983. It was, however, conspicuously absent from the Government's legislative proposals last year. Can the Minister assure us that in any future legislation linguistically appropriate practice will be given due regard, particularly in Wales?

Ms Winterton: The 1983 Act does of course need to be updated to provide more safeguards for patients, and to take account of public safety issues. I assure the hon. Gentleman that we are taking on board comments made during the consultation, and that we will publish a Bill when parliamentary time allows.

Nutrition (Children)

4. **Helen Jones** (Warrington, North): What recent discussions he has held on the links between diet and health in children; and if he will make a statement. [135971]

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): The impact of diet on health is recognised, and we are committed to improving children's dietary intakes. Ministers regularly meet other Government Departments and external organisations to achieve that. Discussion to develop the Department of Health led food and health action plan will enable further action to be taken by all stakeholders.

Helen Jones: I congratulate the Government on what they have already done, but in view of increasing evidence of poor diet among children, the likely effects on their health and the consequent likely demands on the health service, will my hon. Friend liaise with the Department for Education and Skills to establish how we might improve both the standard and the take-up of school meals? We need to send children a consistent message, and—as well as launching welcome initiatives such as the welcome fruit in schools initiative—ensure that they are given a healthy meal at lunchtime.

Dr. Ladyman: I thank my hon. Friend for her positive comments about the progress we have already made, especially with the fruit in schools programme. We do need to work closely with the Department for Education and Skills, and we are doing so. The food in schools programme, which is intended to provide healthy dietary options, is a joint initiative from that Department and the Department of Health. Ultimately, however, we must set ourselves a target. School meals must meet three criteria: they must be healthy, tasty and

affordable. We are the first to admit that we have not achieved those standards everywhere yet, but we shall certainly be working on it.

Dr. Jenny Tonge (Richmond Park): Is the Minister aware of alarming reports from the medical profession about an increase in rickets caused by vitamin D deficiency? What plans, strategies or programmes exist for investigation of this serious matter? Has the Minister, for instance, any plans to legislate for compulsory cod liver oil?

Dr. Ladyman: I would welcome inclusion of that proposal in the next Liberal Democrat election manifesto. I suspect that it would win us a few more votes.

The hon. Lady is right, and my hon. Friend the Member for Welwyn Hatfield (Melanie Johnson), the Under-Secretary of State for Health, who deals with this subject, is aware of the issues that she has raised. We are working on a number of initiatives, including the fruit in schools and food in schools programmes to ensure that all children have a healthy and balanced diet. The evidence mentioned by the hon. Lady will be fed into that process.

Mr. Andy Reed (Loughborough): I recognise that many programmes and initiatives are emerging, especially in schools, but parents such as me and, I am sure, many other Members are concerned about the difficulty of ensuring that our children are not exposed to advertising and other means of forcing unhealthy foods down them. We try our hardest, but is there a possibility that a link with physical education and activity in schools would begin to make people understand we need to tackle problems of obesity now rather than later?

Dr. Ladyman: My hon. Friend is right—we must take an holistic view. It is a question not just of diet but of exercise, education and making sure that our children know what foods are healthy and how to create a balanced diet for themselves. On exposing children to undue influences, evidence from Strathclyde university, commissioned by the Food Standards Agency, shows that children are influenced by negative messages from TV advertising, for example. We are considering that evidence and we have an open mind as to how we shall deal with it in the future; however, my hon. Friend can be assured that we are going to deal with it.

Mr. Simon Burns (West Chelmsford): Is the Minister aware that 13 per cent. of eight-year-olds and 17 per cent. of 15-year-olds are clinically obese, and does he share my concern about the dramatic increase in type 2 diabetes among young children? I recognise that the message that people, including children, should eat more fruit and vegetables is welcome, but does the Minister not accept that exercise is a crucial part of the equation in reducing these trends? Will he suggest to his colleagues in the Department for Education and Skills that more should be done to encourage more exercise, particularly in our schools?

Dr. Ladyman: The hon. Gentleman is right, but he obviously needs to wash his ears out because I just said exactly that. Exercise is vital and we must look at these issues holistically. On discussions with the Department for Education and Skills, the food and health action plan, which I mentioned in answering the first question from my hon. Friend the Member for Warrington, North (Helen Jones), is a cross-Departmental initiative that is working on all these issues and taking an holistic view of the health of our children.

General Practice

5. **Simon Hughes** (Southwark, North and Bermondsey): What assessment he has made of (a) the availability of and (b) access to general practitioner services in Greater London. [135973]

The Minister of State, Department of Health (Mr. John Hutton): The number of GPs, and the number of GPs in training, in London are currently at the highest recorded levels, helping more patients to be seen more quickly. Primary care trusts in London are also committed to further increases in the number of GPs and primary care professionals, which will help further to improve access to, and availability of, primary care services. Primary care in London will also benefit from £350 million-worth of capital investment in the next two years.

Simon Hughes: Is the Minister aware that a broad-ranging survey over the summer showed that more than one third of GP surgeries had closed their lists to new patients, and that more than half had closed their lists in the previous 12 months? As a result, thousands of people in London cannot get on to a GP list on a given day. What does the Minister propose to do to improve that situation substantially and quickly, and is there a target date—a number of days—by which somebody who wants to register on a GP's list can be sure that they will have a doctor to go to?

Mr. Hutton: On the hon. Gentleman's last point, my understanding was that his party was against new targets of any kind for the national health service; perhaps he needs to talk to the hon. Member for Sutton and Cheam (Mr. Burstow) about that. I accept that his first point constitutes a serious and genuine concern, but I should point out that existing arrangements do permit a primary care trust, in some circumstances, to allocate a patient, or group of patients, to practices. Although everyone accepts that that is not ideal, it is possible to get an appointment with a GP through that route if it is the last one available. Secondly, I remind the hon. Gentleman that the general medical services contract that we have concluded with the British Medical Association provides a new mechanism for dealing with precisely such issues, which I hope will prevent some of the situations that he describes from arising as frequently in future. I accept that, clearly, there are capacity constraints, and measures are in hand to deal with that. The arrangements under the new GMS contract will provide a further strengthening of those measures.

Maternity Services

6. **Dr. Doug Naysmith** (Bristol, North-West): What plans he has to increase choice in the provision of maternity services. [135974]

The Secretary of State for Health (Dr. John Reid): My Department is conducting an extensive consultation on what patients want in terms of choice and involvement in, and flexibility of, their care and treatment. Maternity services are a key theme of this consultation.

Dr. Naysmith: I thank my right hon. Friend for that reply, and I hope that he has had a chance to look at the Health Committee's reports on maternity services, which were published earlier this year. One of our recommendations was that the ability should exist to be referred to midwifery services by a midwife, rather than through the GP services. I should be grateful if he would outline what the Department intends to do to encourage that.

Dr. Reid: It is true that choice becomes substantial choice only if capacity is increased and investment to increase that capacity is made. That is the difference between our policy and the theoretical and cruelly deceptive choice that is offered by others to benefit only a tiny minority of people. We have therefore increased capacity through investment, resources and training in order to give women a real choice over maternity services. For instance, I understand that in my hon. Friend's area in Bristol, a number of midwives have proposed a midwife-led unit as an alternative to traditional hospital-based maternity services, and the primary care trust is now actively considering that option. We aim for the NHS to provide maternity services that offer women a variety of options through which they can receive care during their pregnancy and where they give birth.

Dr. Richard Taylor (Wyre Forest): What plans does the Secretary of State have to deal with the shortage of midwives, which risks curtailing choice for patients and specifically curtailing the midwife-led birth centres that he mentioned? I would be grateful to know that he attaches a great deal of importance to such midwife-led centres and I hope that, because of the shortage of midwives, he will protect them from attacks by the consultant-led obstetrics units.

Dr. Reid: On the hon. Gentleman's second point, it is crucial that we do not allow any vested interest to stand in the way of better-quality, quicker and better service and more choice for patients. When I say that, I mean any vested interests within the NHS or any vested interests from outside that want to undermine it. I can tell the hon. Gentleman that I will make sure that we protect and help to prosper the midwife-led opportunities.

On the first part of the question, we have an expectation that, from a baseline of the year 2000, more than 2,000 extra midwives will be working in the wards by 2006. As the hon. Gentleman may already know, in September last year, there were 870 more midwives working in the wards than when we took power in 1997. It is not easy, but we are putting in the investment to attract people back. It would be a disaster if we had cuts in investment on the scale envisaged by the so-called Opposition.

Mr. Ivan Henderson (Harwich): May I tell my right hon. Friend that my constituents welcome the news that Harwich is going to get a new community hospital, which includes a new maternity unit? That will continue to give my constituents a choice about where to give birth in their local community. However, at the moment, the existing maternity unit is temporarily closed because of the shortage of midwives. To ensure that the new hospital and new maternity unit is a success, will my right hon. Friend do all that he can to ensure that we recruit, retain and encourage midwives back into the profession? We want the investment to make an improvement, which counters the suggestions of failure from Conservative Members—*[Interruption.]*

Mr. Simon Burns (West Chelmsford): It's closed.

Dr. Reid: Despite the baying from Conservative Front Benchers, that is a helpful question because it is important to have an honest appraisal of where we are with the health service. It is light years better than the health service that we inherited from the crowd on the Opposition Benches, but we still have a long way to go—*[Interruption.]* I can do no better than quote Professor Mike Salmon, chairman of the Essex Rivers Health Care NHS trust. When the Government gave the go-ahead in 2001 to the project mentioned by my hon. Friend, he said:

> "This is the best local health news since the creation of the NHS itself in 1948".

It is certainly much better news than anything that appeared during the near 20-year reign of the crowd opposite. Nevertheless, we have a great deal more to do to attract more midwives. We are increasing the number of training places and there are now 470 more than in 1996–97—an increase of 28 per cent. We are also taking a range of further actions to help recruitment. All of that would be put in peril by the massive cuts in investment proposed by Conservative Members.

Mr. James Gray (North Wiltshire): It is unfortunate that the Secretary of State allowed some party political banter to creep into what had until then been the helpful answer that he was determined to put women's interests first when deciding on maternity services. Will he bring his influence to bear on the Avon, Gloucestershire and Wiltshire strategic health authority, which is currently consulting on closing down maternity services in Trowbridge, Devizes and Malmesbury?

Dr. Reid: I do not understand the logic of the hon. Gentleman's question. My God, if in the context of the biggest annual increase in the NHS for the longest period in history, he is keen to point out to us where difficulties occur, what will he do when there is a 20 per cent. cut in that investment?

Mr. Gray: That is no answer. What a disgrace. Get back to Scotland.

Mr. Speaker: Order. The hon. Gentleman should not say too much about Scotland. He knows where I come from and it is not so long ago that he lived in my constituency.

General Practice

7. **Mr. Peter Pike** (Burnley): What additional funding his Department is making available for the improvement in the (a) premises and (b) facilities available at general practitioners' surgeries in England. [135975]

The Minister of State, Department of Health (Mr. John Hutton): The Government are committed to investment of £1 billion by 2004 in improving primary care premises and facilities through NHS LIFT—local improvement finance trust—and other investment routes. The NHS LIFT scheme in east Lancashire, which I was able to visit last Friday, has reached financial close and work has now started on the first of several new developments, which will include my hon. Friend's constituency.

Mr. Pike: As my hon. Friend mentioned, he was in Bacup last week and he will know that many surgeries in my constituency do not meet the standards for primary care in GPs' surgeries that the Government want to deliver in 2003. Does he believe that the LIFT programme and what Burnley, Pendle and Rossendale primary care trust is doing will ensure that we have such facilities, and will they be value for money?

Mr. Hutton: I do believe that. As my hon. Friend knows, the primary care trust has started with three developments initially, in Bacup, Nelson and Darwen. I understand that GPs in his constituency will be in the second tranche of development and I hope that that will proceed as soon as possible. I agree with him that it is desperately important that we improve the primary care estate in the NHS. It is where 90 per cent. of all patient journeys begin and end and, as GPs would themselves acknowledge, it is true that many surgeries are not up to scratch. They are not capable of delivering modern, 21st-century health care. That is why we are making a record investment in primary care, and there is no more pressing case than my hon. Friend's constituency.

Mr. Crispin Blunt (Reigate): Will the Minister direct some of the additional funding for primary care to areas where GP lists are well above the national average, such as in my constituency, or will he continue to be a party to the fiddling of formulae that will continue the crisis in public service provision in the south-east of England?

Mr. Hutton: No, we do not fiddle any formulae. Health spending is directed to the areas of greatest need. That is precisely the methodology we use to distribute money across the national health service. The hon. Gentleman has recently had something of a reputation for espousing the causes of the vulnerable. I imagine that that is why he is especially pleased to see what has happened to the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), who must surely now be included on a list of the vulnerable. There are 42 LIFT schemes across the country and I am more than happy to send the hon. Gentleman details of them so that he can judge for himself whether the figures have been fiddled, as he alleges.

Alan Simpson (Nottingham, South): There is overwhelming public support for the Government investment programme in the renewal of GP facilities, but will the Minister look carefully at the value-for-money aspect? The first of the LIFT proposals in my constituency includes plans for a £5 million health centre that will be rented back to the NHS at a cost of £25 million, an effective interest rate of more than 20 per cent. I asked some of the high street building societies what they would charge me for a mortgage to build it myself and discovered that it would cost £8 million. Can the Minister look carefully at the long-term costs and constraints imposed on LIFT companies to ensure that we get the modern facilities that we need but not at the Barclaycard interest rates that we do not?

Mr. Hutton: NHS LIFT schemes do represent value for money. I understand that my hon. Friend has an ideological opposition to involving the private sector in the construction of NHS facilities. I respect that, but I profoundly disagree with him about the implications for NHS LIFT. All NHS LIFT schemes must pass a value-for-money test, and they do so. However, I can tell my hon. Friend and anyone else who is worried about the matter that the priority is to get the investment in place so that primary care facilities for NHS patients can be renewed. NHS LIFT represents a once-in-a-generation opportunity to make a significant and real difference to the improvement of primary care facilities in my hon. Friend's constituency, and in the constituencies of hon. Members of all parties. That should be our priority.

Diagnostic Testing

8. **Mr. David Laws** (Yeovil): What progress has been made in reducing the waiting times for diagnostic testing. [135976]

The Minister of State, Department of Health (Mr. John Hutton): The NHS is committed to reducing the length of time that people wait before their treatment starts. The NHS plan has set targets for staged reductions in waiting times for first out-patient appointments and for in-patient treatment, which will help contribute towards reducing waiting times for diagnostic testing. By the end of 2005, patients with suspected cancer, for example, will be guaranteed that their treatment will start within two months of being urgently referred.

Mr. Laws: Does not the Minister recognise that some of the longest waiting times in the NHS are not for in-patient and out-patient appointments, but for diagnostic tests? Is it satisfactory that the Government are not publishing information that would allow us to judge what is happening to those waiting times? Will the Minister take up the suggestion by the independent Statistics Commission that the Government should

publish the waiting times for diagnostic tests? That would allow us to see how long people wait for all aspects of NHS treatment.

Mr. Hutton: We shall certainly look carefully at all the recommendations made to us. Of course we want to reduce the length of time that patients have to wait before their diagnostic tests start, and before they get the results. That is obvious. We have made an important start in relation to cancer, about which people have the greatest anxiety. That will help to reduce the length of time that people have to wait for diagnostic services. However, Liberal Democrat Members are the least able to lecture the Government about waiting times, as they are against any waiting times targets whatsoever.

Mr. Geoffrey Robinson (Coventry, North-West): Is my hon. Friend aware that, although good progress is being made in relation to work with cancer in my NHS trust in Coventry, the difficulties posed by coronary problems are of similar dimensions? A surgeon in my area has been suspended for nearly two years, at a cost of some several hundred thousand pounds. Could not he be reinstated? Will my hon. Friend take a personal interest in this matter and ensure that a fair compromise proposal that would get the surgeon back to work and reduce waiting times is agreed, with both sides dropping charges and no blame being apportioned?

Mr. Hutton: I am aware of that case, and my hon. Friend the Under-Secretary of State for Health, the hon. Member for Welwyn Hatfield (Miss Johnson), who is responsible for public health, answered an Adjournment debate on it only recently in this House. Such matters are for the local trust to resolve, but I agree with my hon. Friend that it is important that they are dealt with as quickly as possible. He will be aware that the National Clinical Assessment Authority has recently been in touch with the trust, to see what further progress can be made in relation to that dispute. I very much hope that progress can be made as quickly as possible.

Mr. Henry Bellingham (North-West Norfolk): Can the Minister confirm the story that appeared in this morning's press that No. 10 intervened to ensure that Dr. Lee Kuan Yew's wife had her diagnostic treatment speeded up? Is that a proper way for No. 10 to behave? If No.10 is able to secure preferential treatment for the wife of a visiting dignitary, why can it not intervene to ensure that no one has to wait for life-threatening periods for vital scans?

Mr. Hutton: No, I think that the position in relation to that case has been made clear already by a spokesperson for No. 10.

General Practice

9. **Kali Mountford** (Colne Valley): How many general practitioners are in training; and if he will make a statement. [135977]

The Secretary of State for Health (Dr. John Reid): There were 2,157 general practitioner trainees in June 2003. That is an increase of 814 since 1997, and the highest number ever in the history of this country. We promised more GPs, and we have kept that promise.

Kali Mountford: I thank my right hon. Friend for that answer, and for his efforts in ensuring that general practice is an attractive option for trainee doctors. In my constituency, however, one GP vacancy was advertised for 18 months before being filled. As we approach the winter months, everyone is more acutely aware than ever of the need for GPs. Will my right hon. Friend redouble his efforts with the royal colleges and the British Medical Association to improve capacity yet further?

Dr. Reid: Yes, I shall certainly do as my hon. Friend suggests. The truth of the matter is that we have achieved our initial trainee target ahead of schedule; as I said, there were 2,157 GP trainees as of June this year—the highest number ever recorded. However, there is no doubt in my mind that we need to achieve a great deal more than that, not least because of the underinvestment during the 20 years before the Government took office. To point that out is not to make a party-partisan point, because every one of the 1.3 million people in the NHS and the 60 million people of this country knows the truth: the NHS was starved of investment. That is why, in a paradoxical fashion, I can tell my hon. Friend that we have the highest number of doctors in history, yet the number is still insufficient, because we are making up for the lost decades under the Conservatives.

Dr. Liam Fox (Woodspring): When the Prime Minister talks about public services, he says that it is about schools and hospitals. What message does that send to those who work in primary care, who deliver the majority of health care?

Dr. Reid: First, may I congratulate the hon. Gentleman both on his incipient move and on actually asking me a question? Since I became Secretary of State, that is the first time—

Mr. Simon Burns (West Chelmsford): Rubbish.

Dr. Reid: It is the first time since I became Secretary of State that the hon. Member for Woodspring (Dr. Fox) has fulminated inside the Chamber rather than outside it.

As for what we said we would do, we did not say only that we would build more schools and hospitals, although that is true. We said that we would create more doctors and that we would have more nurses and more midwives. We said that we would have shorter waiting times, that we would put in more money and more hospital equipment, and that we would build more hospitals and buildings than ever before in the NHS. I am glad to say that we have done each and every one of those things. There are 55,000 more nurses, ahead of target. We have 6,500 more consultants and thousands more doctors—more than ever—and the biggest building programme in the history of the NHS. We have the biggest sustained investment increase, at 7.4 per cent. in real terms, for the longest period in our history. We

made the promises and we kept the promises, yet every one of them would be destroyed by the Opposition and their plans to cut back on the national health service.

Dr. Fox: That was an interesting answer, but not to the question that I asked. My question was about what Government soundbites tell us about their approach to the acute sector in relation to the community sector. There is poor morale in primary care, so let us see whether the Secretary of State can actually answer me in detail. One in six doctors currently in general practice graduated from a south Asian university; two thirds of them will retire by 2007. How many extra doctors will be required to fill those posts? A recent study by the British Medical Association found that 20 per cent. of all GP time is taken up by administration. How many doctors does that effectively take away from patient care? According to the Government's figures, the number of doctors per thousand patients has gone down since 1997, not up. When will the Secretary of State answer the real questions instead of giving us soundbites, statistics and complacency?

Dr. Reid: Well, if ever I heard a soundbite it was "soundbites, statistics and complacency", which does not quite match "Veni, vidi, vici" in the resonance of historical sweep. When the hon. Gentleman asked his question, he implied that we had merely promised more "schools and hospitals". That was his first soundbite, so he did not like being told about more doctors, more nurses and more midwives. Of course—[HON. MEMBERS: "Answer the question."] I will, therefore, answer the questions. We have more doctors than ever in history. We have recruited some of them from overseas, not least because under the crowd on the Opposition Benches all the investment in doctor training was run down, unlike the situation under the Labour Government. In primary care, we have—*[Interruption.]* The Opposition can bay as much as they like; the truth is that we all know that all the increases in primary care, public health, secondary care, chronic care and care for the elderly would be destroyed by their reduction in investment and their criminal plans to charge our old folk up to £10,000 for their—

Mr. Speaker: Order.

Ms Joan Walley (Stoke-on-Trent, North): May I say that my constituents are not interested in the soundbites that come from the Opposition? What they are interested in is being able to see a GP when they need to. Although I applaud the extra 814 GPs that are in training, may I tell my right hon. Friend that there is a serious short-term problem? We have had too many GPs retiring, and we need to attract more into part-time work. We need to ensure that we can deal with the immediate emergency crisis that we have, certainly in Stoke-on-Trent. Will he look at that and consider how the Government can support what the Stoke-on-Trent, North PCT is doing at the moment?

Dr. Reid: Yes, I will certainly look at that, and I do not for a moment underestimate the challenge, even with the record number of doctors that we have. I have already said that, because of expansion, retirement, past under-investment and other factors, there is a huge problem and we need to recruit even more. That is why, although we are on course to deliver our target of 2,000 extra GPs, we need to do more. There has been an unprecedented expansion in medical school places in England: 2,150 more places were announced between 1999 and 2001, so that increase will contribute to the future number of GPs.

In addition, we are expanding our health service at a rate that is unprecedented in the past three decades, and people's expectations and ambitions are becoming greater. People now expect to see a GP within two days; they do not want to wait. People expect to have their operations a lot more quickly than when the Conservatives contemplated, as they said, a maximum waiting time of two years. We now have virtually no one waiting more than one year, and, by next year, virtually no one will be waiting more than six months. That will still be too long. We need more doctors, more nurses and more facilities in the NHS, all of which needs more investment. That is precisely what we will do, compared with the Conservative party.

Rev. Martin Smyth (Belfast, South): I welcome the improvement. How many of the university posts that have been opened actually spring from a decision taken many years previously? I discovered that universities that were supposed to be opening more places for medical training were not doing so. How many training posts have not been occupied by young people who want to become GPs? Such vacancies have been one of the standing failures of our medical training for many years.

Dr. Reid: On the first question, frankly, I cannot tell the hon. Gentleman the answer off the top of my head, but I will write to him about that. On the second point, if I understood the question, he was implying that the great demand for places at medical schools or universities was not being met because such places were not available. All I can say to the hon. Gentleman is that we have carried out the most rapid expansion in places. We have four new medical schools, for instance. I visited one of them only a couple of weeks ago, welcoming another 120 young people coming in to train as doctors. A greater problem than the lack of places is the fact that there are cyclical trends. Sometimes large numbers of people who train as doctors choose to go into general practice and, at other times, they do not choose to do so. We are attempting to attract more people into general practice, not least through the recent new contract, which gives opportunity and flexibility to GPs and was overwhelmingly accepted by the profession itself.

Mr. Speaker: Order. We have five minutes left, and we are only at Question 9 on the Order Paper. The next time that we have Health questions, I do not want the record to be full of what the Opposition did when they were in power. Questions should be answered briefly, and that is the end of it.

Premature Deaths

10. **Mr. George Foulkes** (Carrick, Cumnock and Doon Valley): What his latest estimate is of the number of premature deaths in England in the last year for which figures are available; and what action he is taking to prevent them. [135978]

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): In 1995, an estimated 98,800 people died from smoking in England. We have developed a comprehensive strategy, including legislation banning tobacco advertising, a mass media information campaign and a national network of NHS stop smoking services. Early figures, published by Cancer Research UK, indicate an encouraging drop in smoking prevalence, but we are awaiting publication of the latest general household survey data for confirmation.

Mr. Foulkes: I congratulate my hon. Friend the Minister on realising that I meant to refer to premature deaths from smoking in my question. Will she join me in congratulating the Secretary of State for Health on having given up smoking for 11 months? What are she and her colleagues doing to encourage other people to follow his example? Will the Government now consider introducing legislation to ban smoking in public places?

Miss Johnson: Of course I join my right hon. Friend in congratulating the Secretary of State on his period of abstinence from tobacco. To share the progress that we are making on services to stop smoking, across England £138 million has now been allocated over the next three years to help reach the target of achieving 800,000 four-week quitters by 2006. The latest statistics show that we are on target, and around 124,000 people had given up smoking at the four-week follow-up quit stage. He mentioned the question of smoking in public places; he will know that we have considered the matter, but believe that substantial progress can be made through voluntary means.

Chris Grayling (Epsom and Ewell): The Minister talks about premature deaths. Is she aware, however, that people's lives are being put at risk today by the mounting crisis in emergency care? We have the unedifying sight of queues of ambulances outside accident and emergency departments unable to get patients admitted to hospitals, and the extraordinary situation in which ambulance trusts have contingency plans to erect tents outside accident and emergency departments for patients, because they cannot get them admitted to hospitals. When will Ministers do something to end this appalling situation?

Miss Johnson: That is absolute poppycock; what is more, the hon. Gentleman knows that it is. The fact is that nine out of 10 patients are seen within four hours in A and E departments across England, and, to the best of our knowledge, tents have never been used and are unlikely to be needed other than for dealing with patients at the scene of a major incident such as the Selby rail incident or the decontamination of patients in the event of a chemical or biological attack. The Opposition are trying to get up a story that is 100 per cent. spin and zero per cent. truth.

Nurses (International Recruitment)

11. **Dr. Phyllis Starkey** (Milton Keynes, South-West): What proportion of nurses working in the NHS have been internationally recruited. [135979]

The Minister of State, Department of Health (Ms Rosie Winterton): As at September 2002, the number of nurses employed by the NHS was 367,520. In the years 1999 to 2002, 33,000 non-European Community nurses registered with the Nursing and Midwifery Council. However, not all of those nurses will currently be working in the NHS.

Dr. Starkey: I welcome the fact that the NHS has a code of conduct about recruiting nurses from countries where recruitment would otherwise affect health services in those countries. The private sector in hospitals, nursing homes and care homes, however, does not exercise similar restraint. I ask the Minister to look carefully at ways in which the private sector can be made to adhere to the same code of conduct, and if necessary to have discussions with colleagues in the Home Office to ensure that the private sector in this country is not pillaging health services abroad in countries where those health staff are needed much more than here.

Ms Winterton: My hon. Friend is right to raise this issue, which we take very seriously, and my right hon. Friend the Secretary of State has had a number of discussions about it. There is a limit to the control that we can exert on the private sector, but we have made it absolutely clear that agencies that recruit nurses for the private sector contrary to the NHS code of conduct will not be allowed to recruit nurses for the national health service. That lever is available to us. In addition, some measures can be taken by the Department of Trade and Industry if, for example, agencies charge an exorbitant fee to nurses for recruitment. Our Departments are continuing to work closely on that matter.

Hip Replacement Operations

12. **Siobhain McDonagh** (Mitcham and Morden): What recent estimate he has made of the cost to the NHS of a hip replacement operation (a) in an NHS hospital and (b) in a private hospital. [135980]

The Secretary of State for Health (Dr. John Reid): The most recent estimate of the cost to the NHS of a hip replacement in an NHS hospital is £4,356. BUPA currently advertises an inclusive care price for a hip replacement as being within the range £7,150 to £8,900.

Siobhain McDonagh: I thank my right hon. Friend for that answer. Does he agree that the way to tackle hip and knee replacement waiting lists is through exciting projects such as the south-west London hip and knee centre rather than by subsidising the private sector, as the Conservative party would do?

Dr. Reid: I entirely agree with my hon. Friend. The south-west London NHS treatment centre for hips and knees in Epsom that will open in January will benefit her constituents and those of other hon. Members. It is planned that the centre will have the capacity to treat some 3,150 orthopaedic cases in the 12 months to the end of September. She is absolutely right, and I make it absolutely plain, that the Labour party, which is the only party for which I can speak, will never force old folks to be charged out of their savings to pay for their own operations.

Speaker's Statement

Mr. Speaker: As the House will know, next Tuesday is 11 November—Remembrance day. Although the House will not be sitting at 11 o'clock, right hon. and hon. Members, their staff and officials in the House will be attending to their duties.

I regard it as appropriate that we should join the nation in observing the two minutes' silence at that time so that we might remember those who gave their lives for their country to help to preserve our democratic freedom.

I should be grateful if those responsible for chairing Committees would make appropriate arrangements. Instructions will also be issued to heads of departments so that those members of staff who wish to observe the two minutes' silence should be enabled to do so.

Points of Order

12.32 pm

Mr. Henry Bellingham (North-West Norfolk): On a point of order, Mr. Speaker. I should be grateful to receive your guidance on a matter than arose during Health questions today. I asked the Minister of State about an article in today's press concerning Dr. Lee Kuan Yew's wife receiving preferential treatment—it was a big story. He merely said that a Department of Health spokesman had issued a statement this morning. I did not hear that statement, and I do not believe that anyone else did. Surely he should have given me a proper answer. His answer was bland and arrogant.

Mr. Speaker: It is not for the Chair to be concerned with the quality of the answer; that is for the Minister.

Mr. Crispin Blunt (Reigate): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. It is not a point of order. I do not want an extension of Question Time. I would far rather that we got down the Order Paper at Question Time rather than taking questions at points of order. Is the hon. Gentleman asking about Question Time?

Mr. Blunt: It is further to that point of order, Mr. Speaker, because the Minister specifically said that the No. 10 press office had made an explanation—

Mr. Speaker: Order. I knew that it was not a proper point of order.

Miss Anne McIntosh (Vale of York): On a point of order, Mr. Speaker. You will know that I am not an infrequent questioner of various Departments in the House in both oral and written form. It was therefore disappointing that in the answer that I received to a written question to the Solicitor-General, not only was my name mis-spelt, but I was referred to as the hon. Member for Buckingham. Regular attendees of the Chamber and right hon. and hon. Members will know that there are clear differences between my hon. Friend the Member for Buckingham (Mr. Bercow) and myself. I wonder whether the record could be corrected.

Mr. Speaker: I can only say to the hon. Lady that I would never make that mistake.

Mr. John Bercow (Buckingham): Further to that point of order, Mr. Speaker. Although I am full of admiration for my hon. Friend's remarkable political talents, may I put it to you that I do not think that my constituents would make that mistake either? I would be very alarmed if Minister[illegible]ght that I was the Member of Parliament for the Vale of York.

Mr. Speaker: I say no more.

Children's Television (Advertising) (No. 2)

12.34 pm

Ms Debra Shipley (Stourbridge): I beg to move,

That leave be given to bring in a Bill to ban the advertising of high fat, high sugar and high salt content food and drinks during pre-school children's television programmes and related scheduling.

Since I introduced my Bill to ban all food and drink advertising to pre-school children in May this year, I have been overwhelmed by massive public and professional support. Indeed, 95 per cent. of students from King Edward VI college in my constituency—some of whom are in the Gallery today—support me, so I have the support of young people as well.

Some 89 organisations now back my campaign. They include the National Heart Forum, the Food Commission, the National Union of Teachers, Diabetes UK, the Women's Institute, the National Consumer Council, the British Heart Foundation and the National Obesity Forum. Those well-respected organisations, which have a wide range of members, back my campaign because they recognise that we have a serious health problem, with increasing childhood diabetes and obesity, both of which can kill. The organisations backing my campaign to ban food and drink advertising to children recognise that the continuous advertising of high-fat, high-sugar and high-salt content food and drink to children has an impact on their health.

Early this year, I took my concerns to the Secretary of State for Culture, Media and Sport, whose Department has the powers to prevent the products from being ruthlessly targeted at children via television. She asked me to give her more evidence. I gave her more evidence. She asked me to wait for the results of the findings of the Food Standards Agency. The FSA has published its report, "Does Food Promotion Influence Children? A Systematic Review of the Evidence". It reviewed 118 research papers and concluded that advertising to children does have an effect on their preferences, purchase behaviour and consumption.

To put it simply, children are subjected to repeated imagery and carefully constructed memorable jingles. The message is that the products are fun and make children happy. Children repeatedly see adverts in which happy children are being made happy by happy parents giving them food and drink products that are high in fat, high in salt and high in sugar. For example, 89 per cent. of cereals advertised during children's television programmes are very high in sugar.

The sugar content of Quaker Sugar Puffs is a massive 49 per cent. It is 39 per cent. in Kellogg's Cocoa Pops, 40 per cent. in Kellogg's Frosties and 40 per cent. in Nestlé Golden Nuggets. The FSA guidelines say that products that are 10 per cent. sugar are high in sugar. The World Health Organisation recently suggested that people should restrict sugar to 10 per cent. of their diet for the sake of their health, yet the powerful food and drink industry is allowed ruthlessly and cynically to target small children with products that contain an amount of sugar way above what is good for their health.

It is worth remembering that children are encouraged to eat cereals every day. The fast food industry also ruthlessly targets children with adverts that encourage them to want to make multiple visits to a particular chain of fast food outlets to collect parts of a toy. Parents are not made aware of the fact that, for example, a birthday party meal, which is indisputably targeted at children, contains 60 per cent. of the maximum total recommended daily intake of saturated fat, nearly 80 per cent. more sugar than the maximum total recommended daily intake and more than one day's full recommended intake of salt. That is just in one meal.

The amount of salt a child should eat depends on the child's age. A two or three-year-old should take in about 2 g daily and a four, five or six-year-old about 3 g. It is therefore shocking that a product such as Golden Vale Cheese Company Attack-a-Snack Cheestring chicken wrap—yes, that is its name—which is repeatedly advertised on children's television, contains 4 g in a single portion, more than a child should have in a whole day.

I began by saying that I have received massive support for my proposals from teachers, health professionals, parents, colleagues and young people, yet the food and drink industry and the advertising industry continue to fail to recognise that there is a problem. They say that advertising high-fat, high-sugar and high-salt content products designed specifically for children has no detrimental effects on children's health, yet the overwhelming evidence suggests the contrary.

The advertising industry says that this is not its problem, that advertisers are just a convenient target for politicians such as myself. The industry says that obesity and childhood diabetes are due to children not taking enough exercise. I certainly agree that regular exercise is vital to children's health, but so too is what they put in their mouths. Far from being an easy target for politicians, the massively powerful, multinational food and drink industry is able to employ well placed and well paid lobbyists.

As a nation, however, we have to put our children's health first. There are many steps that need to be taken. Children need to take more exercise, and better education is needed for both parents and children. The Department of Health has taken good initiatives in its healthy eating campaign and by providing free fruit in schools. Those initiatives are, however, severely undermined by the spending power of the food and drink industry, which is able to spend up to 100 times more promoting its high-fat, high-sugar and high-salt products than the Government spend on their healthy eating campaigns.

Independent Television Commission guidance has failed to prevent the advertising industry from ruthlessly targeting children, and Ofcom's recent suggestion that the industry should be self-policing would demonstrably be ineffective. What is needed is legislation. We need to ban the advertising of high-fat, high-sugar and high-salt food and drink on children's television. My Bill would do exactly that. However, owing to the procedures of the House or a lack of parliamentary time, my Bill may fail to become law, and I call on the Secretary of State for Culture, Media and Sport to support the Department of Health initiatives and protect children's health by doing what public opinion is overwhelmingly calling for: banning the advertising of food and drink from children's television scheduling.

I commend my Bill to the House.

[Ms Debra Shipley]

Question put and agreed to.

Bill ordered to be brought in by Ms Debra Shipley, Linda Perham, Vera Baird, Ann Clwyd, Dr. Brian Iddon, Glenda Jackson, Brian White, Mr. Jim Cunningham, Geraint Davies, Andrew Mackinlay and Angela Eagle.

CHILDREN'S TELEVISION (ADVERTISING) (NO. 2)

Ms Debra Shipley accordingly presented a Bill to ban the advertising of high-fat, high-sugar and high-salt content food and drinks during pre-school children's television programmes and related scheduling: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 171].

Quality of Life

Motion made, and Question proposed, That this House do now adjourn.—*[Joan Ryan.]*

12.42 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I am pleased to open the debate on quality of life in local communities. The issues involved affect everyone in each of our constituencies. People open their front door, step out on to the street and care about the world around them and the issues that they face. Many of those issues have been ignored by politicians and policy makers because they were seen as being simply about the private realm—local matters for individuals to sort out for themselves.

We ignore those issues at our peril. They cut across many different communities, Departments and agencies, and they manifest themselves in different forms in different areas. MORI has done research in recent years into what makes somewhere a good place to live. It found that 56 per cent. of people were concerned about low-level crime; 39 per cent. pointed to health services as the most important factor; 37 per cent. referred to affordable, decent housing, and 28 per cent. said that shops were most important.

Interestingly, however, all those factors ranked higher than job prospects, local schools and facilities for children. People's impression of their quality of life is affected by their sense of belonging and pride in their area, not only their town, town centre or city but their own neighbourhood, their estate or the place where they live. MORI provided evidence that many people who thought that they lived in a fantastic, bubbling and buzzing city feared that they lived on a problem estate and were not proud of the street where they lived.

MORI also looked at issues affecting communities in different parts of the country. People surveyed in north Kensington said that the things that would most improve their quality of life were a reduction in crime and more activities for young people. In Southwark, the highest priorities were cleaner streets and the environment, followed by facilities for young people. In Dorset, the priority was housing, followed by buses. In Southend, people mentioned dog mess, followed by buses. In Seven Sisters, the priority was crime and litter, and in Hartlepool it was better play areas for children. People care strongly about the quality of their local environment and the strength of their local communities. That is about more than simply housing or their private circumstances—it is about the world and the community around them.

Mr. Henry Bellingham (North-West Norfolk): I was interested to hear what the Minister said about the different communities that contributed to the MORI poll. Does she agree that communities can be badly blighted by planning? She mentioned Dorset, where there is a lot of grief about proposals for wind farms, as indeed there is in my own constituency. Does she agree that local people need to have more say in key planning applications that will blight their communities and affect them in other ways?

Yvette Cooper: People often have strong views about planning. We are keen that the planning system should do two things. First, it should have a stronger sense of sustainable development in future instead of focusing on short-term planning issues. Secondly, it should involve local people from the very beginning of the planning process, rather than at a late stage, when a particular application comes up. We shall shortly publish the first draft planning policy statement—PPS1—which sets out the broad direction of planning, and will publish further statements on planning and renewable energy. I am happy to have further discussions with the hon. Gentleman about those issues.

Mr. Frank Field (Birkenhead): I very much welcome today's debate. The Minister has cited MORI's findings, but has she not found from her own experience as a constituency Member of Parliament that one of the dominating issues for all of us is the continued rise of bad behaviour? While there are many positive aspects of Government policy involving job creation and so on, when we meet our constituents or have public meetings, the big issue that they want the Government to deal with is bad behaviour. We are now in a new era of the politics of behaviour.

Yvette Cooper: My right hon. Friend is right that many people in our constituencies have concerns about antisocial behaviour. I shall discuss the issue shortly, so if he will allow me, I shall come back to his question then.

Another issue that we need to be aware of is the existence of considerable inequalities. The most deprived areas tend to have the fewest parks and well-maintained places in which children can play. They tend to have the greatest problems with graffiti, litter and antisocial behaviour. They also have the greatest design problems. I recently stood on a hillside with a fellow MP looking at the fantastic scenery in his constituency. The only thing that blighted the beautiful view was, he pointed out, a severe and stark set of buildings on an estate. They were grey and austere, and clearly had the greatest design problems in the constituency. When I pointed to the estate he said, "Yes, that estate also has the greatest problems in the constituency." Poor design, therefore, is often linked to the most disadvantaged areas.

Matthew Green (Ludlow): The Minister seems to be hinting that the most deprived areas are all urban. Will she confirm that some of the most rural areas are also some of the most deprived?

Yvette Cooper: In looking at the estate that I have mentioned, I was standing on the edge of a small community surrounded by beautiful hills. Of course, the hon. Gentleman is right to say that problems often arise in rural areas as well, where there will often be much smaller concentrations of deprivation. That is one of the reasons why the sure start programme seeks to deal with small concentrations of problems in rural areas and why we must often look at different approaches in such areas. We must recognise that problems in rural areas will be different from those in urban areas.

A considerable amount of work is under way, but there is more to do in many areas. People want to live in environments and communities that are clean, safe and green. The latter means places that are beautiful and pleasant, as well as places to play and enjoy, places for leisure and places for children in particular. Many of those ideas were encapsulated in the Government's programme to build sustainable communities, which was set out in the sustainable communities plan earlier this year. The plan is not merely about bricks and mortar or quick fixes; it is about trying to build town centres, streets, estates, communities, parks and green spaces of which people can feel proud.

It is worth outlining the work that is under way in a series of areas and needs to be taken further in order to address people's concerns about their quality of life and provide opportunities to improve it. I shall deal first with investment in the public realm, including public and community infrastructure and facilities. We know that such investment declined over many years. When we think back to the Victorians, we think of their immense investment in town halls, urban parks and the important community facilities on which so many areas depended. For decades, those facilities declined, along with investment in them.

In the past six years, however, we have seen substantial investment in local public facilities and the local environment. In particular, £1.8 billion has been invested over three years in the poorest communities through the neighbourhood renewal programme, which involves local strategic partnerships funding improvements in their areas. Improvements have ranged from neighbourhood wardens to street improvements, adventure playgrounds and a wide range of facilities that will address problems in particular areas.

We have also seen considerable investment in sure start programmes throughout the country. Most of the programmes involve investing in facilities, often for the first time, for the very youngest children, who have often been left out when local communities and councils consider what facilities are needed and what their priorities should be. Local parks and drop-in centres are now being improved by sure start investment throughout the country. In considering what builds a community, we should never underestimate the role of parents of small children, who often have a strong and immediate interest in the quality of the local environment—where their children want to play—and a strong incentive to build links with other parents and members of the community. That is why the sure start programme is so important.

Lottery funding has supported sports facilities and healthy living centres. There has also been a substantial increase in investment in housing—especially social housing—to help areas to meet the decent homes standard. As part of the sustainable communities fund, there has been a programme involving the investment of more than £200 million to improve parks and open and urban spaces. New resources have been provided for the Commission for Architecture and the Built Environment, which is working on public and private buildings to improve design, and establishing CABE Space as a champion with the expertise to improve public spaces, including parks and green spaces.

We have increased the support given to the Groundwork initiatives. I know that many hon. Members will have had contact with Groundwork in their constituencies. My experience locally has been that

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it is one of the most impressive organisations working with local communities, often including schoolchildren, to improve local facilities such as riverbanks, squares or parks. It has had a considerable impact on local communities. The increase in support means that it can back more than 4,500 projects each year.

Lynne Jones (Birmingham, Selly Oak): When Groundwork projects occur, is not lack of capacity for future maintenance often a problem? Is that problem being addressed?

Yvette Cooper: My hon. Friend is right that the issue concerns not only physical infrastructure but what happens to facilities in the long term once they have been invested in. We often think in terms only of the capital investment that is needed to improve an area, but what can be done to sustain quality and involve the local community after that investment has been made can be far more important. Without such work, there will simply be investment in new facilities, after which all the same problems will arise, and the infrastructure will fall apart three or four years later. I certainly recognise that issue and I shall say a little more about it later.

There are two more significant programmes. The living spaces fund is asking for bids from local communities and groups that support community gardens, play areas, parks and so on, and the liveability fund supports local councils in improving their public areas. Such programmes add up to £200 million over three years—probably the most substantial investment in green spaces since the Victorian era. We are also building design into planning new communities such as the Thames gateway and the millennium villages.

As hon. Members have said, however, the issue concerns not only physical improvements but the communities themselves and the services that need to be delivered to maintain them and their facilities in future. The most beautiful street or space in the world can soon be spoiled if children have nowhere to go, if graffiti, litter or abandoned cars are left unchecked or if the neighbour is a nightmare. Many of our constituents see antisocial behaviour as one of the biggest threats to their quality of life. That is why the Government recently published the antisocial behaviour action plan. Hon. Members will have seen the plan, which builds on the work done in the Anti-social Behaviour Bill that is currently passing through Parliament. In particular, it deals with issues relating to environmental crimes, greater action against nuisance neighbours and swifter action on abandoned cars, graffiti and the other problems that can make so much difference if they are not tackled quickly.

Mrs. Anne Campbell (Cambridge): The improvements and schemes that my hon. Friend describes are to be applauded, but if people do not feel safe when they leave their homes, environmental improvements will not be of much help to them. In making a Sunday morning visit in one part of my constituency, I met several pensioners who told me that they were too afraid to leave their homes at night because of the extensive drug dealing in their area, as well as prostitution. I hope that she will encourage her Home Office colleagues to continue the good work that they are doing in those important areas.

Yvette Cooper: My hon. Friend is right. She will know that Home Office Ministers feel strongly about those problems. It is one of the most basic building blocks of a community that people can feel safe to walk the streets and join in with what is happening in their communities, and do not feel isolated in their homes because of fear of crime. One of the programmes that has made the biggest impact on these issues in past few years has been the neighbourhood wardens programme. There are many examples throughout the country of extremely popular neighbourhood wardens programmes in which local wardens know the area where they work.

Siobhain McDonagh (Mitcham and Morden): Is my hon. Friend aware that in the Lavender Fields ward of my borough, Merton, on one of our worst estates, Sadlers Close, the police had a 47 per cent. reduction in the number of calls that they received about antisocial behaviour as a direct result of the introduction of a fabulous community warden?

Yvette Cooper: My hon. Friend is right that there are many examples of neighbourhood wardens making a substantial impact on the work of the police by not only addressing crime and the fear of crime, but providing wide-ranging community support. For example, earlier today I heard a story about a vulnerable resident who suffered from considerable mental health and other problems, and whose family in Australia had become worried about her. They contacted the local neighbourhood wardens through the internet to ask them to keep an eye on her. The wardens made regular visits and were able to provide support, including making sure that she got the health care that she needed. Because neighbourhood wardens work very much as part of and with their local community, they are able to carry out a far wider range of roles than we ever envisaged when the programmes were first set up. The Office of the Deputy Prime Minister is supporting more than 245 schemes with more than 1,400 wardens. In addition, many councils, new deal for communities schemes and local street partnerships are setting up their own neighbourhood warden programmes because of their proven effectiveness.

Mr. Andrew Turner (Isle of Wight): I should like to draw attention to the effectiveness of the neighbourhood warden scheme in Ryde, in my constituency.

What does the hon. Lady think has broken down over the past 30 to 40 years that has led to the Government responding with such schemes? What has provoked the outbreak of crime, incivility and disorder on our streets and elsewhere that creates the symptoms that she reports?

Yvette Cooper: Many things have changed over many decades. All sorts of social changes have taken place. We have to recognise, too, that they have taken place in different ways and to varying degrees in different areas. For a long time, policymakers said that the public realm should not be invested in; that society does not exist; and

that communities are merely collections of individuals rather than being important in their own right. That attitude contributed to the situation, but we can all point to a wide range of social causes over a long period. We are not in a situation of inevitable decline: many communities have been successful in making significant improvements to the atmosphere in the local community and the local environment. Antisocial behaviour and other problems in local communities must be responded to quickly and appropriately. In the long term, we need to build on community strength and opportunities and people's pride in the place where they live.

Ian Lucas (Wrexham): I very much agree with my right hon. Friend the Member for Birkenhead (Mr. Field) that antisocial behaviour is the central issue for our constituents. Although there are many good examples of neighbourhood warden schemes and response schemes, too many local authorities still have structures that deal with health, social services and education, but do not see responding to antisocial behaviour as their central concern. My constituents, as consumers of services from their local authorities, tell me that that is the approach that they want them to take.

Yvette Cooper: My hon. Friend is right that local authorities vary considerably in this respect. My impression is that they are increasingly enthusiastic about taking such action, not least because of pressure from their local communities. The Home Office's action plan on antisocial behaviour took the approach that local authorities, in partnership with their local police and other agencies, need to build expertise and capacity in order to address the problems of antisocial behaviour. Moreover, rather than ignoring the problem, they should learn from neighbouring authorities that are dealing with the problem much more effectively. At the same time, we must recognise that where communities themselves are involved in local improvement projects and changes to local facilities, the impact can be much greater and more long-lasting than if such projects are drawn up for the area by the local council or another agency.

Andrew Selous (South-West Bedfordshire): I very much agree with the Minister's earlier remarks about the importance of young parents with regard to public spaces. Does she agree that the role of fathers is particularly vital in relation to young boys? Will she give the House a commitment that the Government will give all support and encouragement to ensuring that fathers—preferably as part of a couple, but even if not—are fully involved in bringing up their adolescent sons?

Yvette Cooper: The hon. Gentleman is right that fathers play a crucial role, not only as role models, but in building relationships with their children as they grow up. In perpetuating the idea that sure start programmes are for mums with young children—indeed, they often use its drop-in centres—we tend to underestimate how much they are doing to involve fathers: for example, by having them on the board. They have recognised the importance of the hon. Gentleman's point; we as a Government are keen to support that.

The evidence from programmes such as sure start, Groundwork and neighbourhood management pathfinders shows that communities that are involved in the design of the changes that are taking place have a sense of ownership of those changes, which, as a result, are not only more appropriate, but better protected and sustained in the long term.

Mr. Alan Meale (Mansfield): I appreciate what the Minister says about sure start, Groundwork and other programmes, but I want to return to her earlier answer about why such problems occur. We need to go back decades to when national Governments, particularly of the late 1970s, began to view local government less as a service provider and much more as a cost factor—"tax" and "charges" became dirty words. Since then, youth services and other community services that local authorities attempt to provide have been eroded.

Let me give an example. In Victorian times, when people fought to establish free local government services, the provision and maintenance of public toilets was openly on the agenda of every local authority. Now, in this new millennium, public toilets are being closed all over Britain because they are seen as a heavy cost burden on local authorities. We need to re-engage with local authorities to give them more power, strength and encouragement in re-establishing that approach and not shying away from the simple fact of having to raise, through taxes, the money to pay for such services.

Yvette Cooper: My hon. Friend makes an important point. Local authorities are critical to these issues. If we look at something as simple as spending on parks, we see that between 1991 and 1996, investment in parks and public spaces declined by between 10 and 20 per cent. throughout the country. In whatever area we choose, investment in those public facilities and public spaces, which are so important in enabling communities to operate, was in decline. That investment has now been substantially turned around, and we also want to build more investment into the future. My hon. Friend is right to say that local authorities have a critical role to play in these matters, and where they are successful it is often due to community leaders championing those facilities. They were discouraged from playing that role for many years, but there has been a change over the last few years.

Mr. Meale: I am grateful to my hon. Friend for allowing me to intervene again. The debate is about quality of life in local communities. In any ordinary constituency, more than 50 per cent.—usually between 51 and 52 per cent.—of the population have to plan their day around whether they will have access to a public toilet when they leave their home. If most of Britain's public toilets are being closed, there will not be much quality of life for those people in our communities.

Yvette Cooper: My hon. Friend makes an important point. Local communities having a greater say in the provision of that kind of service is something that we need to promote. In my constituency and others, the provision of public toilets has become a particularly important issue. When councils have been able to respond to the local community or to local groups, progress has been made and the facilities that people need have been provided. It is important that local areas should be able to make their own decisions on these matters and be responsive. That is why local councils

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have such a critical role to play, and why there is an increasing role for local community groups to play in regard to these issues. This is not simply about what the town hall does; it is also about what the local community can do at a much more local level, and what decisions can be taken at ward level, for example. A lot of councils are trying out all kinds of innovative ideas involving area forums and area panels, and trying to devolve some of the decision making to neighbourhood panels, parish councils and so on, so as to be even more responsive to local community issues.

We have a considerable programme of work under way, investing in the local environment and public facilities, as well as in the kind of community support and community capacity building that is critical if these changes are to be sustained. There is a considerable programme of action around antisocial behaviour as well.

Lady Hermon (North Down): I apologise for interrupting the Minister yet again; I appreciate her taking another intervention. Why has the antisocial behaviour legislation not been extended to Northern Ireland? The Minister will know, from her experience in her previous capacity in the then Lord Chancellor's Department, that criminal law, policing and justice are not devolved issues, so even when we have an Assembly, they are not devolved to it. Responsibility for policing, justice and antisocial behaviour remains here at Westminster, but that legislation does not apply to Northern Ireland. Antisocial behaviour is just as problematic in Bangor, County Down as it is in Bangor, Wales. Will the Minister please consult her colleagues in the Home Office to see whether, even at this late hour, that legislation could be applied to Northern Ireland?

Yvette Cooper: I would certainly be happy to raise that issue with my Home Office colleagues, although I suspect that the hon. Lady has done so herself on many occasions. We recognise that other areas have similar problems with antisocial behaviour, but we are very keen for devolution to work in practice and for as many as possible of those decisions to be taken at local level. I recognise the points that she made about crime, but she will also be aware that the Anti-social Behaviour Bill includes considerable provision related to housing, and to other areas in which we are keen for the devolved Administrations to make their own decisions.

I will certainly raise that matter with my colleagues in the Home Office, although I believe that we need to encourage local areas to take responsibility for these issues, whether at regional or local level. We cannot simply deal with them from Westminster. There are things that we can do to support local areas, but we cannot expect to solve all the problems that local communities face or to transform those communities' quality of life from this Parliament and this Chamber. There will be opportunities at neighbourhood level for people to have a stronger say in the management of many of the services that affect their lives, such as cleaning the streets or community safety, and in tackling some of the inequalities that exist.

I am conscious that other hon. Members want to contribute and that, with the leave of the House, I shall have the opportunity to wind up this debate later, but I would like to make a final point. We have discussed improving the quality of life in local communities and the importance of improving the local environment, investing in the infrastructure, supporting local communities and tackling antisocial behaviour. We should never forget, however, just how fundamental it is simply for people to have the chance of a good job, and to have enough money in their pocket to buy the things that they need for their family. All those things are fundamental to people's quality of life in their local community, and that is about promoting full employment in every region. It is also about having steady and sustainable growth in every region, and about tackling the economic inequalities that areas face. Those factors can make a powerful difference to people's quality of life.

Mr. Frank Field: I am grateful to the Minister for giving way to me again. I cheer the statements that she has just made, but does she agree that one of the new factors that affect people's quality of life is the failure of some families to function properly or to teach their children the common decencies, such as having respect for other people? Of course we have responsibilities here in Westminster and through our local authorities, but we cannot have strong communities unless there are strong families. Somehow, the Government must carefully put back on to the agenda the fact that the malfunctioning of some families is the root cause of many of the issues that we are discussing today.

Yvette Cooper: I recognise the point that my right hon. Friend makes. No one could say that the Government were not keen to provide greater family support and to recognise the problems that families face. For example, we have produced a Green Paper on children at risk and introduced the sure start and antisocial behaviour programmes. Nevertheless, we must also address the underlying issues, especially for the long term, in relation to the local economy and local economic inequality and opportunity. Someone who is involved in a community programme said to me recently that we must beware of looking at different areas and figuring that rich areas get jobs and poor areas get community consultation. That cannot be a long-term, sustainable approach to providing support for every community and every family, wherever they live, and to ensuring that they do not face inequality of opportunity or unfair disadvantage.

People's quality of life depends on a wide range of factors. I have not touched on public services, not least because the MORI research referred to the local street environment and the issues related to that. In the long run, we all know that the things that make the greatest difference to families and to people in their communities are related to the quality of public services and the local economy. The title of our debate as shown on the Order Paper, "Quality of life in local communities", is potentially extremely wide-ranging, and I am sure that hon. Members will raise a wide range of issues today. I have chosen to highlight a few that are often neglected in our parliamentary debates, but I am sure that hon. Members will want to raise others, and I shall be happy to respond to them later.

We also need to recognise that the investment and the changes that are taking place are making a substantial difference to many communities. I see changes taking

place in my constituency of Pontefract and Castleford as well as local community groups, facilities and job opportunities that simply were not there five or six years ago. We are making considerable improvements, but we have to recognise also people's genuine concerns about quality of life in their communities.

We can all make more of a difference in this area, but only if we recognise that that cannot be done simply through Parliament. It has to be done by communities and agencies across the country working in partnership to improve the quality of life of our communities.

1.20 pm

Mr. Philip Hammond (Runnymede and Weybridge): I am glad to have the opportunity to debate what is, as the Minister said, an extraordinarily broad subject—the quality of life. It seems to me that the quality of life involves a range of things that she touched on in the last few moments of her speech. I feared at one stage that she was going to leave us with the impression that the local initiatives, important and valuable as they are, are what primarily determine the quality of life of our constituents in our local communities. Whether we would like that to be the case or not, the fact is that what central Government do is far more likely to impact on the overall quality of life of people, wherever they are in the country.

When I saw the title of the debate, I had thought that the Minister might attempt a comprehensive defence of Government policy across the board—economic, education, social, health and housing policy—but she chose to interpret it a little more narrowly. In thinking about how to stay in order, it seemed to me that there is almost no subject that could not be raised as relevant to the quality of life that people in our communities enjoy.

This matter involves material well-being—people having a roof over their heads, income in their pockets and public services that are accessible and user friendly—as well as the environment that we live in, which means liveable towns and cities with quality countryside surrounding them, and transport services that are accessible, reliable and affordable. It also involves a sense of security, which means physical security in our towns and cities and the freedom from crime and the fear of crime, as well as security of employment, financial security and security in old age: people knowing that the savings they have made in their lifetime will be there and can provide a decent living. People need confidence that the services that they have contributed to throughout their working lives will be delivered when they need them in old age.

The debate is about opportunity and empowerment, access to quality education, diversity of employment opportunities, health and choice in lifestyle and services. I am sorry to say to the Minister that it also involves things that are beyond the remit even of this Government, such as the freedom to practise one's beliefs. We take that very much for granted, but in other parts of the world people have to die for it. The debate is also about a sense of community, both local and national.

As the right hon. Member for Birkenhead (Mr. Field) said, we are discussing also the support of friends and family, which can be such a huge influence on the quality of life that people enjoy. However, I shall try to focus on those areas for which the Government have responsibility.

Mr. Mark Francois (Rayleigh): My hon. Friend mentioned accessibility to public services. In terms of promoting community spirit, does he agree that our post offices play a vital role in doing that in all our constituencies? There have been a number of post office closures in my constituency in recent years and last week I received notification of two more. Does he agree that this programme has gone on for quite a while and that the Post Office should think very carefully before recommending even more post offices for closure?

Mr. Speaker: Order. This is an Adjournment debate on local government. We are going wide of the subject.

Mr. Hammond: Of course, Mr. Speaker, the debate is about the quality of life in local communities and I wrestled with its scope for some time.

Mr. Speaker: Order. My apologies.

Mr. Hammond: My hon. Friend the Member for Rayleigh (Mr. Francois) is right, and I am pleased that the Minister gave due recognition to the importance of community. I say to her that that refers not only to local communities, but to national communities and people having a sense of belonging and of place. My hon. Friend ably put his finger on an example of how Government policy has allowed the heart to be ripped out of many suburban and rural communities with the loss of the local post office, which is such an important part of the structure of those communities.

Mr. John Bercow (Buckingham): Does my hon. Friend agree that one phenomenon that is corrosive of precisely that sense of belonging that he rightly identifies as important is graffiti? Although the incidence of graffiti in local communities is not recorded separately from other crime statistics, but rather is incorporated within the category of criminal damage, does he agree that an attack on that phenomenon is crucial to the recovery of the self-respect on which the success of local communities will depend?

Mr. Hammond: I can readily agree with my hon. Friend, and we have already heard contributions identifying the fact that an attack on low-level crime and disorder is crucial to the quality of life of many of our constituents—people in local communities. Indeed, that is disproportionately so. If he will allow me, this is one of the issues that I will come to in due course.

The Minister mentioned income at the end of her remarks. I would have thought that income is pretty near the top of the list of things that determine people's quality of life. Of course people need an adequate after-tax income to enjoy a decent quality of life, but this Government, under a Prime Minister who pledged that we would face no tax increases at all, have increased taxes 60 times so that we pay 50 per cent. more tax than in 1997.

Across the country, people in communities face swingeing increases in council tax, which is a form of national taxation because of how the grant system

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works, as local authorities struggle to deal with central Government's redetermination of priorities. That leaves them with no choice but to raise council taxes or cut local services.

Matthew Green: Will the hon. Gentleman give way?

Mr. Hammond: The hon. Gentleman's intervention is entirely predictable.

Matthew Green: Does the hon. Gentleman think that the council tax is a fair tax on pensioners? If not, does he think that there should be a measure based on ability to pay?

Mr. Hammond: I think that the Liberals' proposal, as currently formulated for a local income tax, would be a disaster for local communities that led to higher tax bills for ordinary, hard-working families across the country—another blow to the quality of life in our local communities.

Mr. Andrew Turner: Does my hon. Friend agree that in low-income areas such as the Isle of Wight a higher rate of local income tax would be required to raise the same amount of money as, for example, in his own constituency? In that respect, the Liberal Democrat proposals would severely damage my working constituents.

Mr. Hammond: My hon. Friend raises an interesting point and puts his finger on one of the weaknesses of the Liberal Democrat proposals. There would not be a local income tax in any genuine sense because there would have to be a redistribution mechanism, which would break the crucial link between local ability to pay and the tax raised locally.

We all appreciate that the flip side of taxation is public service spending. We all want to enjoy high-quality public services, so have we seen improvements in those public services, which make up another component of people's quality of life, as our taxes have soared by 50 per cent. since 1997? The answer, of course, is that we have not.

The problem is that the switch of resources to public services was not preceded, as the Government originally promised, by an improvement in delivery productivity. So we see a business on the scale of the national health service accounting for 8 per cent. of United Kingdom gross domestic product. It achieved a 21 per cent. increase in funding over two years, but delivered just a 2 per cent. increase in output growth. That represents a negative growth in productivity that would result in bankruptcy in the private sector. It contributes to the halving of the productivity growth rate in the economy overall that has taken place since this Government took over from the last Conservative Administration. That is not a dry point: productivity growth fuels the increases in personal consumption, public services and public investment that underpin so much of our quality of life.

The truth is that the Government have had a lucky run—initially, with considerable prudence, building on the legacy of their predecessor and more recently, with alarming profligacy, proceeding blindly down the alley on which they have embarked. They have brought the economy to tipping point. The Chancellor is playing a game of brinkmanship with the prosperity and quality of life of millions of people as he gambles on the appearance of a new driver for the economy before his inevitable puncturing of the balloon of private and public borrowing that is the only thing keeping the economy afloat.

The Government have not spent the money they have raised from hardworking families—eroding their disposable incomes and their ability to exercise choice—on improving our public services. They have squandered it on bureaucratic, underdelivering services that they have neither the political will nor the courage to reform. Where else in the world could we find a health service which, while enjoying a 20 per cent. increase in funding, can deliver only marginal improvements in health care? A million people are still waiting for NHS treatment. Last year alone, 300,000 people without health care insurance had to dig into their savings and pay for their own medical treatment, while 70,000 patients had their operations cancelled within 24 hours of the time when they were due despite a Government drive to reduce the number of such cases. All those things have had a serious impact on the quality of life in local communities.

Then there are the inequalities in health care that persist despite the Government's constant reassertion of their determination to wipe them out. Three years into a crusade against cancer, two thirds of the number of women with breast cancer who could benefit from the drug Herceptin are not receiving it. That figure masks a huge range of prescription levels—for instance, the discrepancy between levels in the west midlands and the south-east. Those inequalities—the postcode lotteries that persist despite the Government's rhetoric—undermine the quality of life throughout the country.

The Government railed against managers in the NHS before coming to power, but there are now 45 per cent. more managers than there were in 1997. There are more managers than beds. As for education—funded by central Government, but delivered by local authorities under the close and watchful eye of Whitehall—one in three 11-year-olds leaves school unable to read, write or count properly, and this year more than 33,000 16-year-olds left without a single GCSE at any grade. Discipline in schools is collapsing: somewhere in England or Wales, there is an attack on a school teacher every seven minutes during the school day. There is also a rising tide of truancy. All those things contribute to the sense of insecurity, and undermine the quality of life in local communities.

The Government's response is to increase the torrent of central guidance for schools, rather than freeing headmasters and teachers to create the environment that parents want for their local communities—be it a more disciplined or a less disciplined environment. The Government insist on central directives and on inflating school costs through headline deals which they then spectacularly fail to fund, leaving local authorities and schools to wrestle with overstretched budgets rather than focusing on the delivery of quality education and an appropriate environment to the children whom they serve.

Meanwhile, more and more parents—including, apparently, Labour MPs—give up on the state altogether. Hundreds of thousands have been forced to do just what others have been forced to do in relation to NHS waiting lists, and raid their savings to buy privately something for which they have already paid through taxation. That is an affront to their right as citizens to enjoy good quality public services wherever they live.

What of the environment in which we live—our transport infrastructure, and our towns and cities? Perhaps this has more to do with what the Minister talked about. None of us would deny that a roof over one's head is a pretty fundamental requirement for a decent quality of life, and to many millions of people in Britain owning that roof represents a huge step up. We are talking about a roof over people's heads, and a chance to get on to the housing ownership ladder. Labour has failed on both counts.

Matthew Green: The hon. Gentleman has been speaking for 15 minutes. He has produced a catalogue of Government failings, and I agree with much of what he has said. But can he reassure us that at some point he may offer a solution rather than just listing problems?

Mr. Hammond: I shall deal with our policy agenda shortly. The point I am making now is that this Government, who are long on rhetoric, have taken large amounts of money from the pockets of ordinary hardworking families to invest in public services that have spectacularly failed to improve those people's quality of life. The Minister devoted a large part of her rather longer speech to worthy and worthwhile local initiatives, without addressing much bigger issues of Government policy that crucially undermine the quality of life of individuals throughout the country.

Ian Lucas: Will the hon. Gentleman take it from me that the issues raised by the Minister are the issues raised in my surgeries every week, and that they directly affect my constituents' quality of life? I should be delighted to hear the Opposition's proposals in that regard.

Mr. Hammond: Even the Minister recognised in the closing moments of her speech that the bigger issues such as health, taxation, education and social services affect the quality of life crucially—that they provide the backdrop. Perhaps as crucial as anything in all local communities is the provision of housing. The number of homeless families in bed-and-breakfast accommodation has increased threefold since 1997, and priority homelessness has increased by 26 per cent. That failure in particular underlines the Government's failure to live up to their rhetoric about caring for the most vulnerable in society, and improving quality of life for those most in need.

Dr. Alan Whitehead (Southampton, Test): I hear what the hon. Gentleman says about the importance of a roof over one's head and of housebuilding programmes. Can he explain why members of his party throughout the country have opposed plans for the building of new and, in particular, affordable housing in areas where the issues that he raises could be dealt with?

Mr. Hammond: The hon. Gentleman is not being terribly specific. I do not doubt for a moment that various members of my party in various places may have opposed specific proposals. In a moment I shall say something about the Government's communities plan, which is the main way in which they hope to address these issues.

The number of social housing completions has fallen by a third since 1997. If we had maintained the 1997 rate, we would now have 35,000 more social homes—enough to house the families who are in bed-and-breakfast accommodation three times over. What I consider even more pernicious, however, is that across large areas even people in full-time work find it impossible to gain access to home ownership. What we used to call social housing, which most of us used to regard as a way to provide housing for those who were unable to participate fully in the economy, now needs to be provided for people who have full-time jobs, often in the public sector. I find that intolerable; it does not serve our communities or those who work in our public services.

The Government's answer is the communities plan, consisting of four growth areas in the south-east and a proposal to demolish many homes in the north. The communities plan will do nothing for the quality of life of the hundreds of thousands of workers across the south-east in the public and private sectors who aspire to owning their own homes in the communities that they serve. Instead, they will be condemned either to key worker, rented housing, or to long-distance commuting to the area in which they work from a home in a growth area selected by the Government. If they do choose to commute, they will get a chance to assess the success of the Government's 10-year plan for transport, which has been rubbished by virtually everyone—from the Commission for Integrated Transport to the Select Committee and the social exclusion unit.

If those people go by train, they will have plenty of time to ponder on the longer journey times and decreased reliability of a railway that is soaking up ever-larger volumes of taxpayer's money. And they will perhaps have a chance to consider the Government's extraordinary feat in turning a poorly performing element of our infrastructure—our national railway—into a worse performing one, which now seems to need to double as a bottomless pit for public finance, if we are to avoid its imploding completely. If they go by car, they will be able to contemplate the £45 billion in taxes that Government impose on motorists, while considering that Britain's spends the lowest proportion of motoring taxes on transport of any country in the western world.

Either way, as those people commute they will get a chance to see something of the countryside that the Government talk about protecting, but for which they display nothing but contempt. The failure to support rural communities as agriculture has lurched from crisis to crisis has eroded the quality of life of those who live in, and depend on, the countryside. The countryside is not a mausoleum, so that failure will erode its ability to benefit those who live in our towns and cities.

In an earlier intervention, the right hon. Member for Birkenhead pointed out that the key issue that emerges on the doorstep when one asks people about quality of life is having a sense of security. In part, that means future financial security, such as pensions; critically, it also means basic physical security, which we might hope

[Mr. Hammond]

to be able to take for granted today, but cannot. Crime and the fear of crime blight lives in our communities as much as, if not more than, material poverty. Britain under Labour has become the crime capital of the western world. Violent crime recorded by the police has increased by 70 per cent. since 1999, while clear-up is down by one quarter. Gun crime has doubled under Labour. People in England and Wales are now more likely to be victims of crime than those in Europe or north America.

I agree with the right hon. Member for Birkenhead, however, that almost as worrying is the growth in low-level crime and antisocial behaviour. A senior police officer described it to me the other day as a social malaise that has soared under Labour. It makes life a misery for people in our local communities. It makes them feel vulnerable and disempowered, and I suggest to the Government that it is a symptom of a lack of balance between rights and responsibilities in our communities.

The solution to detrimental low-level crime and disorder is neighbourhood policing that is accountable to the community, so that the community's priorities are reflected in the police's responses. Too often in too many areas, what the police consider low-level crime does not get the response that the community believes it deserves. The next Conservative Government have pledged to increase the number of police officers on the streets through the savings that we will make by sorting out the shambolic asylum system; and to reduce police bureaucracy, so that those additional officers deliver real reassurance on the streets of our towns and cities, throughout the country.

I want to touch on another issue relating to physical security that is germane to the debate on local communities. It is not only our police forces that protect us from the threats around us; so do our fire and rescue services. During the long fire dispute, the Government pledged that the modernisation of fire services would result in a reduction in fire deaths. So how many people will sleep safer in their beds and see their quality of life improved, thanks to Government's recent reduction of their target in respect of deliberate fires? Their target figure of a 30 per cent. reduction by 2009 has been amended to a mere 10 per cent. reduction by 2010. And how will people's sense of security be enhanced by the Government's reducing their target of a 20 per cent. reduction in the number of accidental fire deaths from 2004—a date that is a bit close to judgment day? Suddenly, that date has been pushed out to 2010.

Such examples underline the nature of this Government's use of targets. Targets grab headlines when they are announced, but when they become difficult to meet they get pushed back. Indeed, during a Standing Committee debate the other day, the hon. Member for Corby (Phil Hope) was very honest about the accidental deaths target. He said:

"We have extended that to March 2010 because . . . the previous target was not attainable."—[*Official Report, First Standing Committee on Delegated Legislation*, 21 October 2003; c. 4.]

At least he was honest, but what is the point of setting targets if, every time we get close to judgment day, the Government simply push them back to a date beyond the next general election?

As the Minister knows, there are many areas that I have not even touched on that contribute considerably to the sense of an undermining of the quality of life in our local communities. Indeed, I hope to mention some points that relate specifically to my local community, and to discover some things ahead of the expected announcement from the Chancellor. We confidently predict that we will hear of yet higher taxes, yet more burdens on hard-working families and yet higher council tax levels. On the local government settlement, we expect to hear more from the right hon. Member for Greenwich and Woolwich (Mr. Raynsford) about the Government's redistribution of resources around the country, which will undermine the quality of life of people in communities not favoured with this Government's largesse.

The Government can best contribute to the quality of life in our local communities by giving them back their freedom: the freedom for local authorities to address the needs of the community, not the targets of government; the freedom for accountable police authorities to address community priorities, thus enhancing the population's sense of safety and security; the freedom for our doctors, nurses and teachers to treat and to teach; and the freedom for patients and parents to exercise the choice that empowers individuals. We need a Government who live within their means; taxation that does not squeeze the lifeblood out of our economy; public services that are reformed to deliver efficiently, without waste and bureaucracy, through the exercise of citizen choice; funding distribution based on the need to protect the vulnerable everywhere—not just in areas favoured by government—while still promoting economic growth and allowing the economy to grow by attracting investment to the areas in which inward investment wants to locate.

In short, we need a fair deal for everyone—the south as well as the north, the countryside as well as our cities. That is the way for the Government to contribute to a rise in the quality of life for all our local communities.

1.49 pm

Ms Joan Walley (Stoke-on-Trent, North): I contribute to this debate as the chair of the all-party group on regeneration, which has had many discussions on the quality of life. Indeed, I want to record my thanks to the Minister for recently attending a meeting of the group. Such a debate is important, and the speeches made so far have made it clear just how important this issue is for MPs and their constituencies. If the phone calls, visits, letters and e-mails to my constituency office are anything to go by, this issue tops all the others in terms of what matters to people. It is intrinsically linked to people feeling that they can have faith in their MP, faith in their Government and faith in their local authority to deliver the things that matter to them.

Our debate on this subject is important and necessary. As was mentioned in an earlier intervention, we seem to have lost a sense of place, a sense of belonging and a sense of trust in a community identity whereby people know who is responsible for what, who to go to when something needs to be done and what can be done to put things right when they go wrong. We know that some people will be proactive in getting such things done.

What we need to convey from today's debate, which also reflects the debates in the all-party regeneration group, is the fact that we support the Minister because we realise that she has a cross-cutting role inside the Government to deal with issues such as community safety, policing, education and so forth. Ultimately, the Treasury is involved in respect of the finances available for dealing with those issues. We want to give more power to the Minister's elbow to fight that corner for us. That is why our debate is important.

The debate is also timely. It is being held not only before the Queen's Speech but before the next spending round, which will determine the allocation of moneys. We must issue the plea that every Cabinet Minister should take the quality of life seriously, and we also need a strategy for delivery. I am often reminded of the phrase, "vision without action is just a dream; action without vision is just a waste of time". Only when we can combine vision with action will we change the world. Our constituents want their MPs to help to change the world for the better in the local community.

Today's debate highlights quality of life indicators, which are welcome, and I greatly commend the Government for introducing them. We can monitor the quality of life indicators to establish how things are changing and improving. We need to use such tools to add weight to the importance of delivery at the local level.

Mr. Geoffrey Clifton-Brown (Cotswold): I have listened carefully to the hon. Lady's speech and I know that she wants to deliver at the local level, so how does she square that with her Government's removal of housing and planning to the regional level? Does that not amount to taking such decisions away from local people, making services far more remote and less accessible?

Ms Walley: A great deal of consideration should be given to the new planning guidance, as well as to the current guidance. People want some input into the planning decisions that affect their local areas. As the Minister said in her introduction, we must examine our economic well-being at the regional level. It is important to plan in order to avoid huge out-of-town developments, which have done so much to undermine a local sense of well-being and belonging.

I remember that, as a child, I knew everybody. I knew who people were before they were married; I knew their names; I knew all about them. My point about the planning system is that we need to take account of issues as a whole—at a regional level as well as at the local level—and I believe that the Government are getting the balance right.

We must examine the role of local authorities. Following on from this debate, I would like us to reflect on how to get local democracy right. We should examine how local councillors can play a part in the regeneration policies that we want. There is a danger of having too many local partnerships of one sort or another, bringing about more bureaucracy rather than allowing locally elected people at the ward level any real opportunities to design, deliver and implement what is needed.

Andrew Selous: It is right to talk about getting local democracy right, so what would the hon. Lady say to local councillors in my area, where the biggest local issue for about 50 years—the doubling of the number of houses in the constituency—has been taken entirely out of their hands? It is being decided at regional level and through an urban development corporation with the approval of only a minority of elected councillors. What happens to local democracy in those circumstances?

Ms Walley: Anyone who knows my record will be aware that I am a proud defender of the rights of local democracies and, indeed, of local councillors. It is important that planning is conducted within a national as well as a regional framework. It is important that we get the balance right.

We have had many reports—the Rogers report, for example—various consultation documents, and other reports from the former Department of the Environment, Transport and the Regions, but the time for talk is now effectively over. It is now time for delivery. I cannot therefore stress enough the importance of the Minister's ability to cross Departments. Various recommendations have resulted from the work of the various taskforces and the many people across the country who have given freely of their time to influence what should be done: now is the time to put them into action. That is crucial.

Neighbourhoods are also an important issue. I come from an area that has a very strong sense of neighbourhood. People place high value on the public realm and their local communities, whether it be in respect of parks, play spaces or local services such as rubbish collection or the maintenance of shared areas. It is a matter of concern when national surveys have revealed that 40 per cent. of people would like to move from poorer areas because they feel that the neighbourhood conditions are not right. That is why I greatly welcome the housing renewal programme, which the Government have introduced. It will apply in north Staffordshire and I urge the Minister to ensure that we get it in place as quickly as possible and link it to regional planning and economic development issues.

I was struck by Members' comments about antisocial behaviour. I have been involved in many research studies, and in my experience it is the issue that matters more than any other to many people. I noticed my hon. Friend the Member for Hamilton, South (Mr. Tynan), who has successfully piloted the Fireworks Bill through the House, in his place earlier. Some antisocial behaviour could result from not yet having dealt with the previous Government's abolition of controls on the importation of fireworks. Antisocial behaviour often makes people move from inner-city areas to greener places where we should not be building, so we must ensure that we build sustainable communities in urban areas.

It is often only a small minority of people who cause much antisocial behaviour. Whether it results from insufficient drug rehabilitation places, insufficient parenting skills, a continuing cycle of deprivation or whatever, we must deal with the problem, because feeling safe in the community is more important than anything else.

I should like to draw the Minister's attention to the role that street lighting can play in tackling antisocial behaviour. The Home Office has tended to invest large

[Ms Walley]

sums in closed circuit television cameras on the grounds that they can play a large role in reducing antisocial behaviour. I have to say that the contribution that CCTV cameras can make depends on monitoring within the local authority. Research undertaken by the all-party lighting group showed that more effective street lighting could play a bigger role. Such lighting need not be polluting, which might make it unwelcome in some rural countryside areas. New technology exists to get round that problem. I firmly believe that effective street lighting could make a huge difference.

Mr. Edward Davey (Kingston and Surbiton): To back up the hon. Lady's point, CCTV was introduced on the Cambridge road estate in the Norbiton ward in my constituency. The high-tech CCTV was in place, but parts of the estate were not sufficiently lit. That shows that there was no joint thinking, which would have ensured that the lighting was adequate. We need a dual approach with both cameras and proper lighting.

Ms Walley: I am glad to have the opportunity to commend the work that the hon. Gentleman has done for the all-party street lighting group. If a local authority cannot afford to employ sufficient people to monitor its cameras, or if blind spots are caused by insufficient street lighting or overgrown trees in summer, CCTV will make no difference to antisocial behaviour and may merely displace it from one area to another. That shows the need for proper communication between the Government and local authorities to ensure sufficient assessment of street lighting, where it is failing and where it needs to be replaced. I ask my hon. Friend the Minister to remind the Treasury that funding must also be available—I am happy to say that we have private finance initiative funding for the whole of Stoke-on-Trent to be relit—throughout the whole country.

Mr. Andrew Turner: The problem is that CCTV is merely treating the symptom. I understand why people want the symptom to be treated, but we need to treat the disease. Will the hon. Lady explain, if she can, on behalf of Ministers who have not yet explained it, how we can treat the disease of antisocial behaviour, rather than merely the symptoms?

Ms Walley: We were promised at the outset that this would be a far-ranging debate and that is what it has turned into. We need to consider the whole issue of how we address antisocial behaviour. One good news story in Stoke-on-Trent is the sure start programme, which has reached out to young people. It gives both men and women parenting skills and provides toy libraries, and advice on proper nutrition and on proper parental behaviour. It links with nursery provision in the area and it helps young children. However, it is older children who contribute so much to the senseless yobbish behaviour that undermines our communities. Drug addiction is one problem, and we need to combat nationally the increasing amount of drugs entering the country and the hopelessness they bring. At the weekend, I drove through parts of the country that I do not know very well—former coalfield areas outside north Staffordshire—where traditional jobs have been taken away and have not yet been fully replaced, and that is why I support what the Minister said about economic security. We need to work with regional development agencies to provide the investment that we need on the ground to create new jobs. People in my constituency have lost their jobs in the ceramic industry because their jobs have been outsourced. We need to address those issues quickly, but in a way that is well thought out and works across the board.

Play issues are also important. Twenty years ago, local authorities had clear responsibilities to provide parks, but investment over the years has not been what it should have been. I pay tribute to the Government for setting up the working party on play, chaired by my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). I am proud to say that the working party's report was launched at a conference held by the Landscape Institute at Vale Park conference centre in my constituency. It is very important that we provide good play areas for children and proper areas for young people.

Stoke-on-Trent city council advises me of a major problem, in that the majority of funding for play comes from external funding sources, including the neighbourhood renewal fund, the children's fund, the new opportunities better play programme, positive action for young people, community cohesion or learning and skills councils. Local authorities have a real problem deciding which source to apply to for what purpose. The Government also need to ensure security of funding so that it does not dry up after a scheme has been running for three years. We also need the chance to follow up pilot projects with mainstream projects. It is no good setting up neighbourhood management teams with neighbourhood renewal funds if, three years later, the funds are not available to continue that work. It makes recruitment difficult if people are uncertain about how long their jobs will last.

Mr. Meale: Will my hon. Friend take this opportunity to pay tribute to local authorities of all political persuasions for their work on biodiversity? Some 5,000 local authorities throughout Europe have participated fully in Agenda 21, at a local level in their communities and through education programmes.

Ms Walley: Last Wednesday, I was invited to launch a conference entitled "Sustainable Staffordshire", held to celebrate the 10th anniversary of a group, which included people from businesses, local authorities and other organisations, set up to carry out the work of Agenda 21. I had helped to set up the group and it invited me back to celebrate its anniversary. At the conference, I was able to report back from the Johannesburg world summit. As the Environmental Audit Committee has done many times, we were able to examine how the issue of environmental sustainability should be part and parcel of the process of regeneration. Every regeneration proposal must have regard to biodiversity and the real issues raised by the action plan from the Johannesburg world summit, which built on the progress achieved after the Rio earth summit some 10 years ago. For example, the Government have announced today a review of English Nature and we need to ensure that what is put in its place pays proper regard to issues of sustainability. That will also require the Government to work with local authorities.

The citizenship scheme that the Government have introduced in schools can play an important part in ensuring that our young people understand our agenda. Huge gains can be made by providing proper funding for sport. I note the concerns that the full amount of funding from the Treasury has not reached the Football Foundation, which provides partnership funding for sport at a local level, together with the premiership and other funding sources, such as the lottery. I urge the Minister to check with her colleagues at the Department for Culture, Media and Sport to ensure that promised funding is allocated in its entirety.

I supported the post office network reinvention programme, because I know how important post offices are to so many urban and rural areas. I would be grateful if the Minister worked closely with the Post Office on the implementation of that programme, which I understood would look strategically at where post offices were needed to ensure access for local communities, in a similar way to the process that provided extra money for rural post offices. My area still has many urban villages—former mining communities—and the Post Office has taken the easy way out. For example, it has closed the post office in Ball Green, despite huge opposition and before strategic consideration of what is needed. I do not think that the Post Office is abiding by the letter of what was agreed. Visiting the post office means that one meets people and feels part of the community. The sense of belonging is really important.

I am conscious of the time, so I will raise only two more issues. The first has to do with back alleys. In the 21st century, it is not right that so many people in terraced properties should find themselves ankle deep in mud when they go out of their back door because the alley has not been adopted. I have spent eight years campaigning on this matter. I have gone to the local government office, to my right hon. Friend the Deputy Prime Minister and to the regional development agencies and the local authorities, but with no success, as there is no dedicated funding for adopted alleys. I am sure that many of my constituents would welcome designated funding to adopt all the unadopted alleys—for instance, as part of the housing renewal programme.

Finally, I agree with my hon. Friend the Minister when she said that the most deprived communities are often the ones with the largest needs. I want to end with a plea. Stoke-on-Trent city council has applied for a share of the £200 million liveability fund. I pay great tribute to the work done by the Commission for Architecture and the Built Environment in helping local authorities draw up proposals, but only three of the 28 applicants for the liveability fund in the west midlands will be successful.

Stoke-on-Trent has suffered huge job losses and urban deprivation. Genuine desire for improvement was expressed at the conference launched by my right hon. Friend the Member for Holborn and St. Pancras, and a plea was made that my local authority's application should be successful. I met Mr. Phillip Harper, the director of urban management recently appointed by the council manager for Stoke-on-Trent city council. I understand that two weeks ago Mr. Harper had a special meeting with my right hon. Friend the Deputy Prime Minister and other departmental Ministers to talk about the wonderful work that had been done in Middlesbrough. It is clear that Mr. Harper could administer any money received as a result of a successful liveability fund application. I know that the Government are to make an announcement early this month. I cannot stress how important a winning application would be to my constituents.

2.12 pm

Matthew Green (Ludlow): I am pleased that the Government have arranged this wide-ranging debate. Like the hon. Member for Stoke-on-Trent, North (Ms Walley), I want to be as positive as possible when it comes to proposing solutions to some of the problems that exist. I do not want to copy the style of the hon. Member for Runnymede and Weybridge (Mr. Hammond), who spent 27 minutes talking about problems, and one minute skating over a few solutions.

A regular feature of the contributions so far has been the issue of antisocial behaviour and low-level crime. The Minister was right to touch on the roots of those problems. In particular, the 1980s were a period when the sense of community broke down. It was replaced with a much more individualistic approach, when belonging to a community became much less important.

Cultivating a sense of community is one of the most effective ways to reduce antisocial behaviour. I speak with some knowledge, as there is practically no such behaviour in my constituency. I served on the Anti-Social Behaviour Bill, but I think that I have received only two letters on the subject since I became a Member of Parliament. I realise that that is not a common experience among hon. Members, but why should that be?

In my constituency, there is a very strong sense of local community. That is partly because the communities involved are small and widely dispersed, and we do not suffer from the problems that have emerged elsewhere. Conservative Members need to address the fact that the breakdown in the sense of community is one of the main reasons why antisocial behaviour is such a large problem. Many of the Government's solutions are sticking plasters applied in an attempt to paper over the damage. We must try to rebuild that sense of community.

It has rightly been said that the problem of graffiti is a blight on many communities. Graffiti wears down people's sense of well being in their community, and probably encourage crime. Liberal Democrat Members supported the Anti-Social Behaviour Bill's provision on graffiti, but councils have been able to act effectively even before those provisions have been introduced. No one has all the solutions, and we need to look at best practices.

Milton Keynes council decided that graffiti was one of the most serious problems in the area, and residents wanted the matter dealt with. The council set up graffiti-busting teams, and there are now about 2,000 fewer tags or problems with graffiti than was the case two years ago. The teams act very promptly, and deal with a problem as soon as it is identified. They have tackled the existing problem with graffiti, and the number of incidents involving graffiti in the future is likely to be lower. Councils in general could learn from that.

Kingston council, in the area represented by my hon. Friend the Member for Kingston and Surbiton (Mr. Davey), has adopted a holistic approach. It has worked

[Matthew Green]

with magistrates and police to produce joined-up initiatives, and a dramatic reduction in graffiti has been achieved.

I have presented two examples of positive action by local councils, but I am sure that other hon. Members know of others. They would be doing the House a service if they described them.

Dealing with crime sometimes requires more than a big stick. The design of local communities is also very important. The hon. Member for Stoke-on-Trent, North spoke about back alleys. In Liverpool, locks and gates have been placed on back alleys, and residents have been given the keys. As a result, they have control over the alleys, and the policy has had a dramatic effect in cutting crime. Sometimes, the simplest solutions are the most effective. The one that I have just described is also very cheap, but it has worked very well.

Ian Lucas: Does the hon. Gentleman agree that one of the biggest difficulties when it comes to dealing with antisocial behaviour, or what has been called learnable crime, is that agencies such as the police, local authorities, community councils do not talk to each other? Straightforward solutions are missed as a result.

Matthew Green: My immediate response is that, if those agencies are not speaking to each other, it must be the role of the local MP to ensure that they begin to do so. Perhaps matters are different in the hon. Gentleman's area. If local agencies in my area were not in touch with each other, I would make sure that they got together and spoke to each other. I would not let them get away with not doing so. It is possible for MPs to have an influence in that way.

One difficulty with antisocial behaviour is that the Government's approach has been to vilify young people. In effect, the Anti-Social Behaviour Bill says that young people are the problem and that a solution can be achieved by hitting them harder with a stick. Some elements of the Bill are necessary and welcome, but the proposal in respect of the dispersal of groups is unacceptable. At its worst, the Bill will punish innocent people for the misbehaviour of others, as those innocent people will be the ones to be dispersed from an area when problems are caused by outsiders. That approach will cause young people to have less regard and respect for their communities and for the forces of law and order. It is not an approach that the Government should be following.

Mr. Edward Davey: On the Sunray estate in Tolworth in my constituency, we have the problem of youth gangs committing antisocial behaviour and terrorising some of the residents. Last week, I held a meeting with local police who told me that they did not want to criminalise young people but to find diversion tactics—other ways to reach out to them and to find other things for them to do—as well as empower the residents so that they could link up and build the sort of community that is the only sure foundation for stopping such antisocial behaviour.

Matthew Green: I thank my hon. Friend for that point. Perhaps the saving grace of the Anti-Social Behaviour Bill is that the Association of Chief Police Officers has made it fairly clear that it thinks the police will never use the dispersal powers. Once again, we have a piece of legislation that will probably never be used.

Ian Lucas: May I share with the hon. Gentleman details of a case from my own constituency? A letter arrived on my desk yesterday morning from a lady who described how, due to the behaviour of between 25 and 30 young people in her area, she needed protection from the police. They asked her to contact me to make it clear that they wanted dispersal powers to deal with those incidents. Today, I shall write to her to let her know that the Liberal Democrats do not support such powers.

Matthew Green: We certainly do not support the dispersal powers that are currently set out. I am happy to defend that position.

Housing has been mentioned. The right to a roof over one's head is key to people's quality of life. I want to consider three aspects. The first is affordable housing to rent. As we have heard, there has been a decline—especially since 1997, as it happens—in the amount of new social housing that has been built, although that decline started as long ago as 1990. The number of new houses registered to social landlords has been in decline since then.

The situation is exacerbated by the continued existence of the right to buy, especially in areas of high housing demand. Local councils should be given the power to decide both whether right to buy should apply in their area and on the scale of the discount to be offered. That would stop the erosion of housing stock in high-demand areas.

Mr. Hammond: Selling a house under right to buy does not cause that house to be lost from the housing stock; it causes it to be occupied by exactly the same person who occupied it on the day before it was bought and who would have continued to occupy it on the day after it was bought even if it had not been bought.

Matthew Green: The hon. Gentleman is clearly unaware of the number of cases of abuse of the right-to-buy system. People are encouraged to take up that right, but after a couple of years a company acquires the house. There is huge profiteering by people who are not the original tenants.

Richard Younger-Ross (Teignbridge): My hon. Friend may be aware that in rural constituencies, former council houses in small villages have a high value. They can be sold on after four, five, six or 10 years at a large profit and are then lost to the social market.

Matthew Green: My hon. Friend hits the nail on the head. My constituency is a rural one and affordable housing is the No. 1 issue. People want more homes to rent. The reason that there are fewer such homes is that too many of them were sold under the right to buy.

Mr. Hammond: Will the hon. Gentleman confirm that his objection is to abuse of the right to buy scheme and

not to the scheme per se? Earlier, he appeared to be saying that local authorities should be able to opt out of the right to buy.

Matthew Green: I said that by removing the discount local authorities would be able, in effect, to opt out. That is giving local choice to local communities, something to which I thought the Conservatives had converted themselves over recent months—to the shock of many of us: local solutions for local problems.

Mr. Andrew Turner: Another aspect of local choice for local communities is that of who should be on their housing list. My constituents complain furiously that people come from the mainland and are housed in my constituency. Can the hon. Gentleman tell us whether the Liberal Democrats support the right of local authorities to determine who should be on their housing list?

Matthew Green: I have to point out that Tory asylum policy is to find an island, as yet unspecified, on which to stick all asylum seekers. With that in mind, the hon. Gentleman should be wary of talking about housing and incomers.

We need more registered social landlord properties, and they can be delivered through the planning system. Several local authorities, including one in my area, have adopted a policy requirement of 50 per cent. affordable homes on sites of two or more houses. That is much higher than the Government's recommendation of 30 per cent. affordable homes on sites of 19 or more. In areas of high demand, especially around London and in the south-east, I encourage the Government to push the figure up to 50 per cent. on sites of two or more houses. In that way, the market can deliver extra rented homes.

We also need affordable houses to buy. The rampant growth in house prices means that in large parts of the country few people can afford to get on to the housing ladder. In London and the south-east, the problem affects key workers. In rural areas such as mine, where wages are low but house prices have risen due to people retiring to the area, local working families can no longer afford to get on to the ladder.

I offer a positive solution. It was dreamed up by South Shropshire district council and has already been adopted in the Dartmoor national park: the use of the golden share scheme, under arrangements set out in section 106 of the Town and Country Planning Act 1990, to ensure that when a property is built it is bought, at a reduced amount, by people who qualify as local and who need to live in the area because they have local links or work there. However, when they sell the property it cannot go on to the open market; there are restraints under section 106 so that it remains affordable in perpetuity. The system was introduced in south Shropshire in January.

The Minister may not know about the scheme in detail, so I shall not ask her for an instant response, but I urge to look into it. It offers a way to create a middle tier of affordable housing whereby people can own 100 per cent. of their property with no shared equity. Such houses remain affordable for local families.

Houses should also be affordable to live in. The Government could do much more to improve building regulations to ensure that energy use is reduced, through measures such as the incorporation of natural light and heating in the design of houses. If they were serious about the introduction of micro combined heat and power plants to serve all properties with a gas supply—about 70 per cent. of UK houses—they could replace nuclear power within the next 15 years, as long as they allow net metering. That would produce a dramatic effect; cheaper heat and light will make homes more affordable to live in. There is much that the Government can do about that and I hope to hear positive things from the Minister.

We have already discussed post offices, but pharmacies are also under threat. The quality of life in local communities depends on local post offices and local pharmacies. We cannot do without them. The Government must find a way of reversing their course on post offices. We want more post offices to open and to protect the ones that we have already, not the continual decline first of rural and then of urban post offices. Before it is too late, the Government must stop taking the same route in relation to pharmacies. We must protect small, local pharmacies.

Much can be done to encourage small shops; for example, by changes to the uniform business rate. The car parks of large out-of-town supermarkets are, in effect, untaxed, because the business rate is levied only on the building and not the car park. If we changed the taxation system so that it took account of land value rather than rateable value, supermarkets could be taxed on their extremely profitable large car parks and small shops in towns would pay lower taxes—*[Interruption.]* It is, in fact, Liberal policy.

We have heard about facilities for children. Sure start is a success, which we need to build on, and the Government ought to be making announcements about increasing the extent of that initiative. We also need a coherent policy about play areas and green areas. After all, under Conservative Governments, playing fields were sold off. We need to protect playing fields and local councils need to register them.

Mr. Andrew Turner: Will the hon. Gentleman give way?

Matthew Green: I will not because I am going on—not yet for quite so long as the hon. Member for Runnymede and Weybridge.

I also want to touch on rural areas, as hon. Members might imagine given my constituency. The Government have introduced the term, "rural-proofing". I welcome it, but they need to show what it means. I shall give an example from my constituency. We have a community—Bishop's Castle—that hit the highest level on all the Countryside Agency's sheets of the most deprived areas. The people there have been trying to get together a sports and arts facility, which is much needed because anyone in Bishop's Castle has to make a 20-mile round trip to get to one of those facilities. The Government have so far failed to find any route to help to fund that facility. Bishop's Castle is in a rural regeneration zone and has objective 2 status, but such facilities do not meet any of the necessary funding criteria, although, quite frankly, people are deprived by not having them.

[Matthew Green]

In rural areas, social exclusion for the young and elderly is very much dictated by the complete lack of transport provision. Many parts of my constituency have no bus service, and some of them have a bus service that comes once a week. That shows the level of the problem. How can people enjoy a coherent lifestyle if they are reliant on that?

I want to finish by considering what the Government need to do to improve the quality of life for local communities. As I have said before, local problems need local solutions, so the Government need to devolve as much power as possible to local communities. They need to take power from Westminster to the regions and local councils. That decentralisation will empower local communities and allow them to make the choices and decisions that work in their areas. None of us has a magic one-size-fits-all solution, and if people pretend that they have, they are, quite frankly, barking mad.

We also need to revitalise local democracy. Proportional representation for local elections—we hope that it will be introduced in Scotland shortly—would have a major impact, by ending the monopoly one-party states that we see in local government, and that can be said of all parties.

Siobhain McDonagh: Will the hon. Gentleman give way?

Matthew Green: I will not give way because I have taken some time and I am now winding up.

The Government also need to enable the provision of first tier councils—community councils—where they are wanted, even in urban areas. If people decide, perhaps in a local referendum, that they want a low-level council, let them have one. My constituency is entirely parished—there are first-tier councils throughout my constituency—but other hon. Members will have none in theirs. Very often, such councils can be the most effective way to deliver local solutions.

Finally—this has been touched on—what will really make a difference to the quality of life of many people in our local communities, particularly pensioners, is giving them extra income in their hands. Scrapping the unfair council tax and replacing it with a tax based on ability to pay would give those on low incomes more money. The Conservatives introduced the council tax in 1991, and the fact that their spokesman has said nothing about it confirms that they still support the council tax. They obviously still think that it is a fair tax. Council tax is no longer sustainable, and we have heard the Minister for Local Government, Regional Governance and Fire say that that it is approaching the level of unsustainability.

The Government are now considering local income tax as part of the balance of funding review, but the day after that was announced by the Minister for Local Government, Regional Governance and Fire, the Prime Minister announced in his monthly press conference that the Government will never introduce local income tax. The Deputy Prime Minister and all the Ministers under him are clearly open-minded about local income tax, but they have already been overruled by No. 10, saying that they cannot do it. I would very much welcome the Minister clarifying in her winding-up speech whether the Office of the Deputy Prime Minister would be able to persuade No. 10 that local income tax should be introduced if the balance of funding review recommends it.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Limited time is available to the debate, which covers a broad canvas, as has been acknowledged. I hope that not all hon. Members whom I call will wish to cover its entire breadth.

2.35 pm

Dr. Alan Whitehead (Southampton, Test): Thank you, Mr. Deputy Speaker. I was indeed going to commence my remarks with the observation that the title of the debate could be treated not as a subject but as a coat hanger on which various coats could be placed, so as long as hon. Members put at the end of each metaphorical coat the words "the quality of life for local communities". In that respect, the hon. Member for Runnymede and Weybridge (Mr. Hammond) did not disappoint. Indeed, he covered a huge area on that basis.

I should like to talk not just about the quality of life in local communities, but about the role of Government in enhancing it. Of course, as the hon. Gentlemen reflected, that is a huge subject, encompassing the health of our environment, the planning and organisation of our cities, the investment that we might make in sport and culture, the way that we deal with the housing needs of our population and the way that people can transport themselves around to get to those amenities, and so on.

I very much welcome the debate, broad ranging though it may be, because it signifies the coming together of joined-up government. Addressing the quality of life in local communities is, frankly, something that, historically, Governments have not done, and it is still fair to say that it is regarded as something of a fluffy issue; it is not really the stuff of high politics. Governments of the right traditionally have not addressed the issue. They have agreed that the market will sort it out and that the role of the Government is to maintain basic order, to hold the ring or, to extend the metaphor slightly using Roy Hattersley's telling phrase,

"to hold the ring while the biggest and best trained boxers beat the smaller and less trained boxers to a pulp."

However, even where Governments of the left have considered that holding the ring was not enough and that one needed to intervene positively through governance to change the conditions in which people lived because the market itself would not do so, the intervention was, historically, essentially restricted to bricks and mortar.

As we have heard this afternoon, bricks and mortar are very important. Whether we have a roof over our head counts rather a lot in our quality of life. If we have a roof over our head, whether we can have locally available to us a doctor's surgery, a post office, amenities for entertainment, shops and so on also count. Even if we have all those, whether we can get to them matters too—for example, people may not have cars.

Mr. Hammond: Does the hon. Gentleman not recognise that perhaps quality of life is a better indicator

of how Government should distribute funding than some of the cruder underlying indices? For example, that measure that would recognise explicitly that people living in materially more affluent areas of the country might also suffer some downsides from living in those high-pressure, economic growth areas. That seems to be something positive that we can reach for in the debate.

Dr. Whitehead: If the hon. Gentleman bears with me, he might be pleasantly surprised. Rather than responding to that point in particular, I hope to develop my argument a little.

The design of our communities is very important, but other intangible factors are at work, governing the quality of life in our communities. For example, the health of our communities depends not only on the important building blocks of the physical arrangement of the environment, but on the less tangible world of the provision of public goods. I refer to goods in the sense that they are goods, instead of bads. That is often a fragile raft. Sometimes communities with relatively poor physical provision of amenities can thrive, whereas others with better provision can occasionally flounder, and who can be said to have the better quality of life thereby?

Communities that flourish will, for example, be those with a high degree of what we might call social capital—the glue that binds people together; the richness of community associations; the web of sports clubs, allotment societies, mother and toddler groups; or even more informal social contacts that enhance mutual support and improve the quality of life in those communities.

I recently met groups of semi-randomly invited constituents to discuss quality of life. Among many other topics in the discussion, I asked them one central question, which could be considered as a positive or a negative: what one thing would most improve the quality of their life if they consider that they have a good quality of life; or what one aspect of their life that they might lose would most damage that quality of life? Those who consider that their quality of life might improve tend to mention specific things that might help: for example, accessibility of services. Those answering the negative questions, however, say that the biggest single thing that would reduce their quality of life would be to be suddenly deprived of their friends, neighbours and community.

Where do Governments come into this? It seems to me that they come into it in a number of ways on which I believe our Government are beginning to gain traction. First, there is the question of bricks and mortar, which is a contentious issue in itself. It is not enough simply to provide: we need to think publicly about how to provide and in what way we provide. My mind was cast back to an interesting statement made in 1929 by the architect Le Corbusier:

> "We must never . . . lose sight of the perfect human 'Cell', the cell which corresponds most perfectly to our physiological and sentimental needs. We must arrive at the 'house-machine', which must be both practical and emotionally satisfying and designed for a succession of tenants. The idea of the 'old home' disappearing and with it local architecture, etc., for labour will shift about as needed, and must be ready to move, bag and baggage."

That essentially describes the layout of many of our towns and cities today. We still have the legacy of Le Corbusier with us in terms of high-rise blocks, the soulless centres of our cities, and the way in which that design of our cities has removed community rather than enhanced it. It is therefore not without significance that the Government's plan for a radical increase in house building in the south-east of England is called not a plan to build houses but the communities plan. That plan appreciates in a way that Le Corbusier and his disciples signally failed to do that communities must be sustained and must work, and that a key role of Governments is to provide the wherewithal to make that happen.

It is interesting to look at a number of research projects into how communities can be seen to work in terms of how urban areas are designed. A study in San Francisco made a clear correlation between the location of particular houses, the number of friends and social contacts that inhabitants of those houses had and the extent to which those houses could be involved or less involved in their communities. Houses that were, for example, on the edge of dual carriageways or in the middle of busy intersections had less social contacts, whereas houses that were designed in areas where community interaction was possible had much higher levels of social contact and interaction.

That brings me to an apparently ephemeral although important issue, certainly in terms of the debate on antisocial behaviour: trust in communities. It is interesting that the Government's strategy unit document on social capital considered, perhaps curiously, that measuring the degree to which people trust strangers in communities might be a good index of the extent to which communities work. It is interesting to make international comparisons of responses to the question, "Generally speaking, would you say that most people can be trusted, or that you cannot be too careful when dealing with people?" As a nation, we come badly down the list—31 per cent. of us answer positively to that question, whereas in countries such as Norway, Sweden, Denmark and Canada, more than 50 per cent. of people answer positively to that question. There are also substantial differences within the United Kingdom in terms of who answers positively to those questions.

In that context, work on ensuring that people feel safe in their environment and are able to trust people and use amenities in their communities without being in fear of their personal safety or being afflicted by neighbours from hell, is important. It seems to me that the underlying idea of much work on antisocial behaviour is not simply to stop antisocial behaviour but to build a more positive aim: to ensure that there is trust within communities and that people are able to go about their business and make use of their communities, therefore enhancing publicly the quality of life in communities, because people are not too afraid to use community facilities in the first place.

It is interesting to consider in that context the Palo Alto experiment, which took place a little while ago in America. A number of researchers left a number of cars with the bonnet up—or, as they would say in America, the hood—in different parts of America. They then observed how long it took before the car was taken to pieces. In some of the six different locations, the car was taken to pieces within two hours. In Palo Alto, however, not only was the car not taken to pieces but, after two days, when the researchers got thoroughly fed up with hiding behind a bush watching the car and came out and drove it away, the researchers were reported to the local

[Dr. Whitehead]

police on the grounds that they were acting suspiciously. That sort of index of how communities work, whether they work well and whether there is trust and safety in communities, is vital in relation to discussions of how Governments can make a change in the quality of life in communities.

Of course, the role that Governments have under those circumstances is different from the traditional one of doing things and making things happen. Instead, the role is one of capacity building, providing opportunities for communities to work, supporting communities when they do work, making sure that measures are available for communities to build and sustain themselves, and making sure that those work. It is also about ensuring that the needs of the environment and the people are held in balance. When we debate the question of building more houses, is the issue simply that we should not build any more houses in certain places because the quality of life of particular people will be degraded? Alternatively, if we are trying to build communities as well as housing estates, does such a public good require a public discussion about how it works?

The rewards in terms of better public health, community cohesion and less crime, which underpin and support the capacity building of communities in terms of their social capital, are considerable. They are not easily measurable by traditional means, however, and certainly not by numerical targets, which some have attempted to use. Such projects and programmes are perhaps also unattractive to Governments because the results do not turn up in six months, they do not give good headlines, and they take many years to turn around and change communities. I commend the Government, in relation to their communities programme and other proposals, on resisting the temptation to opt for short-term gain and on investing in the long-term future in making these changes to how communities work and how they do so effectively.

It is essential that Governments go down this route, because unless we find ways of supporting and building capacity in our communities, and of joining up government to do it, the inevitable consequence is the Le Corbusian vision of the isolated worker and individual—in their community but not of their community—simply going about their business and not doing anything else with their lives. It seems to me that communities are the heart and the stuff of life of our country, and supporting them, thereby enhancing the quality of life of those communities, is an essential role for Government to undertake.

2.48 pm

Mr. Andrew Turner (Isle of Wight): It is a pleasure to follow the hon. Member for Southampton, Test (Dr. Whitehead). I do not propose to compete with him in thoughtfulness, but his was a thoughtful speech which I will read again with care after this debate is over.

My constituency has a wonderful quality of life—let there be no doubt about that. Consequently, my constituents do not, in the words of the hon. Member for Stoke-on-Trent, North (Ms Walley), who is no longer in her place, want a Member of Parliament who wants to change the world, even for the better. They want a Member of Parliament, a local authority, and most particularly in this context, a Government, who will not get in the way of their enjoyment of their quality of life and will not diminish the quality of life that they enjoy. Many of them subscribe to the view that I have outlined several times, which I shall repeat once more, that no problem in the world is so great that Governments, of any colour, cannot make it worse.

The key factor that determines people's quality of life is how well and comfortable they feel in their communities, and I shall examine several of the points made by the hon. Member for Southampton, Test with that in mind. He did not identify why communities in Norway, Sweden and Denmark were so trusting—perhaps he did not know. He did not identify which communities in this country are more trusting than others. I do not have any evidence to identify those communities either because I did not know that he was going to mention them, but I shall hazard a guess. The communities that are most trusting are those that are the smallest and most stable. There is confidence in Norway, Denmark and Sweden, which is not shared in all parts of this country—I cannot speak for Canada at all—since there is more community cohesion in those countries because of cultural homogeneity and for reasons of stability.

We must carefully address the extent to which our communities are changing and the speed at which that is happening. I have a lot of information about that because many people choose to move to my constituency from London, other metropolitan areas and parts of the country that would have been regarded as pleasant suburban areas until quite recently. Many people no longer feel happy in such places, so they have moved to my constituency and other parts of the south of England, especially. They move not only for the wonderful weather that we enjoy but because they are dissatisfied with the areas that they counted as home before they moved. When such people arrive in my constituency and enjoy the quality of life there, they become worried about the well-being of their friends, daughters and sons who remain in metropolitan areas.

There are two key problems in metropolitan areas about which we must be clear: the cost of housing and the quality of public services. The Government are right to try to address those, although they have chosen the wrong route in some instances. Conservative Members are right to identify the problems as key issues, too. The factors that drive people out of metropolitan areas to areas such as mine are the quality of public services, schools and hospitals, the cleanliness of streets, the amount of graffiti present and the fear of crime.

A further problem is overcrowding, and part of that problem is associated with migration and alienation. People are becoming alienated from the communities in which they have often lived all their lives. If areas change rapidly, as change they do, people start to feel insecure and choose to move. There is large pressure on London and south-east England owing to migration. The Government accept that there are 100,000 migrants a year, while organisations such as Migration Watch UK suggest that there are 200,000, so a new town the size of Slough is required in the already overcrowded south-east every one or two years. Given that, I am sure that you, Mr. Deputy Speaker, appreciate why people move

from such areas and why they worry about overcrowding. We must address the stability of communities.

We must consider the quality and calibre of local government and its ability not to interfere or intervene, but to set the right priorities. The hon. Member for Ludlow (Matthew Green) talked about where money to fund local government should come from. It is easy to propose a different taxation system—we did that twice when we were in government—but the taxation system does not make a difference to overall demands on the local public purse. The quality of decisions taken by local councillors makes the difference because they have to balance the amount that they take from the public and are given by the Government with the amount that they choose to spend on providing what are hopefully good quality public services.

Irrespective of whether local income tax, the rates system, the community charge or the council tax is used, there must be a means of redistribution to areas with greater need or fewer resources from areas with less need or greater resources, as my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) said in reply to my intervention. It is not wholly honest to suggest changing the system unless the method of distributing resources among local authorities is also considered. I am glad that the hon. Member for Ludlow is now listening to me. Perhaps he would like to tell us how the system of distributing money among local authorities could be reformed, because it is that system that matters, not the means of taxation.

Matthew Green: However a local government finance system is created, there will have to be some money redistributed from the centre to balance it out. Irrespective of whether houses or local income are used as the basis of the tax, a redistribution system will be needed. The details of such a system have managed to mess up Ministers with responsibility for local government throughout history, so I would not dream of outlining them during a mere intervention.

Mr. Hammond *rose—*

Mr. Turner: I am grateful to the hon. Member for Ludlow for his honesty. Perhaps my hon. Friend the Member for Runnymede and Weybridge will help him further.

Mr. Hammond: I would not dream of trying to help the hon. Member for Ludlow (Matthew Green). Does my hon. Friend agree that given the hon. Gentleman's admission that the so-called local income tax would have to be redistributed nationally, it would be nothing more than a Liberal Democrat stealth increase in the basic income tax?

Mr. Turner: Indeed, it would be. I think that the Liberal Democrats admit that their proposal would lead to a 25 per cent. increase in income tax for most people in this country.

Richard Younger-Ross: Perhaps I can help the hon. Gentleman. The system would effectively move money away from the national income tax pot toward the local income tax. Most people would therefore experience no difference. The system would lead to savings because of lower collection costs.

Mr. Turner: If the only advantage of the local income tax that the hon. Gentleman can put forward is that it would change collection costs and that a lot of jobs would be lost in many local authorities—perhaps that would be justifiable, however—he is not getting us very far. A local income tax capped at 5 per cent., which I believe to be the Liberal Democrats' proposal, would represent a 20 per cent. increase in income tax for everyone throughout the country on average. What matters is not the way in which the tax is collected but how the Government distribute money between rich local authorities, such as that of my hon. Friend the Member for Runnymede and Weybridge, and poor local authorities such as mine. It is no good for the Liberal Democrats to propose a local income tax as if it is a magic wand, because the distribution method of the revenue support grant must be right if a difference is to be made.

Richard Younger-Ross: Will the hon. Gentleman give way?

Mr. Turner: I shall not, if I may.

It makes good sense to spend locally—that is an equally important consideration. If a local authority such as mine were advised by the county treasurer that it needed an 11 per cent. council tax increase to meet the effects of last year's Government redistribution, it could say, "But we're not getting enough money from the Government". I could then say that I would lead a delegation to the Office of the Deputy Prime Minister and the relevant Minister could generously give us an additional £1 million—as he did—with more to come in future years. If those who run my local authority then said, as they did, "Well, that's wonderful. Now we'll put the tax up by 14 per cent.", they would not be exercising careful control on their expenditure.

Dr. Whitehead: Bearing in mind the hon. Gentleman's strictures about good sense when it comes to spending in local communities, and his view that a local income tax is a bad idea, would his party approve of returning the setting of the business rate to the discretion of the local community?

Mr. Turner: I suspect that my party would not approve of that, for the good reason that some local authorities drove businesses out of their areas before the nationalisation of the business rate. I am sorry that that solution had to be adopted, but business could not afford the taxation placed on it. That had a detrimental effect in the long run on the economy and jobs in local communities.

If local authorities are to set the level of local tax, and I believe they should, that brings with it the responsibility of applying common sense to the taxes they set. To do that, they must identify priorities, which sometimes involves making difficult decisions. Sometimes the priority is to keep public lavatories open, as the hon. Member for Mansfield (Mr. Meale) reminded us. At other times, it is to provide a bus shelter, as on the Pan estate in my constituency, which

[Mr. Turner]

my local authority told me it did not have enough money to do, or to provide litter bins on the seafront at Sandown, something else that my local authority told me it did not have enough money to do. It could involve not providing a cycle track that costs £600,000 or a pop concert that costs £400,000, two of the things that my local authority, which does not have enough money for litter bins, bus shelters and public lavatories, has provided.

Making such decisions requires sense among local politicians and that requires effective accountability. When they stand for election, they must set out what they intend to do and be held accountable for that. If they do that and are accountable at the end of those four years, we will have a much better quality of life and of local government.

3.2 pm

Siobhain McDonagh (Mitcham and Morden): I do not feel as challenged as some to discover a definition of quality of life. My constituents are clear about what affects their quality of life. I accept that it is the view of suburban south-west London, but what reduces their quality of life, whether they are owner-occupiers, council tenants, private tenants or people who have bought under the right to buy, is the antisocial behaviour of other people in their area. People tell me that graffiti, abandoned cars, noise nuisance and the state of the parks affect their quality of life.

Such problems are often laughed at. Every time the Government attempt to have a crackdown on chewing gum on pavements or litter in the streets, a national newspaper laughs at them, presumably because the journalists do not suffer from the same problems, but any Back Bencher from any party would agree that those are significant issues for their constituents. From their connection with their communities, MPs know that those things seriously affect people's lives.

I congratulate the Government on being brave enough to take on some of those problems, for saying that something needs to be done and to consider changing the law. Although changing the law in itself does not resolve the problem, it might help to bring about a different climate that clearly states what is and is not acceptable behaviour. Perhaps those requirements were not necessary before because we all agreed on what was the right thing to do. Years ago, we all accepted that sticking a mattress or three-piece suite out on the street and expecting the council to collect it was not right. Unfortunately, today, we have to say those things clearly and boldly.

Shifting people's opinions will not happen this year or next year. We need a long-term effort to make all of us respect the quality of life of others. The invisible pendulum between the individual and the community has swung too far in favour of us the individual rather than us the community. That goes for people no matter what their housing tenure or whether they are wealthy or not. One of the most insulting things I often hear, although people do not mean it to be, is the suggestion that antisocial behaviour exists only on council estates. For me, it exists everywhere, irrespective of income, perhaps to lesser or greater degrees.

Mr. Hammond: Does the hon. Lady see the breakdown of respect in communities as one issue that affects antisocial behaviour? I was struck by something said earlier about people engaging within their communities. Surely the problem is that people are reluctant to engage when they see antisocial behaviour because they have no real sanction to apply and cannot expect to receive respect for the position they take.

Siobhain McDonagh: That brings me back to the idea that things have swung so far in the interests of the individual that we find it difficult to say absolutely and clearly what is right and wrong, and we expect a backlash if we try to do something about such behaviour. The hon. Gentleman is right that people are fearful of checking others because they worry that the authorities will not do anything to help. That is why I congratulate the Government on introducing legislation to deal with what are often seen as small issues. It is right that policing priorities include such problems and that authorities have to take them seriously. One local police inspector told me, "The calls I get are about antisocial behaviour. My chief inspector never calls me in to discuss antisocial behaviour. He wants to talk about robberies and burglary. If only I could deal with some of the small things, I am sure we would find that we could tackle the larger ones."

I carried out a survey of my constituents to discover their views on the Anti-Social Behaviour Bill. I wanted to ensure that I was getting it right and representing their views. I was also highly disturbed by Liberal Democrat comments on how it was wrong to move on gangs of youths on street corners. I tested my approach by writing to 2,000 constituents. I set out the Bill's major themes and asked them for their views. The response to that consultation was larger than any I had received before. Indeed, so many questionnaires were returned that one morning I could not open the door to the office.

The results were telling. More than 90 per cent. of respondents supported the toughest measures, including the banning of spray paints to under-18s, giving the police powers to move on intimidating gangs of young people, and imposing fixed-penalty fines for graffiti on anyone aged 10 and above. The support existed across the constituency from people in all tenures of housing and from all income groups.

Richard Younger-Ross: The problem with the dispersal laws is that young people have become an object of fear to older people, whether they are a threat or not. The proposals are in danger of alienating law-abiding young people from doing what young people like to do, which is sitting around talking and having a yak. The police were called out a few years ago in my constituency to a serious drug incident on the seafront at Teignmouth because an elderly person had seen young people snorting coke. When the police investigated, they discovered that they had lemon sherbets.

Siobhain McDonagh: I think that it was right that the police attended the call, and when they saw what was happening they were not going to move anybody on or

cause any problems. The Bill does not say that people can be moved on if they gather in one place or that gathering is prohibited; it applies only to cases in which antisocial behaviour is occurring.

It is a mistake to believe that antisocial behaviour is an issue for older people. Young people are more likely to be hurt or intimidated in the street. What would the hon. Gentleman say to the young man in Pollard's Hill in my constituency who is in his late teens and so fearful of the gangs who gather on his street corner that he feels that if he does not behave like them he will be attacked? He finds himself involved in behaviour that he wants no part of, but he feels that he needs to take part to protect himself.

Mr. Andrew Turner: I have every sympathy for that young man, and I do not disagree with some of the Bill's contents, but does not the hon. Lady accept that the Bill deals with the symptoms? How does she propose to deal with the causes?

Siobhain McDonagh: I do not agree. We are introducing a legal framework for what is, and is not, publicly acceptable, so we will see a change in behaviour. There is a law requiring people to wear a seatbelt, and most of us are law-abiding citizens, so we comply. There is a role for such legislation in a society where the forces of social control are changing.

Returning to prosaic matters, I want to thank the Government for taking up my idea about removing graffiti from street furniture owned by statutory undertakers—people who can dig up the roads. One thing that irritates me as an MP is receiving large, glossy brochures about social responsibility from big corporations that are not prepared to maintain their own street furniture. That failure leads to a reduction in the quality of life of my constituents.

When the Anti-Social Behaviour Bill completes its passage through the other place, I hope that it will say that such companies, which include the water boards, the Strategic Rail Authority, London Transport, Telewest and BT, have a responsibility to look after their street furniture, and that if they do not do so the council will step in and recharge them. I am excited that that will happen, and I am pleased that Merton will be one of the 12 pilot areas from 1 April. We will see how effective the measure can be. It is not about punishing those companies, but if we, as individuals, have responsibility, companies have a responsibility to look after their street furniture.

I am also delighted that the Government are tackling these issues through "alleygator" schemes. We all have experience of those highly successful schemes, whereby back alleys are blocked off, preventing fly tipping, stopping people gathering behind other people's homes and making the environment much safer. In one ward in my constituency that has an "alleygator" scheme, we saw a 65 per cent. reduction in domestic burglary. The schemes are a simple solution, and, if we can get the community together to talk about them, they have a tremendous knock-on effect in that people get to know their neighbours. It is right that people contribute to "alleygator" schemes. Our experience in Pollard's Hill is that people are more than happy to pay some of the cost of putting up the gates.

I know that, to some people, these issues are minor, but to our constituents they are not. Abandoned cars, which start out being an eyesore in the street and end up acting as torches when they are set alight, frighten everyone, so I am glad that the Government are to introduce a target for London next October that, after being reported, abandoned cars have to be removed in 72 hours.

The fact that we are debating these matters is a fantastic step forward and it shows that people's issues are taken seriously by this place. I urge the Minister and her right hon. and hon. Friends to ensure that their policies will be effective. The Government have provided enormous funds for youth services, Connexions services and the children's fund, and I am not convinced that the money is always spent wisely or properly. Sometimes, the basics are lacking; we get grand schemes when what young people want is a place to gather. We get services that are available from nine to five, when what communities want are evening and weekend facilities. We need to bear down on the organisations involved to ensure that they deliver for the people who pay for them to exist.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. If those hon. Members who remain to speak in the debate confine their remarks to about seven minutes, it should be possible to accommodate them all.

3.15 pm

Mr. Andrew Rosindell (Romford): I commend the hon. Member for Mitcham and Morden (Siobhain McDonagh) for her remarks. She said that Government funds are not always being spent in the most effective way. I agree. Indeed, it is often the case that when the Government or other public bodies spend money, nationally or locally, those funds are used inappropriately and squandered.

That is why I believe that the best way forward for local communities is to have low taxes, including council tax, and more power for individuals and organisations to make their own decisions, as free from local government as possible. I served as a local councillor for 12 years prior to becoming a Member of Parliament. I also spent four years as a community area forum chairman. During my years on the London borough of Havering, I learned one thing very clearly—local democracy must be truly local. I am afraid to say that our current system does not help us.

I should like to focus on the meaning of what we are talking about when we discuss communities. I heard the Minister refer to neighbourhoods, communities, wards and parishes, and others have spoken of districts. What do we mean by all those different units? We have not defined a true local community. One of the basic problems is that we have not looked at boundaries. For local government and Parliament, the boundary commissions often create anomalies. In my constituency we have communities that are completely divided between boroughs and wards, just to make up numbers. Such anomalies create divisions in communities by splitting up natural neighbourhoods. I say to the Minister that we have to get right the boundaries before

[Mr. Andrew Rosindell]

we can get down to restoring pride to communities. I could give many examples from my own borough in which anomalies give rise to difficulties that could be avoided.

We need to encourage people to take pride in their communities. That means involving not only local councils and those of us who are elected to serve but people who are truly engaged at a local level. That means involving churches, local sports organisations, schools and a range of other groups. I visit such groups every week, and since becoming an MP I have visited between 300 and 400 local community organisations that cover a multitude of interests. They have a genuine interest in what goes on locally, and we should involve and support them.

I have always objected to the fact that in my constituency, on the outskirts of Greater London, we pay so much for services, yet the money is drained towards central London. We contribute an enormous amount towards the costs of the Greater London Assembly, we pay for all kinds of quangos and central London organisations, and we do not benefit from that. If we are to improve communities, we need to ensure that the funding, and its organisation, is directed to where it is needed. That means ending the current mess in local government finance. It also means ending the explosion of partnerships, agencies, working parties, forums, taskforces, committees, boards, panels and a multitude of other quangos that constantly justify their existence by producing a stream of paper, including reports, strategies, consultation documents and so on. I am fed up with receiving those things in the post and hearing what all those bodies are supposed to be doing. I agree with the hon. Member for Mitcham and Morden that those Government bodies and institutions are not spending our money or our constituents' money in the most effective way.

We must therefore oppose more government, which is why my party and I oppose regional government. The sooner that we can have a referendum to get rid of the London Assembly the better. The sooner that we can restore power to local communities by getting rid of the power that we have foolishly handed over to institutions such as the European Union the better. Those bodies affect what goes on in local communities, because all kinds of rules and directives are flooding in. Local government is hamstrung in its goal of serving its communities and instead must bow to Government and EU directives. All those documents must be put on a huge bonfire, and I do not doubt that a future Conservative Government would have the courage to do so.

I am not going to talk for much longer because I know that other hon. Members wish to speak. However, housing is vital—we must restore the right to buy and give local housing association tenants the right to purchase their home. We must ensure that the police are given the respect that they deserve and power to do their job, which is important to local communities. The police have lost confidence in their ability to do their job—a job that, as we know, needs to be done. We need to restore discipline in schools and society in general. We need to support local shops, libraries and other community facilities, as has been mentioned, as well as post offices and pharmacies, all of which are vital.

Ten years ago, I was among those Conservatives who were sceptical of the policy of ending the tradition of keeping Sunday as a special day; a policy that has led to many local community shops having to close, particularly in rural towns and villages. I supported the Keep Sunday Special campaign because, although I believe strongly that we should have as much freedom and choice as possible, a balance has to be struck. It is important that Members from all parties learn such lessons. We must ensure that parks are places where families and children can feel safe and happy, because that is not the case in many parts of the country. We must support the youth service in local authorities, which has been underfunded for too long. We must clamp down on antisocial behaviour, including graffiti, vandalism and the yob culture. We must also tackle general decay. I hope that the Minister will take note of many things that have been raised today, and that that will translate into positive action. It is very well for us to talk about these things, but our constituents want action that will result in genuine progress and make our communities better for everyone. I hope that the Government will take all those points on board.

3.23 pm

Ian Lucas (Wrexham): I should like to thank the hon. Member for Isle of Wight (Mr. Turner) for reminding me of the reason why he is a Conservative and I am a socialist. He believes that government can do bad things, but I believe that it can do good things. Government, both nationally and locally, can achieve great things in our communities. Our role as Members of Parliament is to become involved and facilitate achievement and progress in our local communities.

I accept, however, that Governments can do bad things, and some of the things that they did in the past 20 to 30 years have led to long-term problems, with which we are still dealing, caused by the breakdown of communities. For example, in my constituency in 1983, one in five of the adult population was unemployed. That figure has fallen to 3 per cent, but the fact that 20 per cent. of people were unemployed in 1983 is still having consequences today. I heard the litany of complaint from the hon. Member for Runnymede and Weybridge (Mr. Hammond), but I have a litany of complaint about the Government who ran the country between 1979 and 1997, as what happened then has had a profound effect on my community, and on society.

The present Government are trying to confront and deal with those problems, but we must accept that they are profound and long-term and that there are no instant solutions. There has been much praise from Members on both sides of the House for the sure start scheme, which we all support. That scheme is designed for the long term—we are only beginning to see its good effects—and in 10 years' time, we will see its beneficial consequences and those of similar schemes. Similarly, people who lost out at school are coming into education through lifelong learning programmes. Their lives are being changed, so they form stronger bonds within their families and create the type of family unit and small community that leads to co-operation rather than

conflict. Consequently, in such cases, we no longer have to deal with the antisocial behaviour that we have heard so much about.

Although tackling the problems is a long-term project, their consequences are immediate. It may not be true in Ludlow but it is certainly true in Wrexham that instability in a small number of families and communities has resulted in a lack of discipline and respect, and is having a disproportionate effect on the lives of others in the community. The structures of local government do not reflect the demands and wishes of the people whom I represent. Local government is still geared towards the departmental provision of services such as schools and social services, and has not woken up to the fact that the main demand is for security and stability. The Crime and Disorder Act 1998 was a tremendous piece of legislation, but local government has still not fully taken it on board. I learned from my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) about the good things that are being done in her local community, but in Wrexham we have a lot to learn and a lot of progress to make in achieving co-operation between different agencies in the town and ensuring that the security that my constituents want is delivered.

The hon. Member for Romford (Mr. Rosindell) referred to the danger of too many organisations dealing with similar issues. The all-party regeneration group recently discussed the problem of various organisations in a small geographical area pursuing similar agendas and applying for money from similar sources. That leads to a situation in which groups effectively compete with each other. People in such groups often attend the same meetings to discuss similar topics, but end up making similar funding applications to the same organisations. There is a sense of meeting and organisation exhaustion among such people.

Richard Younger-Ross: In Teignbridge, we have very good inter-service agencies that try to avoid that problem. As my hon. Friend the Member for Ludlow (Matthew Green) said, local Members of Parliament should talk to their agencies to ensure that such groups work.

Ian Lucas: I am frustrated and disappointed by the patronising approach that the Liberal Democrats seem to be taking. I am well capable of representing my constituents and seeking co-ordination, but despite my efforts—I assure the hon. Gentleman that they have been strenuous—the number of organisations involved and the influence that I have had have been somewhat limited. I am not alone in voicing that complaint; a number of colleagues have done the same. I call on the Minister to recognise that that is a problem and to consider ways of avoiding it. The current structures mean that too many organisations are pursuing similar aims.

The other important issue is the relationship between those structures and local government. Currently, they do not fit into the local government structure, which has a serious long-term effect on local government. Why should someone become a councillor if they will have a limited influence on money that is awarded to organisations that are often unelected quangos rather than elected bodies? While I support the idea that money should be dealt with at the lowest level, the reality is that we need to ensure that local government, which is, after all, elected, is involved in the process. I ask the Minister to look closely at the structures that are dealing with antisocial behaviour and to press upon local authorities the need to put in place proper structures to deal with that overriding concern and the multiplicity of agencies that are developing in our communities.

3.31 pm

Andrew Selous (South-West Bedfordshire): It is a pleasure to take part in this thoughtful and heartfelt debate. I am especially pleased to see that the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper), will respond to the debate, as she has the power to take decisions on two particular issues that severely affect my local communities.

My constituency finds itself in the middle of the Milton Keynes and south midlands sub-regional strategy, which plans to double the number of houses located in it. My area is one of high housing need and my district council already has plans to build some 6,000 to 8,000 additional houses, many of which will be affordable houses, to provide the housing that local people need. I fully support that plan. The Government's plans, however, are of a wholly different magnitude. They seek literally to double the number of households in my constituency.

I can tell the Under-Secretary that surveys organised by my local authorities show that 95 per cent. plus of local residents have grave concerns about those plans. They have concerns that there will not be sufficient local jobs, as there is no way in which we can provide employment for such a number of people. That will mean an increase in commuting on roads and railways that are already very crowded. The building will occur across wide stretches of the green belt, which has always been protected—we have been given no good reason as to why that land should go—and the environment of local people will be very adversely affected.

A better watchword for the Under-Secretary's housing proposals for London and the south-east—I should be grateful if she focused on this point, as it is of great interest to my constituents—would be local housing for local people across London and the south-east. My constituents object very strongly to the location of London overspill housing in our constituency and three other areas around London. We want local housing for local people across London and the south-east. That is better for local communities. I do not believe that the Government's proposals to build huge out-of-town housing estates will secure the proper community spirit to which so many hon. Members have referred. The history of post-war housing from the Easterhouse estates on the edge of Glasgow onwards has shown that large housing estates can be built on the edge of towns, but they do not have the community spirit and voluntary groups that are a feature of existing communities. I have huge worries about that, as do many local people.

There is also a big worry about infrastructure catch-up. In Leighton Buzzard, a town that always used to have more doctors per head of population than

[Andrew Selous]

anywhere else in the country, we are already two to three GPs short, and there are extreme concerns among local people that the proposed housing expansion will not come with proper medical facilities and all the other local services that we need.

This is a heartfelt plea to the Minister. In speech after speech, hon. Members talked about the importance of local people deciding on local issues. The hon. Member for Stoke-on-Trent, North (Ms Walley) mentioned local councillors. What upsets me most is that, pretty much universally, my local councillors, of whatever party, object strongly to the plans—so what price our local democracy? When my constituents say to me, "Why should we bother to vote in local elections when we cannot influence locally the biggest decision to affect our area for 50 years?", I cannot give a good answer. I have grave worries about the fact that the proposed development corporation will have a minority of elected councillors.

Antisocial behaviour is a huge problem in my constituency, as in those of other hon. Members. Let me propose a couple of ideas that would assist in that. Many of my constituents who are initially hopeful that the police will be able to impose antisocial behaviour orders find that when the police go round to try to get the necessary evidence, local people are too terrified for their own safety to come forward with it. I suggest a huge increase in the number of independent witnesses who can, unbeknown to the perpetrators of the crimes—for that is what they are—provide evidence of what has been going on without fearing for their safety. I commend that idea to the Government: it would make a big difference and allow more antisocial behaviour orders to be made.

Many of my constituents feel trapped and imprisoned in their homes as a result of the legislation by which a person selling their home has to say whether they have an antisocial behaviour problem with their immediate neighbours or in their immediate environment. Many council tenants who have bought their houses say, "We are desperate to sell our property back to the council or to a registered social landlord, because we are effectively trapped here." That is because the council housing allocation policy has put close to them people who are causing antisocial behaviour. Owner-occupiers can be similarly affected. That is wrong. I commend to the Minister the idea that former council houses can be sold back at a fair and agreed price.

In my constituency, there are seven unauthorised gypsy developments. I have nothing against gypsies: people are free to choose to lead their lives as they please. In planning law, however, it is the law-abiding majority—the settled community—who are severely discriminated against, because gypsy communities are able to buy arable land, wholly against the planning system, and turn it into large encampments sub-divided into different plots. That is causing enormous problems.

Fly tipping is a huge problem in my constituency. I suggest that fines be made much more severe to encourage those who believe that they are cheaper than the proper disposal costs to think again. The issue should be made much more of a priority for the police. Small builders and businesses should be able to use tidy tips: only very large commercial companies should be prohibited from doing so.

I hope that the Minister finds those ideas helpful.

3.38 pm

Yvette Cooper: With the leave of the House, I shall try to respond in the short time available to a thoughtful and wide-ranging debate.

My hon. Friend the Member for Southampton, Test (Dr. Whitehead) gave a thoughtful account of the impact that design and infrastructure can have on the way in which communities behave. He also talked about trust and the role of friends and families.

The hon. Member for Romford (Mr. Rosindell) raised concerns about the geographical definition of the word "community". We can sometimes be over-simplistic in envisaging that all community groups are good, whereas some are unfair, oppressive or discriminatory, whether to their members or to outsiders. We are right to talk about the importance of sustainable and inclusive communities.

My hon. Friend the Member for Wrexham (Ian Lucas) raised the important issue of voluntary groups in his constituency, and I should be happy to look into that further. Many local strategic partnerships are engaging effectively with local community groups. The hon. Members for Isle of Wight (Mr. Turner), for Ludlow (Matthew Green) and for Romford all talked about different forms of local government finance. I guess that we can look forward to an increasing amount of debate on the interesting alternatives being offered by Opposition Members, especially given the rise to prominence on the Conservative Benches of someone with such expertise in local government finance, the architect of the poll tax himself. I look forward to Conservative Members following their leader on that one.

Several hon. Members raised the issue of housing. My hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) mentioned housing market renewal, and I agree that it is important that housing and economic regeneration should go closely hand in hand. The hon. Member for Ludlow talked about the need for a greater amount of affordable housing, particularly in the south-east, and mentioned the section 106 arrangements. We are looking at those provisions, because we need better to address the issue of getting more affordable housing into new developments. That is something that we are extremely interested in.

The hon. Member for South-West Bedfordshire (Andrew Selous) raised concerns about various issues in his constituency, of which I am well aware. I would say to hon. Members that we cannot have it both ways. We cannot complain about the pressures on house prices and the lack of supply of affordable housing while at the same time complaining about the programme for additional house building across the south-east, which, frankly, we need. Hon. Members have also talked about antisocial behaviour. My hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) described her constituents' concerns, and the importance of alley-gating. Sometimes these things are so obvious. She was right to say that this issue is critically important to many of our constituents.

This has been a debate about the quality of life of our constituents. The hon. Member for Runnymede and Weybridge (Mr. Hammond) said that an important factor in people's quality of life relates to income, and I agree. Income issues are extremely significant, and that is why I would ask him what the impact on people's quality of life was when interest rates were at 15 per cent. and people could not afford to repay their mortgages. What impact did it have when unemployment hit 3 million? My hon. Friend the Member for Wrexham was right to say that the impact of that was felt for many years. The hon. Member for Runnymede and Weybridge said that we were building on the legacy of the previous Conservative Government's economic policy. Frankly, we have been dealing with the effects of that policy for decades, and that is why so many problems relating to the quality of life in the most deprived communities have been so severe, and why we have had to address them now.

People in this country know very well the impact on their quality of life of steady economic growth and job growth year after year, of having low inflation year after year, and of having investment in their local communities, public services and quality of life at local level. They do not want to turn the clock back to a time of boom and bust, insecurity and greater inequality. Finally, may I say—

It being three hours after the commencement of proceedings on the motion, the motion for the Adjournment of the House lapsed, without Question put, pursuant to Order [30 October].

African Development Strategies

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

3.43 pm

The Secretary of State for International Development (Hilary Benn): I am delighted that the House has the opportunity to discuss Africa and its development, and to seek to answer the question of what progress we are making towards reducing poverty for the people of Africa. This is a critical time for the continent—a time of opportunity as well as challenge. I say that because some of the most intractable conflicts in the region are showing signs of being resolved, and many countries are beginning to show signs of progress towards democracy and good governance, while at the same time, many countries in the north are beginning to recognise that a partnership with the countries of Africa, based on a commitment on both sides to do better, can bring real benefits in the long term.

When we think about Africa, we tend to dwell on famine, war, poverty, disease and civil unrest. Africa has all of those and more, and I shall return to those problems later. Africa is not only about the images we see on the television, however. It is also about real progress, although we need to do much more. The number of major conflicts in Africa fell between 1990 and 2000 from 19 to two. That includes Sudan, where there is an emerging peace process. There is a national transitional Government in the Democratic Republic of the Congo, where an estimated 3 million people lost their lives during the fighting in what has been described as Africa's hidden first world war. Tanzania, though one of the poorest countries in Africa, has enjoyed a large degree of stability, and despite being geographically part of a volatile region it has remained largely outside the recent conflicts.

Economic growth in Mozambique has been significant in recent years. Malawi has begun to implement an International Monetary Fund programme of sound policies and structural reforms, while Uganda has seen a substantial decline in HIV prevalence, from 20 per cent. in 1991 to 6.5 per cent. in 2001. The House would agree that that is a testament to the power of the political leadership that has been given in that country.

Rwanda and Kenya have made the transition to democracy. The peaceful handover in Kenya following the election last December is a good example of what can be achieved, because the election of President Kibaki and the new National Rainbow Coalition, or NARC, Government were found by all observers to be freer and fairer than what had gone before. The defeated Kenya African National Union Administration, who we should not forget had ruled since Kenya's independence 40 years earlier, handed over power quietly and in accordance with the will of the people.

Rwanda has made extraordinary progress since 1994 and the unimaginable nightmare of the genocide in that country. It is now at peace. The economy is stable and growing—real gross domestic product growth averaged almost 10 per cent. a year from 1995 to 2000—and the Government have made progress towards establishing a democratic and inclusive state in a country with no history of democracy whatever, although we would like to see more.

[Hilary Benn]

Those countries and many others in Africa still face considerable challenges. After all, the continent's share of world trade has halved in a generation. For example, 315 million people in the region live on less than $1 a day and 500 million live on less than $2 a day; maternal and child mortality are increasing; a woman has a one in 13 chance of dying in pregnancy or childbirth; HIV/AIDS has contributed to an increase in child mortality—75 per cent. of the world's sufferers live in sub-Saharan Africa; and 23 million girls in the region do not go to school. This is unacceptable in an increasingly interdependent world.

If sub-Saharan Africa's performance does not improve, 23 countries will fail to meet the millennium development goals—the targets that we, together, in the international community have set ourselves to measure the progress we are making, or are not making, in lifting the people of the world, including of Africa, out of poverty.

What are the major challenges that face sub-Saharan Africa? The first thing we have to acknowledge is that Africa's problems are complex and interrelated. The impact of one worsens that of the other; so, for example, civil war exacerbates HIV, which in turn increases poverty, which in turn has a bad effect on infant health and maternal mortality.

In the same way, making progress will involve action on a number of fronts, and there are four main underlying problems that I want to highlight. The first is that nothing can be achieved without growth. Countries such as Mozambique and Rwanda have improved governance and their commitment to reform. They have performed well. Generally, the most dramatic growth rates in Africa have been in those countries that are rich in natural resources, particularly oil and minerals.

Mr. Tom Clarke (Coatbridge and Chryston): On the issue that my right hon. Friend has now raised, has he had the opportunity to consult our colleagues in the Department of Trade and Industry on their excellent energy White Paper? In visiting various African countries, it has struck me that many of them are very rich in energy resources—Nigeria and Angola, for example, in oil—although those have to be developed and there has to be investment. However, that will be helpful to us as, I understand, a net importer of those important products.

Hilary Benn: My right hon. Friend makes a good point about the significance of those natural resources to the countries of Africa that benefit from them—it is important that they be used, although they must also be used effectively.

My right hon. Friend mentioned Nigeria and Angola, which are good examples of countries in which, in the past, wealth has not been used as it might have been to maximise the impact of poverty reduction. That is one of the big issues for the continent.

Mr. Win Griffiths (Bridgend): My right hon. Friend speaks of maximising resources. Might it not be a good idea for many African countries to study what has happened in Botswana, where the Government have made significant and purposeful efforts to ensure that resources reach the people through, for instance, education and health projects?

Hilary Benn: Botswana is indeed a useful example. I believe that it has experienced some of the highest growth rates in Africa over recent years, although, as my hon. Friend will know, it has also experienced a substantial problem with HIV/AIDS. I shall say more about that shortly.

Another obstacle to growth is conflict. Since 1997, the least developed countries in Africa have achieved half the growth rates of those in Asia. More foreign direct investment is needed. Sub-Saharan Africa still attracts less than 1 per cent. of global foreign direct investment, despite more optimistic forecasts.

As globalisation has affected Africa, its terms of trade have deteriorated and commodity prices have declined. Insufficient jobs and incomes are being created for the poor, and too few resources are being generated for health and education. Progress on trade policy will be essential if Africa is to become competitive, but most countries lack the capacity for trade policy analysis, negotiation and implementation, and the capacity to ensure that trade reform leads to poverty reduction.

As I think the whole House will agree, the current system simply does not work for the least developed countries. Africa's share of world trade halved between 1980 and 1999, and is now less than 1 per cent. That is one reason for our belief that trade rules must be improved to benefit the world's poor, and that is why getting Doha back on track is so important. The challenge for us to meet together is ensuring that the Doha round delivers benefits for African countries and their poorest citizens.

Whatever the reasons for the failure of the talks in Cancun—there was a debate about it not long ago in Westminster Hall—I believe that failure to make progress from now on would be the most damaging development for the world's poorest countries. Africa stands to get a better deal through multilateral negotiations in the World Trade Organisation, where developing countries constitute two thirds of membership. The one good thing that came out of Cancun was the fact that the voice of such countries was heard more loudly and clearly than it had been heard during any of the previous negotiations, and I for one welcome that unreservedly. Multilateral agreement, however, is infinitely preferable to regional and bilateral agreements with bigger economies.

We also need freer and fairer trade rules if developing countries are to benefit. The United Kingdom Government are determined to do all that they can, working with the European Commission and other European Union member states, to make progress on the development round towards fulfilling the commitments that we made at Doha. We are committed to trying to secure progress, because it is critical for African countries. I am thinking in particular of agricultural market access, a reduction in trade-distorting subsidies, and special and differential treatment for poorer countries.

The second fundamental problem faced by Africa is conflict, which kills development as well as people. It has affected 200 million people in sub-Saharan Africa. That

is why supporting African efforts to resolve armed conflicts is so important. The United Kingdom has tried to do that in the Democratic Republic of the Congo, Sudan, Burundi, Angola and west Africa, especially Sierra Leone. Some of those countries are now on the road to peace. In some, better progress is being made; in others, the situation is still fragile. But countries need the assurance of long-term support, and one of the challenges from now on will be to provide assistance so that the countries and regional organisations of Africa can be involved more effectively in trying to prevent or resolve violent conflicts on their continent, and to undertake peace support operations.

Andrew Selous (South-West Bedfordshire): The Secretary of State mentions conflict, but in one state in southern Africa—Zimbabwe—there is the most horrendous internal conflict. As a result, some 6 million people are close to starvation, and there is horrendous discrimination against many of the black population and, according to some of my constituents, many of the Asian population. Given that, for whatever reasons, the regional power—South Africa—does not seem willing to take a lead on this issue, is the Secretary of State prepared to urge his colleagues in the Foreign Office to raise this issue very seriously indeed within the United Nations, and to put the sort of effort into Zimbabwe that they put into Iraq earlier this year?

Hilary Benn: The hon. Gentleman's description of the terrible situation in Zimbabwe is absolutely right. An indication of that is that this year, the international community will be responsible for two thirds of the provision of food—a reverse of last year's proportion. Frankly, if this debate had taken place 25 or 30 years ago and someone had said that Zimbabwe would have to import very large amounts of food, people simply would not have believed it. Zimbabwe was seen as the bread-basket of Africa—that was the phrase that tripped off everybody's tongue.

There has been, and is, no lack of effort to try to resolve the situation, such as the measures that are in place and the decisions that the Commonwealth has rightly taken. If we do not indicate clearly that there are principles of good governance that we adhere to—a point to which I shall return—the people of Zimbabwe will not get the better future that they deserve. I accept the point that the hon. Member for South-West Bedfordshire (Andrew Selous) makes about the need for international attention, but that needs to be combined with a political process that is capable of resolving the problem internally. We very much hope that that will eventually occur.

Mr. Andrew Robathan (Blaby): I do not disagree with what the Secretary of State says about Zimbabwe, but I should point out that according to a meeting that I attended last week, food aid is being used as a tool by ZANU-PF, which is directing the deliverers of such aid—non-governmental organisations—through the World Food Programme, to areas generally consisting of ZANU-PF supporters. And where food aid is distributed to non-ZANU-PF supporters, the police, paramilitaries and so-called war veterans are taking it from them—we are talking about aid that is provided by our taxpayers and EU taxpayers—and delivering it to whomsoever they wish. Would the Secretary of State like to comment on that?

Hilary Benn: This is a matter of concern, and the hon. Gentleman will be aware of the statement made by the Zimbabwe Government earlier this year on food distribution. Following that statement, the donors got together with the World Food Programme and agreed a memorandum of understanding. Such problems have occurred, but the systems are in place to try to ensure that, if they are brought to the attention of the WFP and the international community, they are resolved. If the hon. Gentleman wishes to draw any such instances to my attention, I undertake readily to look into them. We are very clear about one thing: we will not accept the use of the international food aid that we provide, together with other donors in the WFP, in the way that the hon. Gentleman describes. I undertake to investigate any such cases because I am as anxious as he is to resolve them.

Returning to support for conflict resolution, a peace plan for training and operational support has been developed between the G8 and African countries. We support in principle the EU's plan for a peace support operations facility for Africa, which Paul Nielson referred to when he attended the African Union summit in Maputo at the beginning of July. We also need to support African efforts to eliminate the flow of illicit weapons in the continent, which fuels much of the fighting. The G8 has made progress in developing and implementing common standards in arms export controls, and the UK has pledged more than £20 million to combat the global proliferation of small arms. That includes the development of regional programmes in east Africa, the great lakes and southern Africa.

Mr. David Drew (Stroud): I apologise for missing my right hon. Friend's earlier remarks. Does he accept that resources and conflict resolution are interrelated? In the case of the Democratic Republic of the Congo, we cannot solve the problem of mineral exploitation unless we get all the surrounding countries to support non-exploitation; however, the same point is also true of the Nile, for example. Several countries could be seen to gain through conflict in other parts of the region, so we must surely encourage a degree of regional support. I hope that the Government will do everything that they can to get those countries to recognise that.

Hilary Benn: My hon. Friend is absolutely right. We have seen the complex inter-relationship between the exploitation of resources and the fuelling of conflict in Sierra Leone, with its diamonds, and in the Democratic Republic of Congo with its variety of resources. The peace process is now emerging in the DRC and the transitional national Government are in place. A great deal of time, effort and support has been invested to make that happen. My hon. Friend is right to say that, without the backing of neighbouring countries, it is much more difficult to find a long-term and lasting resolution of problems.

The third constraint is governance, which has already been touched on in some of our exchanges. Effective institutions and accountable government are, frankly, essential if we are to have a chance of reducing poverty.

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encouraging growth and securing private sector investment. We need to collect revenue, which includes taxes and customs revenue, to administer the law, to rebuild roads, to teach children and to deliver services. It is precisely because more Governments need more institutional capacity—a major issue—that we support the work of the Department for International Development in strengthening capacity-building programmes. That means working with country organisations that focus on economic and corporate governance in Africa.

Africans have the same right as others to transparent and accountable government, so we are providing anti-corruption assistance in Malawi, Uganda, and Nigeria. We are providing support for the Eastern and Southern Africa Anti-Money Laundering Group, which brings together 14 Commonwealth countries and includes peer evaluation. We are also encouraging the work of the intergovernmental action group against money laundering in west Africa, a similar group under the umbrella of the Economic Community of West African States. Finally, we are taking a lead on the extractive industries transparency initiative, which touches on the point made by my hon. Friend the Member for Stroud (Mr. Drew). It is about encouraging countries that are dependent on oil, gas and mining to pilot this new approach to transparency—reporting what is paid and what is received. That is the best way to bring everything out into the open.

I think that the fourth major challenge is HIV/AIDS, because 29 million Africans are infected with the HIV virus. The equivalent of twice the population of London has now died of the disease. The impact of the pandemic, both nationally and in communities and individual households, is truly shocking. It is hard for the House to understand, because in this country, for example, one would have to go back to the period of the black death in order to understand the scale of the disease's impact.

The World Bank has warned that several African economies are facing collapse and that family incomes are being decimated. In some countries almost all the gain in life expectancy over the past 30 years is being wiped out, and the shortage of food in southern Africa is making the situation worse. There are growing numbers of orphans and vulnerable children: more than 11 million children in Africa have lost one or both parents to HIV/AIDS—and projections suggest that that may double by 2010.

The epidemic has the potential to both overload and devastate capacity, with health services overstretched and education systems collapsing. In a country where teachers are dying of HIV/AIDS faster than they can be trained, it is hard to ensure that all children have a primary school education. Economic growth is reduced, poverty deepens and social cohesion can disintegrate under the pressure of that sort of assault.

The UK is committed to working to try to combat the pandemic. We are, according to UNAIDS, the second largest donor of HIV/AIDS assistance in the world. Our HIV/AIDS assistance in Africa supports what African countries are already doing, and we strongly urge the international community to join us and other donors in working through AIDS programmes that are nationally based, nationally owned and nationally directed. The challenge is to harness all the effort and interest of the international community while ensuring that what we do on the ground works to make a difference.

Mr. David Marshall (Glasgow, Shettleston): I congratulate my right hon. Friend and the Government on what they are doing to combat the problem of HIV/AIDS. However, would he agree that more could and should be done to combat the problems of longstanding diseases such as sleeping sickness, leprosy and the Bilharzia snail, which, until recently, was hardly mentioned at all? Does the Minister have any specific plans to tackle those sorts of diseases?

Hilary Benn: My hon. Friend raises an important point and, of course, the global fund addresses the questions of HIV/AIDS, tuberculosis and malaria as well as the other diseases to which he refers. The Department has a longstanding interest in those diseases and we have research programmes, in collaboration with medical researchers and others, to try to make greater progress. The diseases of the affluent world receive much investment of time, energy and resources to discover means of treatment, and the benefit of that work in relation to HIV/AIDS is beginning to be available to developing countries, as the price of antiretroviral drugs comes down, but my hon. Friend rightly draws attention to those other diseases.

Mr. David Borrow (South Ribble): My right hon. Friend mentioned the global fund. The UK position on the global fund has been much criticised. I recognise that we make substantial donations to combating HIV/AIDS, but I often receive documents criticising the UK position on the global fund and contrasting it with other countries, including the United States and European countries, which make larger contributions to the global fund.

Hilary Benn: The UK Government's spending on tackling HIV/AIDS has risen from £38 million in 1997 to £270 million. That is a substantial increase. We have put our money where our policy commitment is to be found. We are a strong supporter of the global fund and our commitment is now for $280 million up to 2008. That includes an additional $80 million that Baroness Amos announced in July when she attended a conference on the subject. It is a significant commitment of money and, as I mentioned earlier, we are the second largest donor on HIV/AIDS in the world, according to UNAIDS. However, everybody needs to do more and I accept the point that my hon. Friend makes.

Enabling Africans to have access to effective HIV/AIDS treatment should be an international priority, but we need to acknowledge that the best response will involve a combination of prevention of infection and the care and treatment of infected people. It is not a question of a conflict between basic health care systems and trying to make treatments for HIV/AIDS available, as the price comes down, because developing countries are already beginning to think about what they can do, as they tackle the pandemic, to use antiretroviral treatment to help to keep people alive.

Strong leadership will also be necessary to remove the stigma of HIV/AIDS. That is why I mentioned the progress that has been made in Uganda, because its president provided strong political leadership, which has led to real progress. It shows what can be done.

The last few years have seen a major shift in African effort in seeking to address the continent's problems that I have described. Without doubt, the most important has been the New Partnership for Africa's Development, or NEPAD. It aims to tackle HIV/AIDS, to reduce poverty and to sustain long-term economic growth. It is committed to improving governance, building African peacekeeping capacity—about which I have spoken—and creating the right environment for investment in Africa. The most important aspect of NEPAD is, in the jargon of development, the emphasis on mutual accountability. In essence, it says that the international community has obligations to the people and countries of Africa to provide support, aid and progress on trade reform, but in return the African Governments and leaders recognise some responsibility for the state of their countries. The truth is that we have to work together to improve the contribution that we each make to solving the problems.

The NEPAD arrangements have some radical features. For example, the African peer review mechanism, to examine the performance of African countries in economic, social and political governance, will begin in Ghana this year. We support that unreservedly. It is about sharing experience, which allows countries to learn from each other and better understand what they need to do to make progress. The UK is committed to supporting NEPAD, and development in sub-Saharan Africa. The best evidence of that is that our development assistance for Africa will rise to £1 billion a year by 2005–06. That is an increase of more than 50 per cent. in three years. We are committed to ensuring that 50 per cent. of all new overseas development assistance commitments made by donors since Monterrey will go to sub-Saharan Africa. In that way, we can provide some of the predictability that those countries need if the resources are to be best used.

Tony Baldry (Banbury): Is it not disappointing that there has not been more mutual accountability required of Zimbabwe from South Africa and other countries? President Taylor of Liberia was indicted by the UN-authorised war crimes tribunal in Sierra Leone, but the Government of Nigeria have given him asylum. Is not that even more disappointing? Nigeria and South Africa are two of the leading African nations, but they are not helping to contribute to mutual accountability.

Hilary Benn: I take the hon. Gentleman's point about the need to acknowledge that mutual accountability cuts both ways and applies to everyone. I responded earlier about Zimbabwe—I think before the hon. Gentleman entered the Chamber—but in respect of Liberia, I would say only that I think that people would acknowledge that the decision to get Mr. Taylor out of the country was an essential precondition to making some progress there, and to allowing the ECOWAS force to go in with the support of the Americans. Now that that has happened, the position in Liberia is more stable than previously, but that does not detract from the point made by the hon. Gentleman about the importance of following through on commitments to mutual accountability.

Mr. Win Griffiths: I recognise the difficulties in connection with dealing with Charles Taylor, but has my right hon. Friend thought about giving Nigeria some financial aid, either from British or UN funds? Nigeria is not an immensely wealthy country, but it has devoted very considerable resources to peacekeeping in west Africa.

Hilary Benn: My hon. Friend knows that Britain has a substantial programme in Nigeria, but the way to make progress is by means of the EU's proposal for the peace support facility. We support that proposal in principle, although there are details to be worked through in connection with how the European development fund could be used to make it possible. If we can get it right, I think that that facility would meet the real need identified by my hon. Friend. The greater willingness that now exists to take on the sort of responsibility that he described is often blocked by lack of money.

That is also a factor when it comes to meeting the millennium development goals. Last week, I attended the high-level dialogue on financing for development in New York. The clear consensus that emerged was that we need to do more in respect of finding more resources so that we can meet those goals, and DFID is working with the Treasury to explore with other partners how best to achieve that. It is also why the proposal from my right hon. Friend the Chancellor in respect of the international finance facility—which would enable us to raise more money now for development—is so important.

The amount of money is not the only thing that matters, however. The quality of aid is also important. That is why, in all this work, we must continue to align what we do with what other donors are doing. We must also harmonise the way in which we work: it is no good having loads of donors queueing up if they all want their own programmes, reporting arrangements and face-to-face meetings with representatives of developing country Governments. The impact on the capacity of recipient countries to cope with such demands is enormous, and aid is not used most effectively as a result.

It is not good enough merely to nod when people talk about harmonisation. All of us in the international community are all more or less guilty of doing that. We must do more to harmonise our actions, because that harmonisation is an expression of the multilateralism to which we are committed.

I know that several hon. Members want to contribute to the debate so I shall bring my remarks to a close. Africa is a major test for the world. We know why it matters and we understand better than we did in the past how a combination of things will really make the difference: more aid and debt relief will provide the finance to get children to school or to treat them for preventable diseases; opening up trade will enable countries to earn their way out of poverty; dealing with conflict and ensuring good governance will maximise the chances that people will want to invest in a country, thereby creating the jobs, employment and economic growth that will improve people's lives; and tackling HIV/AIDS will sustain human capacity in the face of the epidemic.

We understand better that all those things need to happen if we are really to make progress in helping the people of Africa to build a better life for themselves and

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their families. After all, that is all we seek for our own children; it is what the parents of Africa seek for their children, too. It is the responsibility of us all to ensure that we help them now to succeed in realising that goal.

4.15 pm

Mrs. Caroline Spelman (Meriden): I wrote to Mr. Speaker and to the Secretary of State to explain that, unfortunately, owing to a long-standing constituency engagement I shall not be in the Chamber for the winding-up speeches, so I apologise to the House for that.

At the outset of the debate, I want to put down a marker. As the Government have winkled some time out of the Whips to spend on the subject of international development, we are disappointed that the Secretary of State did not choose to discuss Iraq. We tabled two urgent questions, because although there have been two written ministerial statements on funding for the reconstruction of Iraq there has been no opportunity to question Ministers. The House, and you, Mr. Deputy Speaker, may think that that has nothing to do with Africa, but it does, as unfortunately the Secretary of State has been unable to persuade the Chancellor that there should be extra money for restructuring, so instead it will have to come from DFID's core funding. As a result, we do not know which projects will be cut, and in which developing countries. We have no guarantee that the countries will not be in Africa, so we are concerned that we have missed an opportunity to clear up that matter.

The challenge of Africa remains vast, as the Secretary of State eloquently outlined. The continent is home to 34 of the world's 48 least-developed countries, and the gap between Africa and the rest of the world is growing. The right hon. Member for Birmingham, Ladywood (Clare Short) described Africa as a failing continent. Her phrase has the power to shock, but I instinctively recoil from the judgment implied in it. It sounds as though new Labour is writing off Africa, which I am sure is not what the Government intend.

No one can deny that Africa has particular problems, but what is wrong with the statement is that it masks the real progress that is being made—the kind of progress to which the Secretary of State referred. What is also wrong is that it contains no flicker of recognition of where we have made matters worse. The effect is to exonerate ourselves from blame and to remove the moral obligation to help. Nowhere is that more true than in Zimbabwe.

Conflict, corruption and terrible sickness hold back many African countries, and, together, they contribute to the whole of sub-Saharan Africa being hopelessly off-target to meet the millennium development goals. Is a whole continent to stand condemned for having failed to meet some internationally agreed benchmark of improvement? Should we blame developing countries for not meeting those targets when we could have done more?

By far and away the biggest problem facing Africa is the HIV/AIDS pandemic. I am sorry that it was only fourth in the Secretary of State's list; for me, it comes first. The proportions of the pandemic defy imagination, but that does not mean that we should be beaten by it. We should fight it. Seventy per cent. of the world's HIV/AIDS sufferers live in southern, sub-Saharan Africa. In Kenya, one person dies from AIDS every minute.

In Malawi, I had the privilege of meeting a man who cares personally for 78 orphans and the same number of widows. I thought that community orphanages were local institutions to house orphans, until I visited the country and found out that they amount only to occasional visits to children who still live in the huts where their parents died.

As I said at the beginning of my speech, however, there are examples of real progress, and Botswana's network of AIDS clinics is surely an example of best practice. AIDS is not just a health issue; it is a development issue. The disease is wiping out the most economically active people. It is attacking the very roots of society. Africa is becoming a continent of grandparents raising their grandchildren, or orphans fighting for survival.

Dr. Jenny Tonge (Richmond Park): I am glad that the hon. Lady has mentioned AIDS orphans so early in her speech. Does she agree that, even if we manage to control the growth in the number of AIDS cases anywhere in Africa, the fact that there are already 6 million AIDS orphans in sub-Saharan Africa is a huge problem for the future? Does she ever speculate on what will become of those children? Will they become child soldiers? Will they become involved in civil war? Will they go into prostitution? Does she think that we, as an international community, should put much more emphasis on the needs of those children?

Mrs. Spelman: I thank the hon. Lady for her contribution. We stand united on the question of raising the salience of AIDS orphans, and I do speculate about the issue. I sometimes think that the solution will be on a scale that no one has thought of hitherto. To put things into proportion, I was speculating that it would almost take something like every family in this country adopting an AIDS orphan to arrive at the scale of support that those children need. We do not provide that scale of support currently.

Sadly, the global health fund cannot successfully simultaneously tackle AIDS, malaria and tuberculosis with its limited resources. I wonder whether the Secretary of State agrees that something practical could be done if the fund's limited resources were targeted to provide free antiretrovirals for at least the pregnant women who are HIV-positive. The continent might then stand some chance of raising a generation free of that terrible disease. I feel that the Government have allowed AIDS to slip down the agenda. There is public complacency about AIDS in this country, and it is very difficult to get our countrymen and women to comprehend the scale of the problem when they hear that they can get the necessary life-prolonging drugs on the NHS. The Government must do much more to get this subject back up the agenda. If Africa is failing, it is doing so because it is dying, and we have the resources, if not to cure people, at least to sustain life.

Conflict, as the Secretary of State said, is another reason why Africa is failing to meet the millennium development goals. Many states are still involved in

active conflict; others are dealing with the aftermath; and many remain volatile. I have asked the Secretary of State before what is the Department's model for working with a failed or failing state, but the Department does not seem to have an answer. Conflict prevention also seems to have slipped down the agenda. I feel that we do not learn from the examples of failed states and apply those lessons to new scenarios. We as a country continue to give aid to countries that knowingly perpetuate conflict.

I find it extremely frustrating that the United Kingdom is one of Rwanda's major donors, yet there is clear evidence of Rwandan involvement in the conflict in the Democratic Republic of the Congo. The departmental report for this year says that the amount of aid that our country gives to Rwanda will increase. I should like the Secretary of State to explain to the House how he can feel comfortable about giving much more to a nation that is making life so difficult for its neighbour. We supported putting an end to tied aid, but the Government have somehow failed to make aid effective in the promotion of good governance. Surely the Government have the power to threaten to remove some of that aid if that involvement in the Congo continues.

Mr. Tom Clarke: Some hon. Members were in the Democratic Republic of the Congo a few weeks ago, where we met the President and others. He did not take the somewhat negative view that the hon. Lady is taking about Rwanda; nor did he suggest that we should punish the poor in Rwanda because we are trying to find a solution in the Congo. Does she agree that the dialogue begun by my right hon. Friend the Member for Birmingham, Ladywood (Clare Short)—I am sure that my right hon. Friend the Secretary of State is continuing it—with Rwanda, Uganda and the DRC is extremely important if we are to find a genuine solution to that conflict?

Mrs. Spelman: The right hon. Gentleman has long and respected experience of international development. The dialogue is not working, however—it is not stopping rebels going from the Rwandan and Ugandan border to perpetuate the conflict in the eastern Congo. I am simply looking for a tool—clearly not to penalise the poor in that country, as no one in this House would wish to do that—with which to bring the message to the Governments of Rwanda and Uganda that perpetuating the conflict in the Congo must stop.

Hugh Bayley (City of York): May I tell the hon. Lady that during that visit, my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke), I and other Members had an interesting discussion with members of the new interim power-sharing parliament? They took the view that what was needed to get the so-called negative forces—the Rwandan irregular forces—out of the eastern Congo and back to Rwanda was aid to Rwanda so that those forces would have a livelihood if they went back to their own country. The aid that our country gives to Rwanda is part of the solution to getting the irregular Rwandan rebels out of the eastern Congo and back across the border to their own country, where they can prosper if a rural livelihoods programme is provided through our aid and assistance.

Mrs. Spelman: Again, I respect the hon. Gentleman's long-standing interest in and knowledge of international development. I lack confidence in his theory, however, because current amounts of aid to Rwanda are not stopping the incursions by those rebels. Why should we therefore put more money in the same direction? I do not find the argument compelling. I want to find a tool that will work to pull the rebels out. The most recent report on my desk—I am not sure when right hon. and hon. Members visited the Congo—shows a deteriorating rather than an improving situation. All Members must face up to the fact that what is happening in Kinshasa is very different from what is happening in Ituri.

On the wider subject, I feel that all too often the Department turns a blind eye to examples of poor governance. Tanzania, for example, when given $3 billion of debt relief to be spent on health and education, bought instead a new air defence system. Uganda, too, has been rewarded with aid for very good things, such as reducing AIDS infection, increasing primary education and access to water, all of which are laudable. Meanwhile, a terrible civil war rages in northern Uganda, and in 2002 there were 4,500 child abductions alone. Therein lies my concern: the Government's policy of writing what amount to blank cheques to Governments means that the aid does not necessarily get to the people who need it. When we cannot rely on Governments, surely we must get aid to the people who need it in other ways: through non-governmental organisations, faith-based organisations and even the private sector. We must find those other ways.

As the Secretary of State said, one of the mechanisms that should help good governance is the New Partnership for Africa's Development. We had high hopes for NEPAD, but it has fallen at the first fence with Zimbabwe and has led even the African press to be sceptical. The Kenyan *Daily Nation* newspaper calls NEPAD "wishful thinking" and Botswana's *Mmegi* newspaper commented:

> "History shows that African leaders see no evil and hear no evil when dealing with errant leaders."

I was very struck by the views of the hon. Member for Vauxhall (Kate Hoey), who said that after her recent visit to Zimbabwe she gained

> "an abiding impression that expectation of Zimbabweans from all backgrounds is that the British Government should be able to do something to help".

Although the behaviour of African leaders towards Zimbabwe is seriously wanting, our own Government are not without blame. It is wholly unacceptable for the humanitarian situation in Zimbabwe to deteriorate while our country seems to be a passive bystander. I am continually contacted by Zimbabweans who are crying out for someone to help. More than half the Zimbabwean population face food shortages. The regional hospital in Shangani, which served 12,500 families, has closed because it has insufficient food to feed its patients. The water supply in Harare was turned off. Elderly people commit suicide because they cannot afford to stay alive and people bury their loved ones but have to keep guard by the graves because people are stealing coffins. How long does that have to continue before we do something? [HON. MEMBERS: "What?"] Let me come on to that.

[Mrs. Spelman]

I welcome the Government's recent announcement of food aid because such aid is vital, but it is like putting a plaster over a bleeding wound, especially if the aid is diverted to those who should not be the first priority. When will the Government take a lead in the international community and tackle the root cause of the problem? What will the Secretary of State do to ensure that Zimbabwe is at the top of the agenda during the Commonwealth Heads of Government meeting in December? I was asked what we should do. The people of Zimbabwe really need free, fair and democratic elections that are overseen by international election monitors so that they can secure the future that they want without the fear of violence and intimidation.

To the man-made disasters of Africa are added the natural disasters of erratic rainfall and attendant famine. In the southern African region as a whole last year, 14 million people faced starvation. The Department for International Development made the mistake of minimising the scale of the famine by initially describing it as "localised shortages". In addition to that, 13 million people in Ethiopia need food aid this year. Do the Government accept that they were far too slow to react to the warnings of famine, and will the Secretary of State tell the House what they have done to improve their response this year?

Tony Baldry: Before my hon. Friend moves from NEPAD, may I say that the problem is not only Zimbabwe? There is absolutely no reason why the Government of Nigeria should not put Charles Taylor on a plane back to Freetown tonight. He has been indicted by a United Nations war crimes tribunal. I cannot understand why on earth Nigeria, which is a leading member of the Commonwealth and the most prominent Commonwealth country in west Africa, is giving him political asylum—there is no justification for that. He was indicted for war crimes in Sierra Leone by a UN tribunal, so he should go back. Unless that happens, it is difficult to understand how NEPAD can work.

Mrs. Spelman: I wholeheartedly agree with my hon. Friend, who makes the point better than me. For the sheer credibility of NEPAD, it must be seen to tackle the situation in countries such as Liberia and to be making peer review work; otherwise, the scepticism that I mentioned will grow.

Mr. Borrow: Will the hon. Lady give way?

Mrs. Spelman: I shall press on because many hon. Members want to speak in the debate.

Turning to the way in which our nation has made matters worse for Africa, does the Secretary of State accept that our continuing agricultural protectionism is one of the worst offenders? I am sure that the whole House will agree that the failure of the trade talks in Cancun was a disaster, but what confidence does the Secretary of State have that the deal that was in the air at Cancun can be resurrected? Our protectionism, our failure to open our markets and our failure to reform seriously the common agricultural policy all stand as a barrier to the development of poor African nations. That is of special importance for Africa because such a high proportion of people are employed on the land, and often its countries' only exports are agricultural. Do the Government accept that they have botched the privatisation of the Commonwealth Development Corporation, which used to provide the seed-corn capital for agricultural investment but has now switched its strategy to investing in mobile phone companies and shopping malls? It has also shut several offices in Africa.

Related to international trade is the issue of debt relief. A paper published by the International Monetary Fund last week stated that the initiative for heavily indebted poor nations is not relieving some of Africa's poorest nations of their debt burden and is unlikely to produce a sustainable economic situation. At the Labour party conference, the Government said that 23 of the world's most indebted countries have qualified for debt relief, but qualifying and receiving are not the same thing. Only eight countries have completed the debt relief process. The Government must not paint it better than it is. Will the Secretary of State concede that the debt relief process is failing and in need of serious reform? Does he accept that the process needs to be quicker, simpler and more transparent? Without proper sustainable debt relief, many African countries will remain completely incapable of moving forward.

Hilary Benn: On debt relief, will the hon. Lady acknowledge that countries receive the benefit of no longer having to service the debt at decision point, so the benefit comes at that stage even if proceeding to completion takes a bit of time? It is the number of countries at decision point that matters, because that is when they get the benefit by spending less money on servicing the debt, as she knows, and more on health, education and other things.

Mrs. Spelman: I am listening carefully to the Secretary of State, but what worries me about the process is that we are taking a series of snapshots and that countries that we thought had completed the process or were on the way to completing it have become unsustainable again. That is an important argument. We should not be complacent and console ourselves with the thought that those countries are out of the woods and safe once and for all, because often they are not. The process does not cater for that and we should not give ourselves a pat on the back ahead of time.

I feel passionately that the Government pay lip service to the people of Africa and its problems. *[Interruption.]* Let me remind Labour Members that the Prime Minister said he would like to heal the scars of Africa, but his rhetoric makes not one jot of difference to the Zimbabwean people crying out for help, to the AIDS orphans in Malawi hoping someone will notice them alone in their huts, to the women of the eastern Congo scared to leave their houses for fear of being attacked by the soldiers, or to Zambia, which was promised debt relief back in 2000 and is still up to its ears in debt. It might do the Prime Minister good to look at the number of times the Government have picked at the scar and made it bleed again. Africa does not need any more of the Prime Minister and this Government's rhetoric. It needs effective solutions to tackle the problems that constantly undermine its healing process. Only then can Africa move forward.

4.38 pm

Ann McKechin (Glasgow, Maryhill): I welcome a debate on Africa in the main Chamber. I wish there were more of them. I declare my interest as chair of the all-party group on heavily indebted poor countries. I want to concentrate on the importance of debt relief for African development, in particular the policies instigated by the World Bank and IMF as conditions for that relief.

The good news is that debt relief has been shown to work and is a vital component of allowing African countries to meet the millennium development goals. For those countries that have received assistance, there has been a substantial increase in health and education spending. Several countries have been able to abolish primary school fees, although they in turn have had to cope with huge surges of pupil numbers, with classes of 100-plus not unknown in Kenya and Uganda. However, only 19 per cent. of the poorest countries' debt has been cancelled and only five of the 42 eligible nations have consistently met the conditions and achieve uninterrupted debt relief.

The bad news is that the HIPC initiative does not go far enough and helps too few countries. Even the IMF and World Bank accept that many HIPC nations will not have sustainable levels of debt when they reach completion point. The formula, which is based on a very optimistic prediction of export growth rate that has not come to pass, will not work for many nations and needs to be urgently revised if we are to achieve significant poverty reduction. I know that the Government are working on that problem.

No one would argue about the need to impose conditions on adherence to democratic processes, or to impose financial controls to prevent fraud or misuse of funds and to ensure that they are used for basic services such as health, education and, as we heard this afternoon, the prevention of HIV/AIDS. However, there is increasing disquiet about the continuing practice of the IMF and the World Bank of insisting on conditions that are not directly relevant to debt relief, such as trade liberalisation and privatisation.

The all-party group hosted a meeting last month that was addressed by Demba Dembele of the Forum for African Alternatives from Senegal. He spoke about his country's history, which parallels many of the experiences of sub-Saharan Africa. In the 1960s and '70s, Senegal achieved significant economic results through its agriculture and the strength of its exports. However, by the mid-1970s, a succession of droughts, combined with a series of external shocks and the oil crisis, led to an economic downturn, and the Government were forced to turn to the IMF and World Bank for assistance.

Those institutions in turn applied structural adjustment programmes—the well known SAPs—broadly according to a "one size fits all" philosophy based on cuts in public spending, tight monetary and fiscal policies, export-led growth, liberalisation, deregulation and privatisation of state-owned enterprises. Far from rescuing Senegal from its debt problems, the implementation of those policies since the early 1980s has aggravated the debt burden and undermined the goal of poverty eradication. Low or stagnant economic growth, deterioration in several social sectors and only modest improvement in others has characterised this period of structural adjustment throughout the continent.

In Senegal, debt ratios exploded, and by 2002 the external debt accounted for 70 per cent. of its GDP. In addition, over 70 per cent. of the bilateral debts was composed of arrears. At the same time, the percentage of the population classified as malnourished has increased over the past 10 years, and nearly 80 per cent. are trying to survive on less than $2 a day. The IMF-World Bank SAP policies forced substantial trade liberalisation along with the dismantling of the country's public sector, while at the same time cheap, subsidised imports from the developed world severely affected the agriculture sector, which employs more than 70 per cent. of the population.

The IMF appears to ignore the history of economic growth in most advanced industrial nations, including our own, which relied heavily in their earlier years on selective trade protection policies. Between 1996 and 2000, four of the top five fastest growing developing countries—Guinea, China, Mozambique and the Dominican Republic—were classified as having trade-restrictive policies. Similarly, during the 1990s the IMF ranked Mauritius, which left the SAP in 1988, as one of the most protected economies in the world. But between 1975 and 1999, that country achieved annual per capital growth of 4.2 per cent., a substantial amount, and a reduction in inequality.

After years of denying that debt was a problem, the IMF and the World Bank finally agreed, thanks in large part to the efforts of our Government, to tackle the crisis with the HIPC initiative. The much-derided SAPs have been replaced with plans drawn up by developing countries themselves. That is welcome, but there is increasing evidence that the poverty reduction strategy papers have retained the dominant influence, and veto, of IMF and World Bank officials. Typically, PRSPs require privatisation of public utilities, deregulation and removal of subsidies, and promotion of exports and foreign investment.

I am not arguing that policies such as liberalisation and privatisation are wrong in themselves, but I am sure that the Minister accepts that if such policies are to work, they must be implemented at an appropriate stage in a country's development, with effective Government regulation that is capable of being enforced and with public and democratic support. Sadly, there is no evidence that the IMF and the World Bank are capable of dealing with such subtleties. Surely, if we truly believe in democracy, these decisions are best left to those who live and work in the countries concerned.

In Senegal, one of the conditions of debt relief was the privatisation of its state-owned electricity utility, Senelec, but in industries such as water and energy, there is only a small number of transnational companies that are realistically able to bid for such operations. As a result, Governments are increasingly forced to offer sweeteners to attract the few foreign investors available to take on the contracts. Typical of the energy sector are long-term contractual arrangements that enable companies to be the sole supplier of a service. Frankly, a one-off invitation for tenders from five or six companies that are well-known to each other, followed by a 25 to 30-year monopoly before retendering does not deliver much competition or efficiency. For Senegal, instead of

[Ann McKechin]

the predicted efficiency gains, the transfer of control of its electricity provider into the hands of a French-Canadian company resulted in profit outflows, no new investment and increased power outages, which contributed to a 1.5 per cent. decline in its gross domestic product.

By contrast, there is no sound evidence to suggest that public sector involvement in, or control of, public services is necessarily less efficient or effective for poorer nations. There is growing evidence to suggest that both the public sector and alternative service suppliers such as not-for-profit companies can achieve levels of efficiency equal to or even greater than those achieved by standard privatisation programmes. However, the rigid approach followed by officials of the IMF and the World Bank has done little to encourage the search for alternatives that better suit individual economies. Our own solution of a national rail authority would not accord with IMF criteria.

The IMF and the World Bank believe that PRSPs should allow the involvement of civic society only if that facilitates a debate on issues such as the social impact of policy measures and the pace and sequencing of reforms, and that poverty reduction strategy papers should not consider whether reforms involving liberalisation and privatisation are appropriate in the first place. Despite their attempts to achieve greater democracy and transparency, decisions made by democratic representatives have been ignored. In December last year, the Zambian Parliament voted for a motion urging the Government to rescind their decision to privatise the national bank as part of their debt relief programme. That decision was accepted by the President, but almost immediately there were reports that the IMF was threatening to withdraw debt relief. After talks with the IMF, the Government admitted by the start of April that they were privatising the bank after all. Until now, the IMF and the World Bank have viewed such opposition to their policies as simply the murmuring of vested interests, but there have been repeated incidents of such opposition throughout the developing world, particularly in Africa, in both national parliaments and civic society, as well as many reports of unrest caused directly by IMF policies. Not all of those incidents can be easily dismissed and they should not be used as an excuse to bypass the democratic processes of poorer countries.

I very much welcome our Government's efforts to press for "topping-up" for countries above the debt threshold once they reach completion point, as well as the Government's acceptance of the need to reconsider the methodology, as I have said, to ensure that we obtain genuine debt sustainability once countries have reached that point. As the Secretary of State will be aware, the global economic outlook, falling commodity prices and the HIV/AIDS epidemic will put an especially severe strain on the poorest countries in the next few years. The failure of the recent WTO summit in Cancun, as we discussed in a debate in Westminster Hall on Thursday, will result in yet more barriers to economic growth for the world's poor, particularly in Africa. In that climate, I hope that my right hon. Friend agrees that there is an urgent need to cancel even more debt to allow HIPC countries to meet their millennium development goals and build their way out of poverty. Although G7 countries are committed to reducing the bilateral debt—our own Government have made a generous contribution to that reduction—by 65 per cent., the IMF is committed to a reduction of just 29 per cent. and the World Bank of 33 per cent. Does my right hon. Friend agree that both those institutions need to consider a contingency financing facility to assist HIPC countries and work towards a much higher level of debt cancellation?

In the light of mounting evidence of the failure of IMF-World Bank economic policies to alleviate poverty, particularly in Africa, does my right hon. Friend agree that there should be an immediate explicit commitment to ensure that the provision of both debt relief and new loans from the World Bank and the IMF is not made conditional on privatisation, deregulation or trade liberalisation? Finally, I hope that he agrees that it is now time to give poorer countries much greater control over their own economic policy and allow them to pursue their own routes to development.

4.49 pm

John Barrett (Edinburgh, West): There is a problem with the title of this debate, as the problem with "strategies" is that what is often required is not more of them, but a single one. In the field of development, especially in respect of Africa, a huge number of individuals, groups, organisations, non-governmental organisations, Governments and international organisations are making significant contributions to deal with the many issues of which we are all aware. The way forward is to develop a strategy to maximise the effectiveness of that effort and to reduce duplication and waste. That should include a listening strategy, because the experts on poverty are the poor. One might supply water to help a village, but when too many wells are being sunk by different groups without an overall strategy, the water table can drop, leaving no water for anyone. That simple lesson shows why, while acting with the best of intentions, we can be on the road to hell.

I shall not raise the following issues in any particular order, and this is not a case of discussing Africa at the expense of Iraq. There are a number of issues and they are complex and interlinked. They include poverty, hunger and food production, which the hon. Member for Meriden (Mrs. Spelman) mentioned. Obesity is a problem here in the west while people are starving in Africa, which shows that a worldwide food strategy is required. Health has been mentioned, and we must consider AIDS, malaria, tuberculosis and polio, which I shall mention later. Trade is another key factor in this complicated and difficult jigsaw. New alliances have been formed after Cancun. Following relatively disastrous discussions, I hope that this can be the start of a new era in which those new alliances can work together to put their issues at the top of the agenda.

Basic things that we do every day, such as turning on the tap, are major everyday problems throughout much of Africa. Conflict, whether in Sudan, Ethiopia or elsewhere, has been mentioned. The debt process and the position on heavily indebted poor countries were well covered by the hon. Member for Glasgow, Maryhill (Ann McKechin). Other issues include religious divides between Christians and Muslims, the matter of orphans, which has been mentioned, security and terrorism,

corruption in a number of countries, including Malawi and Nigeria, wealth distribution, resources and natural mineral resources. Some countries have ongoing problems of the sort that we know a lot about with regard to Ethiopia, as well as Zimbabwe, which has also been mentioned.

Those are some of the issues that hon. Members will wish to deal with, and I shall try to avoid those that have already been raised and well covered. In the past few months, we have had several debates, mostly in Westminster Hall, about specific African countries, including Ethiopia, Rwanda, the Democratic Republic of the Congo, Sudan and, of course, Zimbabwe. All those discussions have served to educate and advance the debate and to put before Ministers the detailed issues that need to be addressed in each of those countries. I hope that this debate will serve the same purpose. At a time when the world's attention is understandably focused on Iraq, Palestine and Afghanistan, such debates allow us to return to the part of the globe that the Prime Minister—the hon. Member for Meriden also mentioned this comment—has described as a scar on the conscience of the world. He also said that we could heal that scar or it could become deeper and angrier.

I do not question the integrity of those in the Chamber and a number of the groups and organisations that we deal with. I am sure that people are working towards the same goal—improving the lot of many people in Africa with whom we would fear to exchange positions. As the Minister and the hon. Member for Meriden have mentioned, Africa has great problems and needs. Of course, progress has been made in some areas, and it is important to recognise that that is the case. Nevertheless, from the troubled peace between Ethiopia and Eritrea to the food requirements of Angola, the HIV problems of Zimbabwe and Botswana and ongoing problems in Liberia, there is a lot to be done, and I appreciate that there are many more issues to discuss than we can possibly mention this afternoon.

The Government must be given credit for the money that they have given and the role that they have played in trying to improve the lives of people in Africa. The Department for International Development is widely recognised as having taken a leading role in international development in the region, and the simple existence of a Department focused on development has allowed greater priority to be placed on these issues. I shall not forget the first-hand stories that I have heard about how DFID's interventions have changed lives—many from people who otherwise might not be alive today.

At the same time, though, increasing performance leads to increasing expectations. That is no bad thing: we should constantly aim for better performance, greater results and higher goals. Internationally, many of those targets have already been set through the millennium development goals, several of which have deadlines that are only 10 or 12 years away. It goes without saying that those targets are very challenging, especially in Africa. Figures from the World Bank show the enormous differences between African nations and developing countries in other parts of the world. In terms of progress towards the millennium development goals, for example, only 13 per cent. of countries in sub-Saharan Africa are expected to meet the goal of halting and reversing the spread of HIV-AIDS, compared with 63 per cent. of countries in Latin America and the Caribbean. On child mortality, only 18 per cent. of sub-Saharan African countries are expected to meet the goal of reducing the child mortality rate by two thirds, compared with 76 per cent. of countries in south Asia. On perhaps the most important indicator of all—reducing poverty and cutting by half the numbers living on less than a dollar a day—Africa is the only region that is projected by the World Bank's sustained growth forecasts not to meet that goal. It is clear from those statistics that Africa, more than any other region of the world, remains the greatest challenge to the international community.

So where do we go from here? What can we do to try to turn the situation around? Of course, overseas aid remains one of the most straightforward instruments for achieving change. During our inquiry into financing for development, the Select Committee on International Development was informed by the African Development Bank that an extra $20 billion to $25 billion would be needed every year to enable those African countries that can use aid effectively to meet the millennium development goals. Indeed, the United Nations Development Programme and UNICEF predict that development targets will not be met in Africa unless those additional substantial resources are provided.

As I said, the Government have a good record on overseas aid, but the Secretary of State will expect to hear me say that there is still room for improvement. I accept that increasing UK development aid to the UN target of 0.7 per cent. would involve a substantial increase in spending, but I want to pursue this point: if he cannot, for whatever reason, increase our aid to that 0.7 per cent. figure, will he at least set a timetable for reaching it, as called for by non-governmental organisations? In response to a parliamentary question, I was told that such matters extending beyond 2006 are matters for future Parliaments and future Governments. That is a cop-out. I cannot understand why the Government can set a 10-year transport target, but not targets for international aid: it just does not make sense.

Of course, it is not just about the volume or the quantity of aid, but about using it efficiently and effectively for the greatest impact. That is why the European Union can come in for some strong criticism, because, although about 70 per cent. of UK aid is given to low-income countries such as those in Africa, only 40 per cent. of the aid that is distributed by the EU is poverty-focused. Worse still, over the past 10 years the percentage of EU aid given to the lowest-income countries has decreased from 70 per cent. Half our overseas aid is distributed by the EU, and the Secretary of State clearly has a role to play in improving those figures. The EU spends an enormous amount of money on our behalf—money that could undoubtedly be used a lot better. Every step should be taken to improve the efficiency of that aid so that countries and people in Africa can benefit.

But aid alone will not be enough to help Africa and its people out of poverty. One of the greatest gifts that we can give to the region is to allow Africa and its people the necessary tools to help themselves. Last week in Westminster Hall, we had a useful debate on the International Development Committee's report on issues from Cancún. I do not want to rehearse those

[John Barrett]

arguments, but it is clear that reform of international trade rules would massively benefit Africa's development. The oft-repeated statistic is that if Africa increased its exports by just 1 per cent., it would generate five times what the region receives in aid. That should continually remind us of the prizes that are there to be won if we have the perseverance to fight for them.

As was said during last week's debate, Cancun was a major setback in the campaign for fairer trade rules, but the determination and momentum for change remain. Africa as a region would be one of the greatest beneficiaries of such a change. When I visited Ethiopia—a country in the stranglehold of the international coffee crisis—with Oxfam this year, I was struck by the real potential that exists there, if only the rules of the international stage were such that it could play its proper part.

The issue of AIDS is important, but reforming trade rules, tackling the billions of pounds of domestic support that African nations simply cannot match, stopping the dumping that prices African farmers out of their own markets, and ending the tariffs and quotas that stop African exports would all make an enormous contribution to ending the poverty and to improving the economic development of the region. I appreciate that getting those reforms is not solely in the hands of the Secretary of State or the UK Government, but they have an important role to play as the champion of the poor, standing up for countries that, for whatever reason, cannot help themselves. We should have fair trade, not just free trade.

One of the greatest challenges facing Africa is the spread of HIV and AIDS. Thirty million people are now infected in sub-Saharan Africa, with a new infection occurring every nine seconds. Someone dies every 13 seconds. From the moment the Secretary of State opened this debate to the moment that you close our proceedings, Mr. Deputy Speaker, an estimated 1,200 people will have contracted HIV in sub-Saharan Africa, and 830 people will have died. The HIV prevalence rate in some countries now exceeds 30 per cent., with almost 40 per cent. of the people in Botswana infected. One of the tragic aspects of this is that the relatively speedy development of Botswana could be linked to the increasing spread of HIV, through increased affluence, mobility and access to alcohol, and the knock-on effects that those factors can have.

The AIDS virus is now ripping apart the society of many African countries, leaving millions of orphans, as my hon. Friend the Member for Richmond Park (Dr. Tonge) has mentioned. Agricultural knowledge is simply not being passed on from parent to child, and when it is, the children are too young, and their parents too sick, to work the land. HIV is far from being a poor man's illness. Teachers, nurses and other professionals are also dying, damaging the few already fragile mechanisms in place for basic health care and education. It is a real problem to have discussions with a group of key decision makers whose priority is to think in the long term, if those people might not be there in the long term. Christian Aid has predicted that if more is not done, 15 million people will die of HIV by 2007. Many of those deaths can be prevented, however.

The recent agreement on the reform of trade-related aspects of intellectual property rights by the US, India, South Africa and others is a major step forward in terms of providing medicines in Africa, but drug availability is not the answer in itself. More must be done to build the infrastructure and delivery mechanisms there, so that more people can be given better treatment. More education is required, along with the very best of preventive health care, to teach people about HIV and its dangers.

Better use can surely be made of the global health fund. I am well aware of the extra resources that the Government have pledged towards the fund, but it is still one of the greatest underused mechanisms for the co-ordination and execution of our war against this disease. I would also praise the work of the company Diageo for the work that it has done in providing free antiretroviral drugs to those in its work force who require it. That has set a valuable example for other companies to follow.

While HIV and AIDS kill during war and peacetime, conflict between nations only adds to the barriers to poverty reduction and economic development. When more money is spent on guns than schoolbooks, and when there are more soldiers than doctors, we can never hope to achieve our goals in Africa. That is why conflict prevention and conflict resolution are so important. The recent progress made in Sudan, with the signing of a security framework, is a major step forward. The news yesterday that United Nations peacekeepers are to fly back to Liberia following evidence of renewed fighting only confirms that work remains to be done there.

In Somalia, 10 years after the failed US intervention, there remains no central Government in a country of warring factions that is, as the US ambassador warned, a potential seedbed for terrorism. In Ethiopia and Eritrea, all steps must be taken to encourage the respective authorities to sign up to the proposed new border to avoid further conflict. Without stability, we will never be able to attract the investment—especially private investment—that Africa desperately needs. Without good governance, in which the international community has its part to play, there will be little confidence in financing projects. For Africa, the New Partnership for Africa's Development will play an important part in that. We must encourage African nations to police each other effectively; at the same time, we must be there as a friend to the region to offer assistance if and when it is required.

One of the most critical aspects of development is not only looking to the future, but learning from the past, as mistakes are not pointless if lessons really are learned. During the food crisis that threatened southern Africa last year, the early warning systems failed. We must learn from what happened—the detail of how the UK and other donor nations responded has been debated at great length in the House—but, as the hon. Member for Meriden pointed out, there is clear evidence coming forward of warnings being given, especially by those working on the ground, that we are facing other potential crises in southern and eastern Africa.

I have also received information suggesting that countries such as Lesotho, which suffered badly last year, are also facing food shortages because of adverse

weather. I note that the simple problem with shipping in Angola recently had a major impact on food aid availability and distribution.

Those events present us with short-term and long-term challenges. Naturally, in the short term the UK Government have a responsibility to respond to the crisis that is developing, assisting in the provision of food and water aid while encouraging others to follow suit. However, in the long term we must ensure that the potential for such crises occurring in the first place is diminished. We cannot go through the same sequence of events every year, where erratic rainfall leads to a poor harvest, which leads to a food crisis.

With global warming and more unpredictable weather conditions, the frequency of those external shocks will surely increase. We have to ensure that the damage that they can inflict is minimised, although I appreciate that that is not easy to achieve. However, diversification of agriculture, or even reducing the dependence on agriculture, as well as use of drought-resistant crops and ensuring that better infrastructure is in place can all be carried forward.

As I said at the beginning of my contribution, the Government are to be commended for the action that they have taken in Africa—undoubtedly, they have played one of the leading roles—but further action can be taken and further progress made. Africa's development should concern us all. We should not tolerate such poverty. We would not tolerate it in our own country and we must not tolerate it in Africa either. We must never forget that Africa will not make it alone.

5.7 pm

Mr. Tony Colman (Putney): I think I am the first inner-London Member of Parliament to contribute to the debate. May I do so especially by saying that the issue of African development arises on the doorsteps of Putney because people are concerned as to what is going wrong? However, I speak not in particular for the trade justice groups and the Churches, as Putney is the location of the headquarters of Voluntary Service Overseas, which I commend to the House.

I also have in my constituency the world centre of the Ahmadiyya Muslim Association, which has not only just opened the largest mosque in Europe, but which finances the largest non-governmental organisation, Humanity First. It provides schools and health care throughout Africa. Vegpro, a large vegetable processing company that imports from east and central Africa, is also based in my constituency, as is Nando's retail chain, whose world headquarters are in Putney and in South Africa.

It is perhaps as important and intriguing to note that there are some 25,000 South Africans in Putney. Clearly, when my right hon. Friend the Leader of the House came here as an asylum seeker—a refugee—in the 1970s, others followed. I am pleased to pay tribute to the work being done by the Reverend Stephen Melhuish at, to pick out one church, St. Michael's in Southfields, which has some 500 South African members and is twinned with a number of parishes in South Africa. It works with those parishes on issues to do with HIV/AIDS, and in particular works with HIV/AIDS orphans.

This issue very much affects me at my surgeries and on the doorsteps of Putney, and I want to take a different approach to it from others who spoke before me. I do not mean that they are wrong; I simply think that an alternative voice needs to be put forward.

I want to talk about trade, taxation, education and health care.

I do not want to repeat what was said in Thursday's excellent Westminster Hall debate, but I want to refer to the 2002 African trade report produced by the African Export-Import bank, based in Egypt. It demonstrates that Africa may not be the basket case that many consider it to be. It is in fact a vibrant continent with many great successes and enormous potential, some of which has already been fulfilled. In 2002 it achieved a trade surplus of US$4.2 billion—a fall from the 2001 figure of US$5.59 billion, but that is partly due to the growth in imports. As the Secretary of State said, there was a 3.5 per cent. increase in trade in 2002, as against a 1 per cent. contraction in 2001.

According to this reference book—apparently the only one available from African sources—Africa's share of world trade in 2002 was 1.93 per cent. That was a slight increase on the previous year's figure; of course, world trade increased. The value of intra-African trade grew by 6 per cent. during that year. It is interesting to see the list of countries that are rapidly increasing the percentages of their total trade that represent trade with the rest of Africa. Uganda's percentage is 43, Niger's 39, Mali's 38, Burkina Faso's 37 and Mozambique's 36. One important subject that we did not discuss on Thursday is the World Bank figures, which show that if Africa traded more with Africa across state boundaries there would be a significant improvement, and greater employment possibilities. I commend the work of COMESA, the Common Market for Eastern and Southern Africa, based in Lusaka, and that of SADC—the Southern African Development Community—which I think is based in Gabarone. I am glad that those bodies are working jointly, and that there is potential for an Africa-wide free trade area.

Let me now say something about tax. The Secretary of State said that he had attended the United Nations General Assembly special session on finance for development—last week, I think. Perhaps in the winding-up speech we could hear a comment on the suggestion by Jose Antonio Ocampo, the United Nations Under-Secretary General for Economic and Social Affairs, that the UN should be the forum for global dialogue on tax matters. As trade increased and the multinationals became increasingly involved, the UN should consider the issues involved—not necessarily tariff issues, which are a matter for the World Trade Organisation, but the taxing of exports and the corporation tax profits of companies trading in Africa.

It is important for there to be a UN approach rather than, as it were, a race to the bottom. Many people have criticised the UN global compact: the state voices seem to have been muted, and the multinationals are making the running. Perhaps, given his attendance at UNGASS, the Secretary of State will say something about that.

Rev. Martin Smyth (Belfast, South): How far [illegible]s the international body seek to influence, for exam[illegible]Chad.

[Rev. Martin Smyth]

which is one of the poorest countries? Will any of the oil that is being produced get back to Chad, so that it can build up its own economic prosperity?

Mr. Colman: The World Bank, through the International Finance Corporation, has laid down strict rules—for the first time, I believe—whereby the taxes paid by the oil companies must be spent on such things as education and health. I understand that that is being overseen by the World Bank. I read in the newspapers that there was something of a slip-up in the first few days, and that the purchasing of some arms was allowed. But the overall view is that this is the way forward to ensure that, if a new form of finance is available, the first call must be on health and education. However, it is for each sovereign African state to take its own decisions. As many of our International Development Committee reports have said, the important thing is for each country to have the policy space to take its own decisions on trade, tax, health care and education.

Returning to tax, I think it important that, as Members who are interested in international development, we do not allow the wealthy in developing countries to get off the hook. I am saddened by the fact that very little tax is paid by the wealthy in many African countries. According to any interpretation of policy space, taxation policy and how to raise taxes should be matters on which the country in question decides, although it may wish to seek outside advice. I was interested to meet a constituent of mine who is working for Crown Agents, advising on public accounting standards and taxation in Mozambique. He asked, "Are you surprised that I consider this an important area?" I said, "No—it is important to build a local tax base." Unless people feel that they have a stake in the schools and clinics that they have contributed to—the sums contributed from their pockets may be small, but they constitute a large proportion of their income—they will not regard such facilities as their own. In Pakistan, there is a virtual resurgence of local health care and education, because local government legislation allows local councils to levy local taxes. Because taxes are levied locally, local constituents make sure that the teachers and nurses are there. That has not happened before.

On schooling, everyone in this House would support the Dakar declaration of 2000, which ensures that schooling is carried through. My concern is that in doing so, we make sure that account is taken of what is happening on the ground. There is an element of private education in virtually every African country, and in that regard an interesting exchange of letters between Professor James Tooley and Oxfam's Kevin Watkins took place in today's *Financial Times*. The latter said that he is not against the provision of private education, but he also said that the main provision should be through the state. As a Labour MP, I strongly support that view.

We should however consider private finance initiatives and public-private partnerships, which the Department for International Development has yet to do, as an alternative way forward. We are building schools all over Britain on the basis of PFI and PPP; could similar arrangements be made available if the country concerned wished to have them? The same is true of health care. We were all galvanised into action at the Labour party conference when the Chancellor of the Exchequer talked about the international financing facility's providing a health service for Africa. It is important to point out that hospitals all over Africa are empty and in decline because they have been built in the wrong places, and the doctors and nurses cannot be afforded. There is a need to ensure wrap-around health care. I ask whether there is a way forward by adapting for Africa the public-private partnerships that are getting hospitals built here. That could be done within a 30 or 25-year time frame, which would ensure that doctors and nurses got paid and that the hospitals were of a suitable quality for local people.

I pay tribute to AAR Health Services, which is chaired by Lord Enniskillen. It is the main private health provider in east Africa. Its founder was Bengt Beckman, whom I have met. His widow, Mrs. Beckman, took me to see the clinics—they are partly financed by the Department for International Development—around Nairobi. There were four clinics there, a further two in Tanzania and one will soon open in Kampala. This is an attempt to provide good quality health care on an affordable basis for the poorest people in east Africa. It is an interesting initiative and I praise DFID for working on this public-private partnership, albeit one that has not seen much light of day.

To conclude, it is not just a matter of trade: it is also a matter of aid. When I used to meet the noble Lord Bauer, who has since died, back in the 1960s, I used to fight him continually—almost physically—on his view that aid would corrupt the African continent and lead to 30 or 40 years of slow development. In his view, trade was the only way forward. I now believe that he was half right, but that I was half right, too. We need both. Africa needs the policy space to decide how best to go forward, but the idea in my speech should be taken into account. Progress can be made in the form of a partnership and through properly taxing business, but that will not deliver the whole answer for health care and education—only part of it.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Michael Lord): Order. Before I call the next Member to speak, I have observed that many hon. Members are still seeking to catch my eye, so unless contributions are reasonably short, many of them will be disappointed.

5.22 pm

Tony Baldry (Banbury): There are times when I think that the divisions in the Chamber are pretty stupid, because it is clear that on a subject such as this most of us are agreed. I have listened to the speeches of the Secretary of State, of the hon. Member for Glasgow, Maryhill (Ann McKechin) and of the hon. Member for Putney (Mr. Colman), and I suspect that we are all in agreement. I see in their place six hon. Members who serve on the International Development Committee. So far, our Committee has produced about 12 reports during this Parliament, which must amount to about 1,000 recommendations, all of which have been unanimous. There are so many issues on which we all agree that we sometimes need to think about how the House could express its collective view more effectively.

I want to ask the Secretary of State about the New Partnership for Africa's Development. We in the House are all passionate supporters of that new partnership, but it is a deal and a two-way deal, and many feel uncomfortable about countries such as Zimbabwe, Liberia and others. We are all Commonwealth parliamentarians in the House—all members of the Commonwealth Parliamentary Association—but what has been happening in Zimbabwe is wholly unacceptable.

It is frustrating for all of us that President Mbeki of South Africa and others have not been more effective on that issue. He and I were students together at Sussex university. In fact, there are more Sussex university graduates in the South African Parliament than in the House, although there is quite a number in both. South Africa has tried the soft approach to Zimbabwe and it has not worked. To be honest, we should express our concern that more needs to be said about Zimbabwe. It is undergoing complete collapse, with huge rates of inflation that we can barely understand and many newspapers being closed down. That is wholly unacceptable.

On Sierra Leone, I am at a loss to understand the position of President Obasanjo of Nigeria over Charles Taylor. I understand that, from a realpolitik view, it was sensible to get Taylor out of Liberia, but he has been indicted by a UN war crimes tribunal. Indeed, we did much to set up that tribunal, and the deputy prosecutor in Sierra Leone is a United Kingdom Queen's Counsel. It was set up because the United States and United Kingdom Governments were concerned that al-Qaeda had been financed through blood diamonds from Sierra Leone.

One of the reasons for the UN treaty with Sierra Leone was the anticipation that sufficient prima facie evidence would be found to indict Charles Taylor for war crimes. He and his forces had the greatest responsibility for war crimes in Sierra Leone. We should remember that the war crimes in Sierra Leone involved people being asked whether they wanted to be left handed or right handed and a machete being taken to the other hand or arm. They were serious crimes, but Charles Taylor has been given political asylum in Nigeria. I genuinely do not understand that.

The House—not just the Government—needs to make it clear to our parliamentary colleagues in Nigeria and South Africa that we will do our bit in terms of development aid for Africa, but we expect them to do their bit in terms of governance. We are not asking a huge amount. All we are asking them to do is to exercise some influence on parliamentary colleagues in Nigeria and Zimbabwe and elsewhere. We are entitled to ask that collectively, as the House of Commons, and to look to the Government to say to President Mbeki and President Obasanjo that we expect them to do their bit.

We had an excellent debate in Westminster Hall last week on targets, so I shall say only that the litmus test for the Doha development round will be cotton. The Under-Secretary will have taken that on board and we will see what we manage to achieve.

Nor shall I say much about conflict, because we will have a debate on Thursday on the Quadripartite Committee's reports, which will give us the opportunity to talk about arms exports. I hope that one of the millennium development goals will be to reduce substantially the number of children in Africa running around with AK47s. The hon. Member for Bethnal Green and Bow (Ms King) and others have worked hard on such issues as they affect the great lakes area. One of the real tragedies of northern Uganda and Sierra Leone has been the number of young people involved in perpetrating the conflict.

Ms Oona King (Bethnal Green and Bow): I am grateful to the hon. Gentleman for giving me the chance to mention the golden opportunity facing the great lakes region at present. Very positive things are happening in Burundi, Rwanda and the Democratic Republic of the Congo, and this is a wonderful opportunity for the House to show that we will support their transition to democracy along the lines of good governance, and how they can be full partners in NEPAD.

Tony Baldry: Everyone in the House would rejoice if we could achieve that, as they would if we could make advances in Sudan—it looks as if that might happen—and in Somalia, although that may be more difficult. That would be fantastic news, but there are far too many small arms swilling around in Africa. I hope that we can debate that issue on Thursday.

The hon. Member for Glasgow, Maryhill was right to remind us, with her long list of important statistics, that we have not yet achieved as much as many of us hoped we would on the HIPC programme and debt relief. We must not forget the issue. The tendency is to remember the Jubilee debt relief campaign and think that we have ticked that box, but work remains to be done.

I want to raise two matters with the Secretary of State. First, DFID's policy for many years has been about sustainable livelihoods. There is a real concern in Africa that sustainable livelihoods have tended to become subsistence livelihoods. A friend of mine is a parliamentarian in one of the west African states, and he said that Africa's was a "chickenfeed" economy.

Last year, the Select Committee on International Development reported on the humanitarian crisis in southern Africa. Many of our conclusions concentrated on ways of enhancing agriculture in Africa. I appreciate that these things go through cycles, and that concern about agriculture extension may look a bit passé, but we must enhance agricultural production in Africa, and enterprise. Understandably, much of DFID's work is devoted to health, education and good governance, but where are the new jobs to come from? Unemployment in the townships outside Johannesburg or Pretoria is about 60 or 70 per cent. How is that sustainable? How are we going to create new enterprise and new jobs in Africa, and attract foreign direct investment?

Secondly, the House displays enormous unity when it comes to wanting to enhance the position in Africa, but some uncomfortable truths remain. For many, the litmus test of whether we can address those truths is whether we can confront some of our parliamentary colleagues—in Zimbabwe, Liberia, Sierra Leone and some other countries—and tell them that what they are doing is unacceptable.

If we cannot do that, and be honest in our relationship with Africa, there is a real danger that we will continue merely to make great, Panglossian

[Tony Baldry]

speeches about HIV/AIDS and other matters that require real political leadership. We have a shared responsibility to say that the standards of behaviour acceptable in Africa must be as high as those that are expected elsewhere in the world. We will do our bit—and more than our bit—with NEPAD and other initiatives, but the compact must be mutual. Others must do their bit in the deal: if they do not, Africa will always be going backwards; if they do, Africa might be able to move forwards.

5.32 pm

Hugh Bayley (City of York): I agree with the hon. Member for Banbury (Tony Baldry) about the need for political leadership in Africa, but we also have to provide technical assistance. People can lead effectively only when they know where they are going.

I want to speak about HIV/AIDS in Africa. The Department has funded a collaboration between researchers at the London School of Hygiene and Tropical Medicine in London, at Johns Hopkins university in the US, and at Kintampo in Ghana. The research has identified an extremely cheap treatment that involves giving vitamin A supplements to children from birth to five years of age. The treatment dramatically reduces infection rates for tuberculosis, malaria and even mother-to-child transmission of HIV/AIDS.

That work has been done in Africa, in collaboration with—and funded by—our Government. We need to provide that sort of technical information and assistance, to enable their leaders to lead. The treatment has been shown to be effective, and the hon. Member for Banbury is right to say that we should expect our Government to provide funding to roll it out across the continent—and that we should expect leaders in Africa to show that vitamin A is an important part of Africa's defence against opportunist infections.

Before we get too locked into gloom and doom about the enormous challenges faced by Africa, we should note that parts of Africa are developing and moving closer to the millennium goals. Between 1990 and 2000, according to the latest human development report from the United Nations Development Programme, the percentage of children completing five years of primary education in Namibia increased from 62 per cent. to 92 per cent. Over the same period, infant mortality in Uganda fell from 100 deaths per thousand live births to 79 deaths per thousand live births. In Ghana, the number of under-nourished adults and children fell from 35 per cent. to 12 per cent. of the population. With political leadership and development assistance, real progress can be made.

In many parts of the continent, however, things are moving backwards. Development is being undermined by bad governance, conflict, environmental degradation and the three great health pandemics of HIV/AIDS, tuberculosis and malaria. As has already been pointed out, 10 per cent. of the world's population live in Africa, but 70 per cent. of those who are HIV-positive live in that continent. AIDS has surpassed malaria as the most common cause of death in Africa and kills many, many more Africans each year than all the conflicts in that conflict-riven continent. By 2005, AIDS will kill more Africans than all other causes of death put together.

Life expectancy has fallen dramatically in many African countries. In Zimbabwe, average life expectancy has fallen from 59 to 43 years; in Botswana, it has fallen from 62 to 36 years. The population of South Africa—a developing country—is falling in absolute terms. It is almost unbelievable, but the population is being reduced due to the AIDS death toll. However, in other parts of Africa, such as Madagascar or Senegal, life expectancy is rising, because the prevalence of HIV/AIDS is much lower.

It is difficult to understand the scale of the crisis. In Botswana, for example, 39 per cent. of adults are HIV-positive. The figure is 34 per cent. in Zimbabwe, 20 per cent. in South Africa and 15 per cent. in both Malawi and Kenya. That means that 40 per cent. of the adults in Botswana will die over the next few years; one in three Zimbabwean adults with children will die, and one in five South Africans will die.

As my right hon. Friend the Secretary of State so rightly pointed out, our continent has not faced a health catastrophe of that kind since the black death, which halved the population of our country. It took 400 years for our population to recover. That is a measure of the economic consequence of such a large-scale health crisis.

There is another parallel that we should use—hard though it is. About 20 million Africans have already died from AIDS. UNAIDS estimates that another 55 million could die by 2020. From 1500 until the end of the 19th century, the slave trade transported about 18 million Africans out of the continent and it probably killed about 50 million Africans, many of whom died before they left the coasts of Africa. However, the economic impact of the AIDS pandemic could be as great or greater than that of the slave trade, even though that trade may have been the reason that Africa fell behind other developing regions of the world.

The epidemic has social, political, economic and security implications. Several hon. Members have referred to the numbers of AIDS orphans. I have read that there are already 11 million AIDS orphans in Africa. Even if we could wave a magic wand to stop HIV infection instantly and completely, the number of orphans would continue to rise as those who are already infected die.

In 1995, there were virtually no AIDS orphans in South Africa. This year, there are about 500,000. By 2006, the number is likely to rise to 1 million; by 2008, to 1.5 million; and, by 2010, to something like 2 million children. If our children's services in the United Kingdom had to cope with that number of children, they would be utterly overwhelmed, and South Africa does not start with state children's services of the type that we have in this country.

By the time that parents die from AIDS, their families will already be in dire straits. A five-year retrospective study of AIDS-affected families in Zambia found that the average monthly disposable income for families with AIDS fell by 80 per cent. compared with non-infected families. So when they are orphaned the children are already malnourished and, more likely than not, they are already out of school and over-worked caring for siblings and trying to till the land to create an income for the family. The family are likely to have sold their possessions. When the parents die, their children often lose their homes as well.

When some AIDS specialists spoke to the all-party Africa group about AIDS in Africa recently, one of the researchers told us about meeting three children walking along a road in South Africa 20 miles from town. All three were stark naked and under the age of 10. When he talked to them, they said that their second parent had died that morning, but they had heard that their mother had a sister whom they had never met living in the town, and they were walking to town to try to find someone to care for them.

The social and economic consequences are enormous. In our report on the famine in southern Africa, the International Development Committee identified the HIV epidemic as a very important component of the crisis. We also identified that, first, the initial defence against HIV is food. Secondly, food shortages arise to a great extent because of the inability of so many families weakened by HIV to till the land and grow food. So technical work needs to be done in this country and in Africa, supported by our money, to find new crops that need less weeding, less watering and shallower ploughing. We can make a real contribution, so that the leadership in Africa can deliver some results.

We clearly saw the impact caused by the loss of specialists—the relatively few nurses and teachers and the very few economists and trade negotiators in developing countries. In a meeting with the Malawian agriculture department, we sat round a table with a dozen top officials. I forget exactly how many of them were HIV-positive—we were told after the meeting—but I think that it was four or five. In other words, a third of the top officials of the department of agriculture would be taken away from the Malawian Government, and they have no way to replace them.

The situation is absolutely dreadful, but it is not so dreadful that nothing can be done about it. The Secretary of State mentioned the positive policies that the Ugandan Government have pursued to combat problems there.

Rev. Martin Smyth: I appreciate the hon. Gentleman giving way on that point and I agree with everything that he has said. Does he agree that the House should also pay tribute to those grandparents and others who are seeking to help those orphaned children and to those involved in education who are seeking to change the thought processes of political leaders and others in Africa so that they are more positive in dealing with the problem?

Hugh Bayley: I am conscious that I must make progress, but I wish to say that the hon. Gentleman is absolutely right. The number of orphans will rise dramatically over the next 10 or 15 years, so we must use that time to find ways to provide care and support through the extended family, the state and the education system for children who lose their parents; otherwise, some of those countries will become failed states and descend into anarchy, with an uneducated population who are unable to contribute to the development of their country.

Helen Jackson (Sheffield, Hillsborough): Does my hon. Friend agree that if we do as he suggests on education, we will start to create a win-win situation? One of the issues at the root of HIV/AIDS and poverty is the poor access of all children, particularly girls, to primary and secondary education. Does he therefore agree that almost nothing represents better value for money when dealing with some of issues he has identified than an emphasis on education?

Hugh Bayley: My hon. Friend is absolutely right. The message is that this crisis is so severe that we can only tackle it by mainstreaming AIDS policy in every area of our development assistance policy, and by Governments in Africa mainstreaming it in every area of their policy. If that does not happen, we will not have a significant enough effect on reducing infection, on mitigating the effects of the disease on the victims or their orphans, or on treating the disease. AIDS policy therefore needs to become part of mainstream development strategies.

One area where I saw that happening was in the Democratic Republic of the Congo. To declare an interest, as a member of the all-party great lakes region group, I visited the country three weeks ago, funded by the Congolese Government. There, we met members of MONUC, the UN mission, whose soldiers provide security so that the fragile interim administration can maintain peace and work towards elections in 20 months' time. MONUC requires all soldiers who join its mission, from any country, to undergo an AIDS training programme before they arrive. They must come with AIDS public health information packs and AIDS treatment and testing packs, and must carry out at least one project with the community and the country to deal with the AIDS crisis. AIDS action therefore needs to be woven into every part of its work, and that must also apply to every part of the Department for International Development's operations, whether in health, education or rural development.

MONUC has a responsibility for disarming the irregular forces—the so-called negative forces—in the eastern Congo and for aiding their repatriation to their countries of origin, Uganda and Rwanda. It finds it extremely difficult to persuade people to give up arms because it can provide no incentive for doing so. In Sierra Leone, the UN could provide cash in return for weapons, and it would like to be in a position to do the same in the DRC. I hope that our Department will consider that option. Perhaps it should not offer cash but initiate a "work for weapons" programme to build roads, as one of the difficulties facing the UN is that there are no roads to get those disarmed soldiers out of the country. We might therefore be able to create a win-win situation.

The interim administration is a huge step forward for the DRC after six years of civil war. It is, however, extremely fragile. If it achieves the task of running a free and fair election in 20 months' time it will be the first time that the country has held such an election for more than 40 years, and I hope that the UK will look at how to support the institution-building process and the election preparations so that that election can go forward safely.

The UK has provided a lot of money for AIDS. As the Secretary of State said, the budget when we came into office in 1997 was £38 million a year and it was £270 million last year. However, when I examined the policy information marker system to find out where the money went, I noticed that £54 million went to Africa last year, while £80 million went to Asia and £163 million was

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provided through non-regional-specific allocations. I hope that the Secretary of State will examine the allocation of resources for Africa, which is where 70 per cent. of the HIV-positive population lives, relative to other parts of the world. I am suggesting not that he takes away money from other parts of the world but that he ensures that Africa receives sufficient resources.

5.50 pm

Alistair Burt (North-East Bedfordshire): I am delighted to follow a succession of speeches by members of the Select Committee on International Development, each of whom is more distinguished than I. Their insights gave an indication of why it is such a pleasure to serve on that Committee. I noted that the hon. Member for Putney (Mr. Colman), who has just left the Chamber, said that he had been galvanised by the Chancellor of the Exchequer's speech at the party conference in Bournemouth. I am the Parliamentary Private Secretary to the leader of the Conservative party for the next 48 hours, so hon. Members might like to tell the hon. Gentleman that I have developed a sixth sense for comments that might be a veiled attack on a leader. However, he can be reassured that his comments will remain confidential between us.

I also beg the House's forgiveness. I have the honour of being the Member of Parliament for the constituency in which the headquarters of the Royal Society for the Protection of Birds resides. I am sponsoring a reception for the RSPB and it would like me to introduce a Minister at half-past six, so I would be most grateful if I could be excused from the winding-up speeches.

It is easy during such debates to be either too wide ranging or to create the impression of being overwhelmed by the multiplicity of issues that affect African development and stand in the way of Africa's progress. Africa will triumph and we should not deny for a moment the extraordinary hope and aspirations of its people that will break through. I would like to concentrate on one or two narrower aspects of development issues—I do not wish to suggest that I am neglecting other things about which hon. Members have spoken—because otherwise where would I start? Should one start by talking about trade and justice or AIDS, as the hon. Member for City of York (Hugh Bayley) did so movingly and passionately, if I may say so? I had the honour of being in the audience when Nelson Mandela spoke to the International Red Cross in London in July. Among other things, he said:

"AIDS represents a tragedy of unprecedented proportion ... claiming",

in Africa,

"more lives that the sum total of all wars, famines and floods and the ravages of such deadly diseases as malaria."

The hon. Gentleman was not wrong to devote his speech to the problem of HIV/AIDS.

We cannot forget the age-old problems of famine, conflict and debt, but I want to direct my attention away from such matters and reflect a little, as did my hon. Friend the Member for Banbury (Tony Baldry), on the importance of governance to the future of Africa and the role that that must play in its future development. My interest in Africa, and especially South Africa, is coupled with that of two other hon. Members—the hon. Members for Burnley (Mr. Pike) and for Southwark, North and Bermondsey (Simon Hughes). They are two Christian friends with whom I have shared many journeys to that country. Our visits and interest date back to 1986 when we visited South Africa in the teeth of the apartheid regime and our visits have continued up until Whitsuntide this year when the three of us made what was our fifth or sixth visit—either singly or together—since that time. We have seen the extraordinary changes that have taken place in South Africa and have been privileged to share contacts with people in government and business, and churches and township communities. The hand of friendship has been extended to us by all races in all parts of the country. The three of us are touched by South Africa and our friendship is marked and defined by our experiences there. We shall always support its people.

I believe that the development of Africa will increasingly become of mainstream political importance for people in the UK and Europe. European history is bound up with Africa and we retain the connections of the centuries that neither time nor contemporary politics can change or deny in any way. We are as much a part of Africa's future as it was of our past.

It is argued that Africa will become of greater importance to us in the future. The nature of global politics is changing and Africa's importance will be fully realised in due course, for in the long term events are moving in a direction that is changing the geopolitical balance. Two examples illustrate that. First, we are beginning to recognise that a world of major power blocs put together is breaking down. Blocs based on former security issues or older established trading patterns are no longer as rigid or certain as they were. The old context of security and ideological issues that defined European, western and world politics for so long is becoming redundant. Terrorism is taking some of the place of conventional warfare. Trade and development is arising as the longer term alternative to colonialism. Secondly, the new politics of the world will be based on different matters and issues than those of the past. Sustainable development, environmental concern, trade justice, migration and world population issues are intimately bound up with developing nations and have significant economic consequences for the rest of the world. Africa is the eloquent symbol of the crossroads at a moment of history.

Hon. Members are aware that it is not a question of whether Africa will arise from its difficulties alone or by way of outside assistance. It is not going to be that sort of world. We all have a vested interest in working with each other to overcome common problems. There will be two crucial aspects to that. One will concern the way in which the outside world works in harmony with African nations. Concordats, such as NEPAD or millennium development goals, will be the key to that. Of growing importance, however, will be the changing nature of the demands of developing countries themselves and their growing confidence in advocating them.

The recent collapse of the World Trade Organisation talks in Cancun was a graphic example of that. I have my doubts about whether the collapse is the good news it was celebrated to be at the time. The euphoria that greets such a result is often assessed differently in the

cold light of the following weeks, but the new-found expression of confidence among developing nations must be recognised and applauded. If such a demonstration of the change in the world order is to be of lasting significance, however, those countries that are assuming a greater and more powerful role on the world stage must have the political infrastructure to sustain such a position. That brings me back to South Africa.

Over the years, my hon. Friends and I have witnessed the remarkable transfer of power in that country from the apartheid regime to the new democratic Government. The decade or so since the effective transfer of power provides a reasonable time scale for looking at markers of real development to signal the progress of an emerging democracy. I recognise the Government's extraordinary achievements, but I post a warning that I trust in years to come will prove unnecessary.

Our recent visit to South Africa included an opportunity to meet Members of Parliament from the African National Congress and a variety of Opposition parties. We spent time with Magosuthu Buthelezi, the Minister for Home Affairs and the leader of the Inkatha Freedom party. We visited the Mpumalanga provincial Parliament and spoke to a wide range of friends and contacts. It is impossible to avoid or ignore the uneasy sense that an already immensely powerful Government are becoming increasingly strong in South Africa. The ANC dominates the national Parliament and is in full control of the vast majority of provincial legislatures as well. In light of the ANC's background, it is entirely understandable that it is puzzled and uncertain of opposition and believes that its future security, and that of its country, is bound up with it being in even greater control than it is now. A BBC press release from the summer entitled "ANC tightens grip on power" describes the process of Members crossing the Floor of the House under a law that allowed them to do that within a time scale without losing their seats. It enabled the ANC to gain new members and alter the balance of power in different legislatures.

There are other concerns. Helen Suzman, a campaigner for freedom from apartheid and known as a beacon of liberalism and freedom to virtually everyone in the Chamber for a significant part of our political lives, recently wrote of her sadness at feeling marginalized in the new South Africa. The part played by her and others in history is not quite given the prominence it was in 1994 and should continue to receive.

In September 2003, the Helen Suzman Foundation published an article by a reporter, Sarah Crowe, entitled "Local Media Freedom is Not Set in Stone", which was introduced with the statement:

> "Vigorous white journalists are liable to be accused of racism, while their black confreres risk condemnation for lack of patriotism."

The article said:

> "Never before has the South African media been so free, so diverse and so large. But ironically there are now probably more self-imposed limitations on the media than in the past.
>
> Today the media finds itself choking on the sweet air of new freedoms, trapped in a racial purgatory characterised by patriotic praise singing or thinly-veiled bigotry. There is a great need now for a more astute and nuanced response from editors and journalists.
>
> Under the administration of Thabo Mbeki, it is a truism that if you're black and critical of the government you're either unpatriotic or, worse still, dominated by or thinking like whites, while if you're white and critical you're a racist."

Helen Jackson: The hon. Gentleman is giving an interesting exposition of the potential failings of the ANC in government in South Africa, but does he recognise the great leadership that the ANC has shown in insisting that there is good representation of women at every level of power from the smallest local council to the Parliament, the Cabinet and Ministries? It is the only party in Africa that I know of that has set out to achieve the goal of 33 per cent. representation for women, and it has managed in 10 years to achieve something that we still struggle with in our democracy.

Alistair Burt: The hon. Lady is entitled to make her point, and it is a perfectly fair one. However, I am not making a point about individual components of the ANC—far from it—and I am not denying the successes of the past 10 years or the years before that. If she will stay with me for a moment, I will get to my point.

The article that I was quoting goes on to say:

> "Although these divisions may have been latent in the society anyway, they have become manifest under Mbeki. The discord is—to quote Anton Harber, professor at the Caxton School of Journalism at the University of the Witwatersrand—'terribly destructive' for the media."

The article does not stand alone, and other quotes can be found that express similar concerns.

I raise this issue because I believe profoundly that democracy constitutes a set of absolute propositions. There can be no allowance, simply because a regime has emerged from an authoritarian past, for breaches of democratic principle. Unless the same rigour is applied worldwide, abuses of democracy and, in consequence, human rights abuses inevitably follow. South Africa must become not only Africa's leader but, perhaps, the dominant force among developing nations throughout the world. The good will associated with its transition is almost unique in our political experience, and that is why our expectations are so huge and important. That is why we care so much about the nation's governance and its pluralism.

I commend the work of the Department for International Development and the Westminster Foundation for Democracy in supporting the projects designed to encourage democratic growth in South Africa. Colleagues may be interested to learn that the foundation has supported 62 projects since 1998. All the major political parties have been involved, and colleagues may like to know that the Liberal Democrats ran a regional workshop for skills in local election campaigning. I suspect that most of us who have been involved in by-elections could probably tell people more about the Liberal Democrats than they themselves could do.

Labour colleagues ran a very good seminar entitled "Follow-up fund-raising training", so look out grand prix entrepreneurs and people in the media, because you are going to be tapped. With some trepidation, I tell the House that the Conservative party ran a seminar on message development urgency, about which we might also claim to know quite a bit.

[Alistair Burt]

To conclude with a serious point, it is important that those who want a pluralist society to continue in South Africa take the most careful note of current developments to forestall the sort of problem that we have seen on its northern border. I visited Harare in 1986, when there were worries that Zimbabwe might be moving towards greater intolerance and that the removal of guaranteed seats for whites in the Zimbabwean Parliament was the top of a slippery slope. There was also some anxiety about press freedom. However, a blind eye was effectively turned—there were surely all sorts of good reasons for Robert Mugabe's regime taking a little longer to accept the pluralist traditions that were common in other parts of the world. The consequence of the blind eye is the hunger, terrorism and destruction of human rights for many people in Zimbabwe and the cruel loss of the dignity that, ironically, Robert Mugabe had symbolised when he freed his people.

We are a long way from that in South Africa, but the warnings of South Africans who fear the return of a chill wind of intolerance should be heard and respected. The international community was not a critical friend to Zimbabwe at a time when it most needed it. We must therefore—this point is addressed directly to the hon. Lady—be a critical friend to South Africa now because so much is expected of it. Its people, resources and aspirations are second to none. I described the love that my hon. Friends and I have for South Africa because of our visits there, our friendships and relationships. If it can become a beacon for pluralist democracy in southern African and an unimpeachable model for others, if it is prepared to work with other African nations to solve local tyrannies, the prospects for African development proceeding in a manner that will benefit not only its own people but the world must be strong, and the world itself will be stronger as a result.

6.6 pm

Tony Worthington (Clydebank and Milngavie): May I thank the Secretary of State for remaining in the Chamber throughout our debate? Not many people do so— it sends a welcome message to Back Benchers, for which I express appreciation. I hope that such behaviour will help me in future as well.

In our debate on African development strategies, I wish to raise a single issue—the fact that the discovery of natural resources in Africa has led not to wealth but to poverty for its people. Although there have been enormous riches for a corrupt elite and riches for western companies, that has been at the expense of many people in southern Africa, which is now the poorest part of the world. The amount that we have given in aid is minute compared with the capital taken from Africa by Africans. The Abacha family alone took literally billions out of Nigeria's oil fields.

I shall focus on oil, but what I shall say applies equally to diamonds, gold and timber. An initiative to tackle the theft of oil wealth could be conducted that would not require money but simply political commitment by the wealthy of the world, including our own country. Other Members have referred to the fact that we are hearing more and more about the robbery of the Congo's riches by the powerful in surrounding countries, with funds then transferred to western companies. The United Nations is about to consider a report on the plundering of resources such as minerals in the Congo, and 18 international companies are to be named which, I hope, will alert us to the consequences of western companies feeding off conflict in developing countries.

Ms Oona King: Will the Minister give an undertaking that the British Government's response to that report, which is out but not yet fully available, will be made public?

Tony Worthington: That is an interesting intervention. I hope that I can manipulate the Minister to act as my ventriloquist's dummy and give my hon. Friend the right answer.

Countries such as Nigeria discovered oil, then made a dire descent into abject poverty. Angola discovered oil, and used it to fund one side in a horrible war, while the other side used diamonds. It should be central to our development strategy in Africa that we stop this gross robbery by corrupt Africans and their partners in crime—some of the big oil companies whose business practices aid and abet the robbers.

We can go a long way towards solving the problem if African countries and western oil companies simply publish their accounts as they are obliged to do in this country, America and France. If they simply said what they paid to the Governments of those countries and those Governments said what they received, the emerging democracies and politicians in those countries would have something to bite into. African Governments say many words about that issue, but with few exceptions—diamonds in Botswana have been mentioned—there is no transparency. The facts about oil and other resources are regarded as state secrets, and the term "state" means the politician who is control. In a recent report, the Catholic bishops of central Africa said:

> "Central Africa wallows in Misery despite the growing discoveries of oil".

They also denounced the complicity of the oil companies and ruling politicians.

Nothing would do more to improve governance in such countries than transparency of accounting. The fact is that politics in some African countries is a struggle to get into the food chain and feed at the trough. People go into politics to get rich by gaining access to a country's resources. A couple of years ago, a campaign was established—it was headed by George Soros and a wonderful London-based campaigning NGO, Global Witness, as well as 60 other NGOs from around the world—to end the cloak for corruption that is a feature of the failure to publish accounts. To their great credit, our own oil companies, Shell and BP, said that they would take up the approach. Of course, they needed the security of knowing that their rivals will play the game as well, or they would have been cut out of those markets. Indeed, I think that BP was threatened with that possibility in Angola.

That campaign is called "Publish What You Pay". The Prime Minister, to his enormous credit, threw his weight behind it and launched a forum at Lancaster house in June. Among his duties, the present Secretary

of State has inherited the responsibility of chairing the group that takes forward the policy—the extractive industries transparency initiative is hardly a catchy title, but I think that we know what it means. The proposal was taken to the G8 and there was general approval, but it then ran into the buffers of the American oil giants, which said that any agreement should be voluntary. That is nonsense; if it is voluntary, it is a dead duck. The chairman of Exxon's international operations stressed the importance of contractual obligations coming before disclosure. Chevron said that the process must remain voluntary and that disclosure would put it at a disadvantage to Government-owned corporations. The matter is dead simple: if the same rules apply to everybody and the World Bank and regulators in developed countries lay down rules of transparency, the approach can work. It is the crook who wants secrecy; the honest company has nothing to fear if everybody else has to be transparent.

President Bush has said some promising words about helping Africa, but they will be hypocrisy if he allows American oil companies to act in partnership with political criminals to strip Africa of its natural resources. These companies are hugely powerful. Exxon has recently been negotiating with Chad, and its 2001 revenues were $191 billion, while Chad's gross domestic product was $1.4 billion. That is the difference in power.

At one time, America had little interest in Africa, but increasing amounts of oil are coming from it. We are in a new version of the great game in which the powers are struggling for resources. The Americans are trying to get out of reliance on Saudi Arabia and west Africa is in the middle of an oil boom. I was astonished by the figures: 7 billion of an estimated 8 billion barrels of oil discovered last year were found off the west coast of Africa. West Africa now sends almost as much oil to the United States as Saudi Arabia. With that change comes military interest as well, but I do not have time to speak about that.

Nigeria is the worst case of a country discovering oil and experiencing misery. Following the discovery of huge oilfields, per capita income fell by 23 per cent. since 1975. I watched with interest when democracy took over in Nigeria, but I have seen no further signs of transparency. When we went to Nigeria, it was hard for politicians to find out what was going on. In Angola, more than $1 billion—about a third of state income—disappears each year and cannot be accounted for.

My favourite example of the relationship between the United States, its oil companies and African states is that of Equatorial Guinea. It is a tiny country of about 500,000 people—about a third the size of Northern Ireland—but it sits on oil. In Washington, almost within sight of the White House, there is a place called Dupont circle. There one will find Riggs bank, in which, it is alleged by the *Los Angeles Times* and corroborated by Global Witness, there is a bank account holding between $300 million and $500 million in the name of the President of Equatorial Guinea. That amount of money can only have come from Equatorial Guinea's oil resources, because oil represents 90 per cent. of its income. The dominant oil companies are Exxon and Chevron—American companies that reveal no information about their payments to that country. If they did, we would know about the route that the money followed. The President of Equatorial Guinea is therefore accused of huge money laundering in President Bush's neighbourhood bank, but there has been no sign of any attempt to find out whether that is the origin of the money.

The magazine, *New Internationalist*, ranks the world's regimes from one star to five star. Five star is "excellent"; one star is "appalling". It gives Equatorial Guinea one star, saying that all power rests in the presidency and that the president has no political vision beyond self-enrichment, self-aggrandisement and ruthless repression. No one in this place would achieve that record. We used to treat Equatorial Guinea as a pariah state. It is said that around one third of its people have fled. When it had elections last year, the leaders of the three opposition parties were locked up in jail and President Obiang got 99 per cent. of the vote. That gives us a clue that something is wrong. Even the US Department of Energy reports strong evidence of Government misappropriation of the oil funds that represent 90 per cent. of the country's income.

This is just a matter of willpower. It is not about finding resources, but about the G8, the World Bank and the International Monetary Fund saying, "When you are a powerful western country, you cannot have relationships with the developing world that are not transparent." If the payments that were made by the big oil companies— whether ours, American or French— were made transparent, we could say where the money was going. I remember going to Nigeria with the hon. Member for Blaby (Mr. Robathan). By that time, we should have been able to ask, "As there is now democracy, where are the schools and the health centres?"—but did we find anything? No. It is crucial that the resources of a country go to the people of that country: that is a simple principle on which people could unite. I know that the Minister will not have time to reply to these points in detail, but I hope that we can have a letter or a written statement on what progress is being made on the publish-what-you-pay initiative, because I think that we should hang on to this issue, and push it and push it.

6.20 pm

Mr. Paul Marsden (Shrewsbury and Atcham): This has been an excellent debate; it has been very measured and progressive. The only person with whom I would take issue is the hon. Member for North-East Bedfordshire (Alistair Burt), who seemed to flatter me by saying that those who cross the Floor of the House carry great power and influence when they do so. I cannot, however, take credit for the fact that the Liberal Democrats' ratings have gone up by some 10 points since I joined them.

Africa is a vast continent, with a rich tapestry of sights and sounds in many cultures and societies. I want to focus my remarks on Malawi, a small country of some 10.7 million people. It is a Commonwealth member and a democracy. It is not perfect, but no democracy is. It is a wonderful country in terms of its geography and landscape, and it contains the fantastic Lake Malawi, the third largest lake in Africa. It also has the potential to be able to feed its own population, owing to the rich resources of natural water.

The sad reality, however, is that Malawi comes 163rd out of 173 countries around the globe in terms of poverty. Two thirds of its people live below the

[Mr. Paul Marsden]

commonly defined poverty line. Life expectancy is a mere 38 years, and the average income is some US$200 a year. Only about half the people have access to clean water, and about one in 10 youngsters under the age of five die because of the lack of clean water, medicines, and food in their bellies. Twenty-five per cent. of Malawi's children are malnourished, and 40 per cent. are illiterate.

We have seen some improvements in Malawi over the past 18 months, as the effects of the famine that took thousands of lives have at last begun to be curtailed. I would be the first to congratulate the Government on giving an extra £37 million to Malawi in the past two years, which has helped to alleviate much of the poverty there. I give great credit to the Secretary of State and the Minister for their dedication and commitment to Malawi and to Africa generally—credit where credit is due.

I hope, however, that the Minister will be able to address my concern that the annual report of the Department for International Development showed that, over and above the emergency funding, the basic balance for the aid budget to Malawi fell from £56 million to £42 million between 2001 and 2002. The estimated outturn for 2003 is back up to £52 million, but it is anticipated that for the next three years it will hold at only about £47 million. A country in such desperate straits needs a greater commitment and more help, and I hope that the Minister will genuinely take on board my views and look long and hard at that investment for aid.

When President Mbeki gave an address on the New Partnership for Africa's Development on 31 October 2001, he set out the vision for Africa, saying:

"The work has started to give meaning to a bold vision whose realisation will for us, at last, turn into reality the concept that all people are born equal and that all of us inhabit a global village."

We need to ensure that we help him with that vision for Africa, but it is a long way off. I heard the far-sighted speech of the hon. Member for Putney (Mr. Colman), but I think that it is about 100 years too soon to start talking about collecting taxes. Each day, some 20,000 children in Africa die because of the lack of clean water and basic medicines. We should give credit, as there are many Africans who contribute not through taxes, but with their bare hands. They build maternity units, schools and hospitals. They own the village right down to every brick that is laid.

I visited Malawi in August 2002 and I saw for myself the energy, ingenuity and adaptability of those people—a fantastic people and, I have to say, a happy people who were laughing in the face of death, as famine was sweeping across their country. Hand in hand with the spectre of HIV/AIDS, which was taking some 250 people a day, although I think the number has increased, the famine formed a recipe for disaster. While the Government have done so much, a lot of my frustration, if not my anger, is focused on the European Union and, in particular, on America.

America will spend $800 billion each year on arming itself and going to war, but it barely lifts a finger in many respects in terms of long-term aid. I will at least enter a caveat by congratulating President George Bush—credit where it is due—on committing some $9 billion for the next five years to combating AIDS. That is more than any other US President has committed, but it is the tip of the iceberg.

I record my thanks to World Vision, the charity that helped to put together the tour round Malawi just over a year ago. I want to mention in particular John Mandere, Angela Falinya and Baldwin Chiyamwaka, who helped me to visit the regions of Mzuzu and Kayezi. There is so much doom and gloom, but I saw for myself the success stories, including farmers who were given a little help with seedlings and who could then double their crops on their farms so that they would not just be feeding themselves and their families, but expanding the farms, taking on labourers and selling their crops.

I saw for myself women building maternity units. Previously, women had to give birth in a one-room mud hut—their front room—with nothing more than a rubber sheet and no pain killers. I saw for myself bore holes that were drilled down 30 m in just two or three days and which gave water to 2,000 people in one village. I saw for myself proud people who had built a pharmacy and who were distributing basic drugs for the first time ever.

I saw for myself the yield improvements for many crops, which were achieved simply by taking together goat dung, straw and a little water, digging a hole and creating enough fertilizer for a field of crops to make a huge difference in terms of how many mouths could be fed.

Towards the end of that week's trip, I went to Kanyopola in the charity's four-wheel drive jeep. That remote little village is some 40 or 50 km from Lilongwe, the capital. As we approached, about four or five children were playing outside the huts. When we disembarked, 150 people came out of the bush and sat in front of us. They were happy, because they had only ever seen jeeps arrive with food. Naturally, they assumed that we were turning up with sacks of maize. We were not.

I had 150 people in front of me. I gave a speech, but I could offer them nothing except warm words. They were so desperate that they had sold their farming tools, their pots and pans and the clothes off their backs. They had nothing because of the drought and the famine. They were simply sitting and waiting to die, yet they were incredibly proud—I have to say that in honour of them.

I turned to John, one of the charity workers, and said, "Why on earth are they here? In the west, we would be marching off to the towns and cities to find jobs and attempt to feed our families. They are just sitting here waiting to die." He said, "Yes, but their heritage and culture are here, Paul. If they go to Lilongwe, they will probably be raped or mugged. They will almost certainly die. They sit here in the hope that they can hold their families together and that food will eventually arrive."

That village touched my heart. Babies were sitting on my knees, and I was surrounded by 40 or 50 more babies and toddlers. They were covered in scabies, they had pot bellies the size of footballs, and the cacophony as they all cried and screamed will stay with me for the rest of my life. It was simply unbearable.

When I started to film the children with my camcorder, I turned round the LCD screen so that they could see themselves. The older ones, aged about 12, were smiling and waving as best they could because they could see themselves, but the younger ones were not. When I asked the charity worker why that was—most people wave at a camera—he said, "They do not recognise themselves, Paul. There has been no water for most of their lives, and it is in water that they see their reflections. They have no idea whose pictures these are." It was desperately, desperately sad, and that is why we must do so much more than we have so far.

I went to see the British high commissioner. When I asked him where the food airlift was, he said "We are trying to build a railway line across Mozambique". I pay tribute to the DFID officials in Malawi, who have done a fantastic job, but it is frustrating to look in vain for the international collective willpower needed to break the cycle of poverty, deprivation and death that stalks the lands of Africa. We have the means, in the 21st century, and we could do it. We just need the political will. I say that particularly to the richest-ever nation on earth, America, but I also say it to the European Union. So much more has to be done.

Like my hon. Friend the Member for Edinburgh, West (John Barrett), I should like the Government to produce a timetable for the dedication of the magic figure of 0.7 per cent. of gross national income to aid. That is not an end in itself, but it demonstrates a long-term commitment; and a large proportion of that aid must go to Africa.

I welcome the International Monetary Fund's announcement in the past week of an extra $6.6 million for Malawi, but the fact that only last year Malawi had to repay debt of $89 million shows how pitiful progress has been in what could be a prosperous nation. It is rich in natural minerals, and it has the potential to deliver important agricultural products. It is an energetic people, it is a democracy, and it deserves more support.

I do not want us to have debates like this year after year, in which we must again acknowledge the death and destruction that afflict the great continent of Africa. We could make a difference now. I hope that in the next few years we begin to see a massive turnaround, and a hugely increased sense of urgency in respect of the need to tackle Africa's problems once and for all.

6.33 pm

Mr. David Chaytor (Bury, North): I welcome the opportunity to speak, however briefly. I shall make two points that build on what was said by two earlier speakers. My hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) spoke of the importance of oil in west Africa, and the increasing volumes of oil coming from it. I want to draw attention to the dangers that that will bring, in terms of geopolitical stability.

Let me refer to a country that has not been mentioned so far today—an increasingly oil-rich country. I do not think that Cameroon has ever been the subject of debate, or has even been referred to during a debate, in my time in Parliament—or, I suspect, before that. The construction of the Chad-Cameroon pipeline and Cameroon's successful offshore oil claim against its much larger neighbour, Nigeria, focuses our attention on the pressures building up in west Africa. I want to bring to the House's and the Secretary of State's notice the dangers in that part of the world. In recent months, we have witnessed the events in Liberia, in Côte d'Ivoire and further round the coast in Sierra Leone; moreover, we know of the tensions in Nigeria. It is entirely conceivable that Cameroon will be the next flashpoint in that part of west central Africa, because of the pressure on natural resources—the pressure to extract oil—and on Cameroon's almost unique rain forest, which is one of the most precious virgin rain forests in the world.

We must also consider the importance of good governance in any development strategy, an issue which the hon. Member for North-East Bedfordshire (Alistair Burt) raised. I want to draw the Secretary of State's attention to a report published by FIDH—the Paris-based, international human rights non-governmental organisation—on torture in Cameroon and the absence of basic standards of criminal justice. The combination of the pressure to extract natural resources, the lack of acceptable standards of governance, the oppression of minorities, and the systematic use of torture against ordinary criminals and political prisoners, is building up into a flashpoint that we ignore at our peril. In recent years, the international community has found it easy to ignore the warning signs in small countries in strategically important areas. Today provides an opportunity to look at these warning signs and to ensure that we avoid the mistakes that have been made before.

I draw particular attention to the FIDH report on torture that was published just a few weeks ago. I accept that this issue is not primarily the responsibility of the Secretary of State for International Development, but I ask him to consider it and to discuss it with the Foreign Secretary. My understanding is that the United Nations committee against torture will convene in November, so here is an opportunity for the UK to play an important role in improving human rights in Cameroon by making representations about the complete lack of acceptability of torture as an instrument of the criminal justice system. It is also an opportunity to bring to the international stage the wider conflicts in Cameroon between the many different ethnic minorities, which speak many different languages, between the Muslims and the Christians, between those in the desert north and those in the tropical south, and in particular between the English-speaking minority and the French-speaking majority. Of course, Cameroon is one of very few countries with a French-speaking majority that happens to be a member of the Commonwealth, so the United Kingdom has—or ought to have—a particular interest in it. There is a sense among its English-speaking minority that the United Kingdom has not taken on that responsibility, or shown the level of care and interest that it might reasonably have been expected to show over a number of years.

I want to tie together the relentless exploitation of natural resources and the dangers of the absence of good governance in Cameroon, and to draw to the House's attention the fact that Cameroon may prove, if not a new Côte d'Ivoire or Sierra Leone, a potential flashpoint that could destabilise the wider region. I should be very grateful if the Secretary of State would discuss Cameroon and look at his Department's role, alongside that of the Foreign Secretary, in strengthening human rights in that country.

6.39 pm

Mr. Andrew Robathan (Blaby): One of the difficulties of speaking at the end of a debate is that we have already heard many sensible speeches across the Chamber. I shall try not to repeat points that have already been made. As my hon. Friend the Member for Banbury (Tony Baldry) rightly said, this is not a partisan issue, and we have heard from members of the International Development Committee on both sides of the Chamber.

I will briefly repeat what the hon. Member for Clydebank and Milngavie (Tony Worthington) said about welcoming the fact that the Secretary of State has been in his place throughout the debate, which encourages us all. I also want to welcome the Secretary of State on the occasion of his first debate in the House as Secretary of State for International Development. I found what he had to say upbeat, optimistic and uplifting. I did not agree with everything that he said, but he would not expect that. It was good to hear his optimism about the Sudan peace process and I hope that he is right. I do not, however, really share his optimism about the Congo.

I visited the Congo two years ago with the all-party group, including the hon. Member for Bethnal Green and Bow (Ms King). President Kabila told us then that he expected elections to take place within two years, but those two years have come and gone. I read Conrad's "Heart of Darkness", which many people have read, while I was there. It was written a century ago. I was greatly saddened to read Saturday's *The Daily Telegraph*, which described cannibalism in Ituri province. I recalled Kurtz's dying words, "The horror, the horror." We are now living in the 21st century, yet British and other journalists are living in an area where people are indulging in cannibalism.

I base my speech largely on the three issues mentioned by my hon. Friend the Member for Meriden (Mrs. Spelman)—AIDS, conflict and corruption. They are connected. Indeed, as the Secretary of State said, they are all, albeit not directly, development issues.

We heard a great deal about AIDS from the hon. Member for City of York (Hugh Bayley), and I agreed with almost everything that he said. The first time that I referred, as did the Secretary of State, to the black death, I was interrupted by Liberal Members for being racist. However, it is like the black death. In leaving schools without teachers and hospitals without doctors, it is exactly the same as the scourge that swept across Europe in medieval times. It is destroying all the development progress made over the past 40 years. As the hon. Member for City of York rightly pointed out, it is vastly reducing life expectancy. The worst prediction that I have heard from UNAIDS is that life expectancy in Botswana will be 27—younger than any hon. Member who has taken part in this debate—by 2010. I hope that the prediction is wrong.

Antiretroviral treatment is terribly important, but the lesson to be learned from Uganda is that educational and behavioural change is the key to improving the situation. Having visited Botswana last year, I want to say that the way in which the Botswana Government behaved is magnificent. It is probably the richest country in southern Africa—certainly the richest per capita—and it is the best-governed country in southern Africa. As a result, it is giving antiretroviral treatment to anyone who wants and needs it.

On the subject of conflict, reflecting on the heart of Africa says it all. As I said, I do not share all the Secretary of State's optimism. Many of the problems are interlinked. The Sudanese believe that the Ugandan Government have supported the Sudanese People's Liberation Army, so they have supported the Lord's Resistance Army, which is fighting in northern Uganda. It is abducting children—a ghastly business. The Ugandans, of course, invaded Rwanda to help Kagami to put out the last regime. The Rwandans and Ugandans then invaded the Congo to get rid of the Mobutu regime: they are still in the Congo, looting natural resources. The Zimbabweans are doing the same—making a fortune out of the natural resources of the Congo. It is all deeply interlinked, and deeply depressing.

I shall not go through others on the list: one could go on through Liberia, Sierra Leone, Eritrea and Ethiopia. I have to say that money spent on arms and destruction should be spent on construction and development. What horrified me most on a visit to Angola in May this year was hearing from UNITA what the conflict in Angola was for. That conflict has gone on for about 26 years and millions of people have been killed in terrible destruction. What was it for? The people in UNITA said that they did not have any real ideological differences with the MPLA. They said that it was really about personalities and who had their noses in the trough. I find that deeply worrying and very cynical.

Mr. Hilton Dawson (Lancaster and Wyre): Will the hon. Gentleman give way?

Mr. Robathan: The hon. Gentleman has only just taken his place and I have very little time, so I will not give way to him, even though we went to Angola together.

Talking of Angola leads me to the subject of corruption, or what is euphemistically termed good governance. In Angola, former Marxists who seized power in 1975 are now making fortunes from the oil revenues from their country. Some $1 billion is unaccounted for, which is some 20 to 25 per cent. of the total oil revenue. Allegedly, it is going into the president's private bank account. Who knows? When BP tried to be transparent about the money it was paying, it was threatened with being kicked out of the country. It is a beautiful, fertile and rich country that is not overpopulated, but people are starving.

We heard much about Nigeria from the hon. Member for Clydebank and Milngavie. Nearly a quarter of black Africans live in Nigeria and two thirds of them live on less than $1 a day, in a country that has oil revenues of $18 billion. Where is it all going? We must all ask that question. A few years ago, a finance Minister in Kenya said to me—I remember his exact words—

"Don't give us more money; ask us what we have done with the money you already gave us."

We should all bear that in mind.

Zimbabwe has an AIDS infection rate of between 25 and 33 per cent. Who knows? People are murdered daily by the regime and the corruption is self-evident. However, I remind the Secretary of State that last year our aid to Zimbabwe doubled to £29 million. As I said in my intervention in his speech, humanitarian aid is all very well, but it is being used as a tool of repression by

the Zimbabwean Government. I urge him, as he kindly said he would in his reply to my intervention, to ensure that we monitor exactly what happens to our aid.

My final points concern the great hope for the future—NEPAD—of which we have heard much today. The Prime Minister speaks warmly of NEPAD, but President Obasanjo of Nigeria, a former military dictator, is one of its leaders. Nigeria is the second most corrupt country in the world, according to Transparency International. What hope does that give us? We are told that NEPAD will include peer review. Well, the International Parliamentary Union was going to meet here at Westminster in March, but the Government—to their credit—refused to give visas to Zimbabweans, so African countries have pressured the IPU to move the meeting outside the United Kingdom. That is deeply depressing.

We heard about South Africa from my hon. Friend the Member for North-East Bedfordshire (Alistair Burt). It refuses to press Mugabe to resign or to reverse his policies. However, NEPAD relies on peer review and leadership by those people. How much confidence does that give us? Is NEPAD wishful thinking, as my hon. Friend the Member for Meriden suggested? Do African leaders see no evil and hear no evil? I hope that the Minister addresses that issue when he winds up.

The Prime Minister called NEPAD

"a real signal of hope for the future."—[*Official Report*, 1 July 2002; Vol. 388, c. 23.]

He applauded the presence of South Africa and Nigeria, but what evidence have we seen since of genuine desire to reform? Has Mbeki used his influence in Zimbabwe? Has Obasanjo prosecuted General Babangida, the former military dictator who lives off his looted wealth in great ostentation just outside Abuja? Are they the reforming African partners to whom the Prime Minister referred? I do not doubt the good faith of the Prime Minister, the Secretary of State, the Minister or the former Secretary of State, the right hon. Member for Birmingham, Ladywood (Clare Short), of whom I saw a great deal. However, we must ask whether British money is being well spent. Are our development policies working in Africa? Are the taxes of Mrs. Jones in Blaby and Mrs. Smith in Leeds being spent well and to good effect? I have seen much of the Department's work and my answer would be, "Yes, to a certain extent, and no, to a certain extent."

Tony Worthington: Just like a Liberal.

Mr. Robathan: Yes, I am sitting on the fence like a Liberal. Excellent people work for the Department and they work with excellent people in NGOs, both national and international. However, African leaders and people must address the development challenges, and the crises that have been described, through NEPAD or by other means. We can help, and we have a moral imperative to do so. We are helping, but I hope that the debate will stimulate the Government to do even more.

6.50 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Like the hon. Member for Blaby (Mr. Robathan), I too believe that this has been an excellent debate. It will be difficult to do justice to the powerful contributions made by my hon. Friends the Members for Glasgow, Maryhill (Ann McKechin), for Putney (Mr. Colman), for City of York (Hugh Bayley), for Clydebank and Milngavie (Tony Worthington) and for Bury, North (Mr. Chaytor). Thoughtful and interesting contributions were also made by the hon. Members for Edinburgh, West (John Barrett), for Banbury (Tony Baldry)—the Chairman of the Select Committee—for North-East Bedfordshire (Alistair Burt), and for Shrewsbury and Atcham (Mr. Marsden). I recognise that, as a result, I shall have to write to a number of hon. Members in order to respond to the specific questions that they raised.

As just about all hon. Members noted, Africa faces a huge challenge in meeting the millennium development goals. That challenge is not insurmountable, but it requires that African nations commit themselves to reform, through NEPAD and the other processes of the African Union. At the same time, the developed world must alter fundamentally its relationship with Africa, and not just in terms of levels of aid. It must also tackle the range of policy constraints affecting Africa's development.

There are major challenges to be faced. They include preventing conflict and achieving more effective post-conflict reconstruction, reversing the spread of HIV/AIDS—on which a number of hon. Members concentrated in their contributions—responding to globalisation, and achieving faster economic growth. We must also continue to improve the quality and effectiveness of governance.

Mr. Barry Gardiner (Brent, North): My hon. Friend has touched on the issue of conflict and the need for western countries and aid donors to change their ways. Is he aware of the letter from Dr. Mohamed Ibn Chambas, the general secretary of ECOWAS, which was sent to his Department? In the letter, he writes:

"Where guns dominate, development suffers."

He urges the Government to go further with extraterritorial controls than is currently proposed.

Mr. Thomas: If my hon. Friend will forgive me, I shall come to issues of conflict and the points that he raises in a moment.

As my right hon. Friend the Secretary of State set out in his opening speech, there are some powerful examples of good progress in Africa, but there are also too many example of countries where much more needs to be done. The lead has to be taken by African countries, but with the support of the international community.

In 2000, there were 13 major conflicts in progress in Africa. That number has come down to just two at present. That does not mean that violent conflict is at an end, and many of the settlements in place are very fragile, but there is a real chance to build on the political processes generated by peace settlements in countries such as Angola, Liberia and the Democratic Republic of the Congo. Key partner countries such as Nigeria and Uganda still face significant internal problems that result in violence and death. It is clear, therefore, that we have more to do.

In particular, we must take advantage of the new options presented by the African Union's new peace and security architecture. The union is now leading the first

[Mr. Thomas]

African mission in Burundi, with Ethiopian, South African and Mozambican troops taking part. Already, the union has also tabled plans for an African standby peacekeeping force.

Clearly, it will be important that the member countries of the African Union ratify the peace and security council, so that the union has a clear mandate to build African capacity in order to prevent conflict in the region. We are spending a total of £110 million specifically on conflict management and prevention activities. Much of that amount is spent on UN operations, such as those that took place in the Congo. However, we are also working on security sector reform, reducing the prevalence of small arms and carrying out peace-building work. We shall consider the letter mentioned by my hon. Friend the Member for Brent, North (Mr. Gardiner) in that light.

My hon. Friend the Member for City of York, among other hon. Members, highlighted the horror of the HIV/AIDS epidemic. In seven countries, all in southern Africa, 20 per cent. or more of the population has HIV/AIDS. The hon. Member for Blaby mentioned Botswana, where 38 per cent. of the population has the disease. About 29 million Africans are living with HIV/AIDS.

The human impact of the disease is most powerfully illustrated by the fact that 11 million children under the age of 15 have lost one or both parents to HIV/AIDS. In that context, the contribution of the hon. Member for Shrewsbury and Atcham was especially interesting. The epidemic certainly affects both rich and poor, but the poor are much more vulnerable to infection and much less able to cope with the disease.

We are supporting African Governments so that they can deliver their commitments to improve health care and tackle HIV/AIDS. Our planned bilateral spending on HIV/AIDS programmes has risen from £38 million in 1997 to more than £270 million in this financial year, putting us second in international spending on the disease.

The epidemic has fuelled the spread of tuberculosis and exacerbated the impact of malaria. As well as supporting country-level initiatives to control tuberculosis and malaria, we are working through international efforts such as "Stop TB" and "Roll Back Malaria" and, of course, the global fund to fight AIDS, TB and malaria. However, if we are to tackle all three diseases, as well as a whole range of other health issues, such as ensuring that the poor have greater accessibility to drugs, it is vital that health systems more generally be strengthened in Africa. Since 1997, we have committed more than £1.5 billion to help countries build and strengthen their health care systems.

The hon. Members for Edinburgh, West and for Meriden (Mrs. Spelman) highlighted the fact that Cancun was a huge disappointment—as did the Chairman of the Select Committee. As I indicated in Westminster Hall last week, we are committed to trying to get the Doha development round back on track, to help African countries to enjoy the huge benefits that are on offer if we can secure fair trade rules.

The hon. Member for Banbury gave an especially powerful example of the current unfairness of world trade rules—the level of cotton subsidies. World prices are depressed by at least 20 per cent., which costs west African cotton producers an estimated $250 million to $300 million each year. We are helping to support those west African nations in their campaign at the World Trade Organisation by giving about €50,000, with other nations. That will help their advocates to make their case; it is a small example from the £160 million that we have given to build trade capacity across the developing world. We are arguing in Europe for further, deeper reforms of EU cotton subsidies both to give a signal about Europe's commitment to Africa and to get the Doha development round back on track.

Those are examples of real progress towards democracy and good governance in Africa, but as all hon. Members recognise, major challenges remain. When there are difficulties in particular countries, that is not the time for the international community to walk away; it is time to engage even more closely to support African-led solutions. That is why the Government are committed to ensuring that £1 billion of our aid goes to Africa by 2006. That is why we are working to promote the international finance facility to double world aid levels.

Sadly, that is in stark contrast to the record and current agenda on the Conservative Front Bench. The Conservatives halved the percentage of gross national product allocated to overseas aid during their 18 years in power.

Mr. Robathan: Will the Minister give way?

Mr. Thomas: I am afraid that I cannot give way at this point.

Who could not fail to worry about the UK's response to Africa's challenge from a probable hard-right Conservative leader who is committed to public expenditure cuts of 20 per cent. across Government? Where would that leave this country's commitment to tackle the HIV/AIDS epidemic? How would that help our Government's commitment to ensuring that every child has a primary school place? How would that help us in building the capacity of African countries to resist terrorist attacks?

On international development, I am afraid that there will be clear red water between our two parties at the next election. However, while we are in government we shall remain committed to ensuring that the millennium goals will be implemented.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put, pursuant to Order [30 October].

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Local Government Finance

That the Local Government Finance Special Grant Report (No. 128) on Dealing with Disadvantage Grant, a copy of which was laid before this House on 14th October, be approved.—*[Mrs. Bridget Prentice.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

DENTISTS

That the draft Dental Auxiliaries (Amendment) Regulations 2003, which were laid before this House on 15th October, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

BROADCASTING

Ordered,

That Mr James Gray be discharged from the Broadcasting Committee and Gregory Barker be added.—*[Ms Bridget Prentice.]*

SITTINGS IN WESTMINSTER HALL

Ordered,

That, on Thursday 20th November, there shall be no sitting in Westminster Hall.—*[Ms Bridget Prentice.]*

PETITIONS

Palestine Solidarity Campaign

7.1 pm

Hugh Bayley (City of York): Having just returned from the International Development Committee's visit to Palestine and Israel, I am acutely aware not only of the desperate plight of the Palestinian people, but of the fact that there is no monopoly of right or wrong on either side and that both sides must stop the violence before a peace settlement can be found.

Tonight, I present to the House the petition of the York group of the Palestine Solidarity Campaign. The group opposes the Israeli Government's use of military action against Palestinian civilians, notes that 2,500 Palestinians have been killed since September 2000, and calls for the indictment of the Prime Minister of Israel.

The petition, which is signed by Monica Wusteman of York and 575 supporters of the York Palestine Solidarity Campaign, states:

The petitioners therefore request that the House of Commons take steps to ensure that there is an end to the British government's arms trade with Israel and that trade sanctions are imposed until Israel ends its illegal occupation of the Occupied Palestinian Territories, and abides by international law and UN resolutions including the removal of illegal settlements, and implementation of the right to return of Palestinian refugees.

To lie upon the Table.

Television Services

7.2 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): I take great pleasure in presenting to the House a petition of several hundred of my constituents who expressed concern about the limited availability of analogue television services in my constituency and the failure to expand the availability of digital television services.

The petition states:

The petition of residents of Dumfries and Galloway declares that access to the licence fee funded Freeview service is virtually non-existent in the region, and that terrestrial television transmission provides a restricted choice of channels.

The petitioners therefore request the House of Commons to urge the Secretary of State for Culture, Media and Sport to take the necessary action to ensure that DTV Service upgrades transmitters throughout the region in order to facilitate reception of all available terrestrial channels and digital services on Freeview.

To lie upon the Table.

Western Circuit

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

7.3 pm

Jim Knight (South Dorset): I am very pleased to have secured this debate, although the situation has moved on considerably since I applied for it, as I shall explain as my speech unfolds.

The debate is about access to justice, particularly for my constituents in Dorset. In the foreword to the access to justice White Paper, Lord Irvine of Lairg, the then Lord Chancellor, said:

> "The justice system should serve everyone, regardless of their means. People should be able to find effective solutions to their legal problems. Justice must not be restricted to the very wealthy, who can well afford high legal fees, or the very poor, who may qualify for legal aid."

Those words apply as much now as they did then. We are talking about equal access regardless of wealth, but that also means equal access regardless of geography, which is why the reorganisation of our courts system is so important. We must ensure that witnesses called to appear in court, jurors serving the court and, equally, defendants appearing in court have access to local justice.

I was pleased earlier this year, I was able to meet the Minister's predecessor, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper), to discuss my concerns about the reorganisation of magistrates courts in Dorset. We discussed the effects on our rural county of closing little-used courts in towns such as Wareham. If that proposal goes ahead, my constituents in Swanage will have to travel to Poole or Bournemouth to access magistrates. For defendants without private transport, that means an hour-long bus journey to either place that costs £5.75 for a return fare. It is not relevant to re-rehearse that discussion now, but it serves to show that when we discuss access to justice, geography and rurality is relevant. People in a town such as Swanage, which is poorly served by a whole range of services, incur significant cost in time and fares to access our courts.

However, I welcome the progress that the Government have made in this area. Ministers have recognised that our justice system needs to be reformed. Currently, the House of Lords is delaying the Criminal Justice Bill, which will, for example, rebalance the criminal justice system in favour of the victim, witnesses and the community to reduce crime and bring more offenders to justice. The Courts Bill makes provisions that will allow the Government to replace magistrates courts committees and the court service with a single executive agency responsible for the administration of all courts below the House of Lords. It ends the current division between the 42 magistrates courts committees and the court service. Again, I have no desire to re-rehearse the debates on the Courts Bill, which has been through its stages in the House, but some aspects were debated on Report that merit closer examination in this debate. I am pleased to see the hon. Members for Somerton and Frome (Mr. Heath) and for Mid-Dorset and North Poole (Mrs. Brooke) in the Chamber, as the hon. Member for Somerton and Frome raised at column 413 the issue of proposed changes to the western circuit.

At this point I must apologise to you, Madam Deputy Speaker, because I mistakenly gave the name of the circuit as the Wessex circuit when I applied for this debate. Such is my enthusiasm for regionalism that I got carried away in using the old regional titles for something as established and historic as the western circuit. The circuit has been in existence in roughly its present form since the King's Justices first went out on assize in medieval times. Its three main centres have always been Winchester, Bristol and Exeter. Indeed, Winchester, as we all know, was the original capital of Wessex.

On Report of the Courts Bill, to which I referred earlier, the hon. Member for Somerton and Frome discussed the letter sent to the hon. Member for Mid-Dorset and North Poole by his honour Judge John Beashel. I also received a similar letter from the judge, in which he raised concerns about the proposals to remove Winchester from the western circuit and to place it in the south-eastern circuit. He argued that the current arrangements work well and that without Winchester the circuit would not have sufficient business to sustain a viable high-quality circuit. The justification for the change would be to achieve coterminosity with the Government regions, which in almost all other respects place Hampshire in the south-east and the rest of the western circuit in the south-west.

As I have said, I am an avowed advocate of regional government. I am pleased that the Government are now starting to delegate more responsibility to regional and local level and I am keen to see those regional decisions made accountable through regional government. I was concerned, however, that it appeared to practitioners, from the Lord Chief Justice downwards, that this was a proposed reorganisation driven more by bureaucratic convenience than by improvement. We need to demonstrate clearly the gains if we are to proceed. Government policy is that the regional boundaries used by Departments should follow those of the nine English Government offices of the regions and Wales, except in exceptional circumstances. Regional offices will be joining up government at regional level, including strong involvement in spending reviews. I appreciate that the Government did not want courts to be left behind in this process.

First and foremost, however, we need to ensure that local justice works for the witnesses, the victims and the local people. Proposals for re-alignment under the Courts Bill make sense and fit well with Government plans for regional government. However, the delivery of an effective justice system serving the needs of local people must not be compromised merely to achieve administrative efficiency. That is why I was so delighted to receive a letter from the Minister by fax last Thursday that made a decision on the future of Hampshire in the new unified courts administration. Remarkably, the letter was written on the very day that I secured this debate. I pay great tribute to the Minister for responding with such lightning speed to the mere suggestion of the debate. The debate was announced on Thursday morning and the fax had arrived in my office by 1.30 pm. I applaud the Minister not only for his agility, but for listening to representations that have been made on the issue.

The Minister's letter says:

"We have focussed on what produces the best justice system for the public in the two regions."

He continues:

"We acknowledge that making a change at this stage would raise a number of potentially difficult issues for the Judiciary and the Bar, which could impact on the administration of justice for the public. In addition we have received representations from partner criminal justice agencies locally to the effect that from their perspective change would not bring significant benefit."

The letter concludes by saying:

"We have decided not to realign Hampshire and the Isle of Wight at this time."

That is a victory for common sense. I am sure that there were celebrations at that news this weekend throughout Somerton and Frome—led by its hon. Member.

That must not be the end of the story because two issues remain. First, the decision will be reviewed in 2006–07 and, secondly, and most importantly for my constituents, there is a question of whether we can do better in terms of access for justice for serious crimes in Dorset.

The Minister's letter says:

"We have decided that in order to provide a better service for court users in Dorset that, subject to the views of the Senior Judiciary, Bournemouth Crown Court should become a first tier centre."

That is potentially great news for Dorset because it means all crime will be heard locally. It means that the witnesses, jurors, and defendants to whom I referred earlier will all be able to access the courts easily.

I have already told you, Madam Deputy Speaker, about the time and cost to my constituents of getting to Bournemouth by public transport. Getting to Winchester court is yet another challenge. Naturally, there is no direct bus or train service from Swanage to Winchester, so one has to get the bus to Bournemouth and a non-connecting train to Winchester, which takes more than an hour and costs almost £12 return. The cost of accessing justice for my Swanage constituents who use the Winchester court is therefore almost £17, and four hours of their time is taken each day that they attend. Will the Minister give some detail on the pledge to bring justice closer to the good people of Dorset by hearing serious crimes in Bournemouth?

When can we expect certainty on the announcement? The Minister said that it is subject to the senior judiciary. If they view the proposal as part of a longer-term strategy to allow the western circuit to be sustainable without Winchester, they might resist it. I encourage the Minister to resist them, if that is the case. The enhancement of the Bournemouth court will increase the capacity of the courts throughout the south of England and improve access. It should therefore mean that cases would be heard more quickly and justice would speed up in what is currently a very busy part of the courts system. In order to achieve that, we would need to ensure that more professionals work on the circuit in time. I would be interested to find out what steps the Minister and the Department are taking to achieve that so that the extra capacity can genuinely be capitalised upon.

A series of other questions follow from this exciting proposal. Assuming that the Minister goes ahead with this proposal, how soon does he think that we can proceed? Are there physical constraints relating to the court buildings in Bournemouth? What sort of development would be required, and how would such development relate to the reorganisation of the magistrates courts in Dorset? I appreciate that he might not be able to answer all those questions now, although I shall be delighted if he can, but I know that he and his officials will be listening carefully, so I would be happy to receive answers in due course.

The other key question is about the review in 2006–07 to which the Minister referred in his statement. What work will the Department for Constitutional Affairs undertake to prepare for such a review? If no work were done, what would have changed in the next few years? Would it not be sensible to ensure that the south-east could cope with the addition of a busy court such as Winchester and, in turn, that the addition of Bournemouth would provide sufficient work to sustain a new western circuit without Hampshire because the Minister would then have a genuine choice? I am aware that a similar anomaly will exist between Cheshire and north Wales. Will the Minister encourage change to allow coterminosity with the government regions or will the Department remain neutral?

Madam Deputy Speaker (Sylvia Heal): Order. I hope that we shall not have too much of a replay of the Courts Bill, although clearly some reference to it is acceptable.

Jim Knight: Thank you, Madam Deputy Speaker. I will refrain from that.

I am grateful for the opportunity to raise the issue. Access to justice is at the heart of much of the Government's good work. It is no doubt apparent that I expected to use a different tone in the debate when I first applied for it. I expected to be pleading for improved access to justice for Dorset in the medium to long term and for common sense in relation to the western circuit in the short term. As a result of receiving the highly efficient fax from the Minister's office last Thursday, I have been able to make a different speech. He can tell that I am excited about the potential of his proposals for Bournemouth. He has listened to the representations on Winchester. I now ask him to listen to them on behalf of Dorset, to press ahead with those proposals and to use this opportunity to give the House more detail than he gave in last week's statement.

7.15 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I congratulate my hon. Friend the Member for South Dorset (Jim Knight) on his success in securing this timely debate on the organisation of the courts and the western circuit. He explained why he needed to change the debate's title from Wessex circuit to western circuit. I could spend some time delving into the different definitions of what is Wessex and whether it is the same as the south-west and so on, but I do not want to waste time.

My hon. Friend noted that faxes winged their way to him on the day his Adjournment debate was selected, but I assure him that the timing of the debate was unconnected to the decision taken. However, his advocacy of the case was very much part of the process.

[Mr. Christopher Leslie]

His arguments to me, the Lord Chancellor and the Secretary of State for Constitutional Affairs were important and it is right to respond to them. Responding positively reflects the quality of his arguments. As my hon. Friend observed, we reached a decision on the organisation of the south-west region of the planned new courts agency. I am glad that our decision meets with his approval. I suspect that it will also meet with the approval of hon. Members on both sides of the House who have raised the issue in the Chamber and privately with me, as well as with many members of the judiciary and the legal services community, who have been vocal in their arguments on the subject.

It might help if I set out a bit of the history of how we went about planning the structure of the proposed agency. In our White Paper "Justice for All", the Government set out their intention to establish a new organisation responsible for the administration of all the courts in England and Wales below the House of Lords. We are implementing a programme to integrate those courts in England and Wales into a single executive agency, as my hon. Friend explained. That will be a major change programme, creating an agency of 20,000 staff engaging with a judicial work force of more than 30,000 and with a budget of about £1 billion. Bringing 43 separate organisations into one with a common management and culture will be a major leadership and change management challenge.

There are many benefits to the new agency. Briefly, it will involve better performance, better management and better use of resources; a more joined-up criminal justice system; a narrowing of the gap between offences recorded and offenders brought to justice; and a more developed stronger focus on the standards of service and modern methods of delivering services in all courts. The focus of our work is to create an organisation that is more responsive to better public service objectives and the needs of the courts' customers, victims and witnesses.

There are, of course, organisational issues to settle. In the court service, the Crown court and county courts are located in six different regions, known as circuits, each headed by a regional manager, called a circuit administrator. Magistrates courts, on the other hand, are run by 42 independent magistrates courts committees. They are coterminous with criminal justice, police authority and Crown Prosecution Service areas.

We have decided that there should be 42 local management units when the agency is first established. That is because all the other criminal justice agencies are configured in that way. However, in the new unified courts agency, we want a regional management tier, similar to the circuit arrangements. A regional tier will help to facilitate a more collegiate approach between areas and the handling of local and regional issues. It will also enable the dissemination of best practice to raise standards and provide a strong leadership capacity, which will be especially important during the transition to the new agency, when we will have to forge a new organisation and culture.

Civil trial and family care centres, as well as specialist jurisdictions such as chancery and mercantile business, draw work from across criminal justice boundaries to provide specialist facilities and a critical mass of cases. There is a need for the mechanism to be regionally based to move such work across the boundaries of the 42 areas.

Compared with the magistrates courts, the case load of the Crown court, county courts and specialist courts is more complex and volatile, so a regional tier is needed to provide an overview to match resources to need. That would be much more difficult, if not impossible, to achieve from national headquarters. In addition, deployment of the full and part-time professional judiciary will be better managed at a level above local management units.

Having decided the principle that it is necessary to have a regional level of organisation, we then had to think about the boundaries of those regions. Of course, as my hon. Friend rightly pointed out, the Government's clearly stated policy is that regional boundaries should match those of the nine Government office regions and Wales, unless there are compelling reasons to the contrary. The Government last reaffirmed that principle in last year's White Paper on the regional agenda, and we believe that it will impact more and more on the work of the courts because they are a part of the wider public service community.

The regional offices will increasingly be joined up with other Government services at a regional level. We do not want the courts to be left behind in that, and many of our justice partners—the Children and Family Court Advisory and Support Service, the national probation service, the Prison Service and, informally, the Crown Prosecution Service—are already aligning with the Government office regions. The courts have been an anomaly, and that is one reason that the issue has evolved in this way.

The Crown and county courts are currently organised around the circuits, which had their origin in the historic tours of duty that judges, their key officials and members of the Bar undertook, setting out from London at regular intervals to oversee the different regions. Over the centuries, the circuits varied from time to time, but until the Beeching reforms and subsequent Courts Act 1971, they continued to be based on groupings of counties. The reforms left the circuit boundaries relatively untouched, and the current court service organised itself on a regional basis corresponding with them.

The circuit boundaries are coterminous with those of the Government office regions, with two exceptions. First, the Wales and Chester and the western circuits broadly correspond with Wales and the south-west region, but the former also includes Cheshire, from the north-west region, and the latter includes Hampshire from the south-east region.

Dealing first with Wales and Chester, there are practical issues concerning the way in which court work is administered in north Wales and Cheshire, so we have decided to keep the link between them for now. We would like, however, to review that position in the financial year 2006–07 as part of a general post-implementation review of the agency's working arrangements. We believe that at that point there may well be compelling reasons for moving Cheshire into line with the region covered by the Government office for the north-west and to align the courts in Wales with the National Assembly.

For Hampshire, which is largely the subject of the debate, we had to decide whether it should be included in the south-east, in line with the Government office, or with the south-west, in line with the current western circuit. We focused on what produces the best justice system for the public in those two regions. I am aware that the western circuit of the Bar is strong and plays an important role in providing training for members of the Bar, among other things. The circuits work well for the judiciary and the Bar, but we wanted to ensure that the public were best served by the arrangements, and were at the centre of our thinking. We received and considered carefully a number of representations about the location of Hampshire and the Isle of Wight in the structure of the new courts agency.

I acknowledge that making a change now may raise a number of difficult issues for the judiciary and the Bar that could impact on the administration of justice for the public. Moreover, we received representations, as my hon. Friend pointed out, from partner criminal justice agencies locally to the effect that, from their perspective, change would not at present bring significant benefits. On balance and after a great deal of careful thought, there is insufficient merit at this time in adopting the policy of realigning the western circuit with the regional government boundary. Although the policy of aligning the courts administration with the boundaries of other government services is important and can have significant benefits for the administration of justice, we have concluded that, for now, Hampshire and the Isle of Wight should not be aligned with the south-east.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Will the Minister outline the factors that need to change for a different decision to be made in 2006?

Mr. Leslie: As I have explained in, I hope, a logical sequence, there is a need for a regional management structure within the new unified courts administration. Given that arrangement, we would normally be predisposed to see whether it is possible to realign the boundaries with those of the relevant Government office for the regions to achieve the good administrative practice of coterminous services cutting across other public service boundaries. The regional agenda is clearly developing, as I have said, and it is prudent to keep the matter under review according to the time scale that I have set out.

We have listened carefully to the views of hon. Members and others who have made a case for the current structures, and whose arguments have been thorough and detailed. We have responded to their concerns, paid attention to worries and taken note of the success of current working arrangements, all of which has helped to inform the decision. Nevertheless, the regional agenda is developing, and there may well be a much clearer case for realignment later, so we will reconsider the issue in 2006–07.

My hon. Friend pressed me on the issues affecting his constituents in Dorset. In the course of studying and reviewing the particular circumstances of the organisation of the justice system in the south-west and south-east, it became clear that the distribution of court business across Hampshire, Dorset and Wiltshire needed to be improved, as my hon. Friend pointed out. The exercise identified the fact that, subject to the views of the senior judiciary, we could provide a better service for court users in Dorset if Bournemouth Crown court became a "first-tier centre" so that serious cases from Dorset could be tried more conveniently. There may be clear benefits for victims and witnesses in the area from upgrading Bournemouth to a first-tier centre, so the Government intend to investigate the possibility of achieving that. My hon. Friend pressed me on time scales and so on. I shall endeavour to establish a firmer timetable for the plans, and shall look closely at the question of buildings and facilities, as well as other issues that he raised.

While I recognise that many of the representations on the boundaries of the western court circuit have been made by people who work within the existing framework, it is essential that the Government take a fresh look at the arrangements from time to time to ensure that the needs of the public in the justice system remain paramount. We have concluded this matter for the time being but, as I have said, the greater need for a well-organised, cross-cutting and integrated criminal justice system able to work readily with other public services remains an important part of our reform agenda, hence the decision that has been made. I am glad to have the opportunity to put on record my appreciation for the strong case made by my hon. Friend, and my thanks to other hon. Members who have given the matter diligent scrutiny.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Seven o'clock.

House of Commons

Wednesday 5 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

The Secretary of State was asked—

Sony

1. **Huw Irranca-Davies** (Ogmore): What recent discussions he has had with the management of Sony in respect of jobs in Wales. [135528]

The Secretary of State for Wales (Mr. Peter Hain): I spoke to Sony's senior management in Bridgend last week. They assured me that they are still actively recruiting against a full order book. The plant in Bridgend has been upgraded to support digital operations, which will continue to play a key part in Sony's business worldwide.

Huw Irranca-Davies: I thank my right hon. Friend for that answer. He will know that the commitment of Sony to my constituency over many years, in terms of both investment in the work force and investment in the wider community, has been substantial and much treasured. We are seeking to give reassurance to my constituents and those employed at the factory, and I believe that things will turn out very well for them. May I also thank my right hon. Friend for the personal interest that he has shown in this matter? That does not reflect the view of those who criticise him as a part-time Secretary of State; he has shown a full-time interest in this issue—by contrast with some Opposition Members who might have part-time contracts.

Mr. Hain: I am grateful to my hon. Friend, and I agree that Sony is one of the jewels in the crown of the Welsh economy. It is very encouraging that it is to go from strength to strength. It is particularly encouraging that it is investing heavily in digital technology, in which it is one of the worldwide leaders. My hon. Friend can be proud of that, as Sony is based in the Bridgend area.

Mr. Mark Prisk (Hertford and Stortford): Despite the news from Sony, may I draw to the attention of the Secretary of State the report from the CBI in Wales, which says that the outlook for manufacturing jobs in Wales "remains bleak"? Does he agree?

Mr. Hain: No, I do not, and I do not think that the hon. Gentleman is quoting the CBI accurately. If he looks at *The Western Mail*—a paper that I am sure is not on his regular reading list, since it is a Welsh paper—he will see that it reported yesterday that the manufacturing sector is growing at its fastest rate for almost four years. The truth is that employment across Wales has been rising, compared with the miserable Tory years of high unemployment. More jobs are being created in Wales now than for a generation, there are more business start-ups, and there is greater economic stability and optimism across the sector.

Ian Lucas (Wrexham): Is my right hon. Friend aware that Sony is not the only Japanese jewel in the crown in Wales? Within the last week, Sharp Manufacturing—another Japanese company—has decided to site its European production of photovoltaic cells in Wrexham. Is not that the real picture of Wales that we need to project to the outside world? What is my right hon. Friend going to do to promote the use of photovoltaic cells by industry and in the domestic sector?

Mr. Hain: I was delighted to receive a delegation, led by my hon. Friend, of Sharp's senior managers, who are investing in this exciting new plant to create one of the leading manufacturing centres of photovoltaic cells in Europe. That is a sign that more and more companies—Japanese and others—want to invest in Wales, because they know that Wales is really buzzing economically. Its economy is going from strength to strength, and it is one of the fastest-growing regional economies in Britain outside the south-east of England. That is testimony to the excellent leadership being provided by the Welsh Labour Assembly Government and by the Labour Government here at Westminster.

Waiting Times

2. **Mr. Peter Luff** (Mid-Worcestershire): What assessment he has made of the current waiting times for NHS surgical procedures in border areas. [135529]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): The waiting times figures as at the end of September 2003 were published last week. Across Wales, the target that no patient should wait more than 12 months for cardiac surgery has been consistently met, and the targeted procedure of orthopaedics also shows significant improvement on the long waiting lists.

Mr. Luff: On the subject of *The Western Mail*—a very popular newspaper on this side of the House—has the hon. Gentleman seen the report in yesterday's edition of the attack by the hon. Member for Clwyd, West (Gareth Thomas) on the National Assembly, in which he accuses Ministers of putting "political correctness" ahead of patient care? Will it not be in the border areas of England and Wales that people will see the contrast between the English health service making scarcely any progress—despite massive sums of money being thrown at it—and the health service in Wales, which is actually going backwards rather than forwards? People will then realise what a cruel deception it is for Ministers to claim that they are running a national health service.

Mr. Touhig: Nearly 200,000 more patients were treated in Wales than were treated in the year before the last general election. The NHS has treated 643,000 in-patients and 2.8 million out-patients. Waiting times are coming down. The key engines to drive forward improvement in the health service in Wales are investment and reform. This Government are putting in the investment, and the Conservatives are opposing it; we are tackling the reform while they oppose it. At the end of the day, the people of Wales will make the right judgment. The health service in Wales is safe in Labour's hands.

Mr. Jon Owen Jones (Cardiff, Central): Does it not worry the Minister that although there has been considerable investment on both sides of the border, there is not the same enthusiasm for reform on both sides? Given the present rate of progress, within a year waiting times on the English side will be three times shorter than those on the Welsh side. Does the Minister consider that acceptable?

Mr. Touhig: It is important to recognise, as my hon. Friend does, that the way to improve the health service in Wales is through investment and reforms. Our Assembly colleagues may be following a different path from us at Westminster in some instances, but that is perfectly valid. What is important is for the people of Wales to get a better deal from the NHS, and I believe they recognise that my Assembly colleagues' efforts are benefiting them in that regard. Working in partnership, the Government and the Assembly are delivering a first-class health service in Wales.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The Minister will know of a new phenomenon in Wales—the list of people waiting to get on to NHS dentists' patient registers. May I suggest that the next time he talks to his Assembly colleagues, they discuss the possibility of introducing training grants that would enable dentists to engage trainees? Large swathes of Wales contain no NHS dentists, and many members of the profession have told me that training grants might be the solution.

Mr. Touhig: The hon. Gentleman makes an important point. My Assembly colleagues have, in fact, introduced a series of measures to attract dentists to Wales and expand NHS dentistry throughout the country. There is a basic £40,000 grant, as well as a £20,000 grant for the establishment of new vocational training practices, and there are also incentives to encourage dental graduates to engage in vocational training. I recognise that there is a problem throughout Wales, but I believe that our Assembly colleagues are working to solve it.

Julie Morgan (Cardiff, North): Is my hon. Friend aware that the waiting time for heart surgery at Heath hospital in my constituency fell to less than eight months in September, with only six people waiting longer than six months? Will he join me in congratulating the staff on their hard work, which has produced such a big improvement?

Mr. Touhig: Certainly. The Assembly has targeted a number of key areas in Wales that need improvement, one of which is cardiac surgery. Before the launch of the cardiac initiative in July 2001, 100 patients were remaining on waiting lists for more than 12 months; now no patients are waiting as long. That is testimony to the investment in the Welsh health service, and to the way in which it is responding to the priorities and requirements of Government and the Assembly.

Lembit Öpik (Montgomeryshire): Is the Minister aware of the concern felt in the border areas, where we have not seen the impact of the investment that the Government claim to have made in the health service? Will he explain to our constituents why they must wait 15 months for hip operations simply because they are on the wrong side of the border? What plans has he to remove the differential in waiting times between England and, say, Powys?

Mr. Touhig: I think that there are differences within Wales. Orthopaedics has been a key area of concern to my Assembly colleagues and, I know, to my right hon. and hon. Friends. I have discussed the problem with the Assembly Minister. As I said earlier, however, what is important is our investment and reform. As a result of that, there are now 30 per cent. more whole-time equivalent hospital consultants in Wales than there were in 1997, there are 5 per cent. more qualified nurses this year than last year, and there has been a 6 per cent. increase in the number of GPs over the last decade.

If we are to improve the quality and delivery of the health service, we must have people in place. Only by investing and reforming will we achieve that—and I am afraid the Liberal Democrats do not have much of a policy in that regard.

Alan Howarth (Newport, East): Has my hon. Friend noted that Gwent Healthcare NHS trust achieved significant reductions in waiting times this year for cataract, cardiac and orthopaedic surgery, thanks to tighter management and improved funding for clinical initiatives? Did he also note this morning's welcome announcement by the Assembly Health Minister of an extra £10.72 million in capital funding for additional orthopaedic capacity in south-east Wales?

Mr. Touhig: I have noted both, and I welcome this morning's announcement. Like my right hon. Friend, I am a Gwent MP, and I know that there has been a problem in relation to orthopaedics in south-east Wales, but the Assembly is putting its money where its mouth is and introducing reforms, and I think that after a reasonable period we shall see a reduction in waiting times. We shall all welcome that.

Mr. Nigel Evans (Ribble Valley): The Minister says that the National Assembly is following a different path, and it is, but it is a downward and slippery path. The number of people waiting for out-patient appointments in 1997 was 101,000. Today the figure is 224,000, with severe friction points on the border areas. Has the hon. Gentleman discussed with the Minister for Health and Social Services in Wales how well advanced Welsh

hospitals are in getting to grips with the impact of the European working time directive as compared with hospitals across the border?

Mr. Touhig: I was not sure whether that was the hon. Gentleman's bid to keep his job in the shadow Cabinet, or his swansong. Time will tell. At least he has one thing in common with his new leader: they are both Welsh Tories who could not get elected in Wales.

The investment and reform that we are putting into the health service in Wales are making a considerable impact. The routes that we are following to reform and change the health service in Wales are different from those in the rest of the United Kingdom. It is perfectly valid to do that. I believe that our colleagues in the Assembly are making an important impact, improving the quality of the health service in Wales.

Comparisons are bound to be made with the position in England. Such comparisons are perfectly valid and should be used as a way of jacking up and improving the quality of delivery in the health service on both sides of the border. The collaborative approach that we have with the Assembly is the right way to proceed. The hon. Gentleman may care to tell some of his colleagues in the other House, who are blocking essential reforms to the health service in England and Wales and challenging the devolution settlement, that they should come on board and start doing something to improve the health service in Wales, instead of whingeing about it.

Mr. Evans: It is not my job I fear for but the jobs of those who work in the national health service in Wales. As the Minister knows, even though the European working time directive has not yet come in, six ambulances were forced to queue outside University hospital in Cardiff because it was full. One patient had chest pains, another had head injuries. Paramedics stated that it was the worst situation they had ever experienced. Is he proud that one of Wales's greatest exports is of patients across the border into England?

Mr. Touhig: Those are crocodile tears for the health service. The hon. Gentleman's future leader recently called the health service a Stalinist creation. The important thing to remember is that, when the Conservative party was in government, it closed 70 hospitals.

Mr. Speaker: Order. The Minister must give a reply and tell us about his stewardship, not about the Conservative party when it was in power.

Mr. Touhig: I perfectly accept the point you make, Mr. Speaker. I was trying to clarify the comparison: 70 hospitals were closed, whereas 10 new hospitals are planned under a Labour-led National Assembly. The problems with the health service in Wales will not be resolved by a 20 per cent. cut in public funding, which the Conservative party is committed to. We are making a difference to the health service in Wales, but the Conservatives have no answers to the problems that it faces.

Mr. Evans: It is not crocodile tears from me. Is it crocodile tears from the Minister's colleagues, the hon. Members for Clwyd, West (Gareth Thomas) and for Cardiff, Central (Mr. Jones), who both have concerns about the state of the NHS in Wales? Will the Minister now apologise to the people of Wales for bringing the health service towards breaking point? Will he apologise to the people left stranded yesterday outside that hospital and those stranded on growing waiting lists? Will he apologise to the staff of the national health service, who have to put up with those conditions, and apologise to 92-year-old Evelyn Williams who, suffering from pneumonia and Alzheimer's, waited more than 30 hours on a trolley for a bed at University hospital last week? We used to have a national health service; now we have a national scandal. It is time the Government got a grip.

Mr. Touhig: I am only sorry that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the new leader of the Tory party, is not here—the hon. Member for Ribble Valley (Mr. Evans) is certain to keep his job after that performance. The fact is that the Labour Government and the Labour Assembly are investing in the health service in Wales—80 per cent. more investment than when his party was in government. The recent budget announced by the Assembly shows an 8.9 per cent. increase in health and social care spending for next year.

Of course, there are problems with the health service. It is a vast service. Anyone who uses it—I think that the hon. Gentleman has recently, as I have recently—has nothing but praise for those who work in it. No one believes that the health service is perfect in every way it delivers. What is important to those working in the health service and those who depend on it is that it remains free at the point of need. They know that they have a Government who believe in it, will invest in it and will improve it.

Job Losses

Angela Watkinson (Upminster): How many employers in Wales are being forced to move their operations to countries such as—

Mr. Speaker: Order. Perhaps the hon. Lady should make reference to Question 3.

3. **Angela Watkinson:** If he will make a statement on recent job losses in Wales [135530]

The Secretary of State for Wales (Mr. Peter Hain): I have had a rehearsal of the question from the hon. Lady. No, because employment in Wales has risen by 68,000 in the past year.

Angela Watkinson: How many employers in Wales are being forced to move their operations to countries such as Malaysia, India and China to avoid the burden of regulation and taxation on businesses, and to avoid increases in national insurance contributions, and how many job losses have occurred in Wales since this Government came to power in 1997?

Mr. Hain: The unemployment rate has nearly halved right across Wales, and employment is now at a very high level; indeed, as I said, there was a rise of 68,000 last year. We should look at the facts instead of the Tory

allegations. In terms of employment, the claimant count is down to 3.4 per cent.—the lowest figure since the 1970s—and economic activity is up by 3 per cent. since the last general election. Wales has had more than 14 per cent. of the total number of jobs coming to the United Kingdom in the past year, compared with 12.6 per cent. last year. Wales captured 18.6 per cent. of safeguarded jobs, making it the top region in the United Kingdom. Yes, there is a churning, with jobs at the lower end of the manufacturing scale going to countries with cheaper labour costs, but we are attracting new investment and new jobs all the time.

Mrs. Betty Williams (Conwy): Does my right hon. Friend agree that it is high time that Opposition Members of all political persuasions talked Wales up, rather than down? Is he aware that American business people told the Welsh Affairs Committee last week that, of all the regional development agencies, they enjoy the best co-operation with the Welsh Development Agency and the National Assembly for Wales? *[Interruption.]*

Mr. Speaker: Order. Once again, I appeal for some quietness in the Chamber. Private conversations should take place elsewhere.

Mr. Hain: Yes, Mr. Speaker, because my hon. Friend and other colleagues on the Labour Benches speak for Wales, but the Tories have nobody in Wales any more. That is why they are talking Wales down. In fact, Wales is doing better than for many years, and a lot better than it ever did under the Tories.

Historic Towns

4. **Hywel Williams** (Caernarfon): What recent discussions he has held with (a) Cabinet colleagues and (b) the National Assembly for Wales regarding the condition of the built environment in historic towns in Wales. [135531]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): My right hon. Friend the Secretary of State and I have regular discussions with Cabinet colleagues and Assembly Secretaries on matters affecting Wales.

Hywel Williams: There is a huge and urgent need to repair buildings in my Caernarfon constituency and in Wales in general. In fact, a Welsh housing condition survey in 1998 put the bill at £1.1 billion—a bill that will be subject to VAT. Will the Minister press his colleagues for repairs to be subject to the same VAT rate as that to be levied on the 1 million-odd houses that his Government intend to build in London and the south-east?

Mr. Touhig: I am grateful to the hon. Gentleman for taking the time to discuss this matter with me the other evening; indeed, I know from my own constituency casework the importance of the point that he makes. Arrangements with our European partners have allowed us to maintain a zero rate of VAT on a number of items, including children's clothing and footwear. On the wider issue that he raises, a review of the European Union reduced rate provisions is currently under way, and the Government are committed to negotiating the best overall deal for the United Kingdom.

Mr. Chris Bryant (Rhondda): Will the Minister undertake to talk to his colleagues about, and do everything that he can to protect, buildings such as the Powerhouse, in Tonypandy? It is a very fine building which we need to protect, and it was the scene of the Tonypandy riots, with which all hon. Members will doubtless be familiar. Will he also look at the report by Aberystwyth university's centre for explosion studies, which considered how Guy Fawkes would have got on today, to see whether there are buildings in Wales that we should blow up?

Mr. Touhig: I shall not be tempted down the road of demolishing buildings at the moment, but my hon. Friend makes an important point: Wales has a wonderful historic industrial heritage, and too often we do not do enough to protect and preserve it. Great houses and castles are being preserved across Britain. The industrial heritage of south Wales is vital in terms of knowing who we are, where we came from and where our future lies. My hon. Friend is right to make this point, and I support him.

National Assembly

5. **Mr. George Foulkes** (Carrick, Cumnock and Doon Valley): What recent discussions he has had with the First Secretary on Lord Richard's report on the powers of the National Assembly for Wales. [135532]

The Secretary of State for Wales (Mr. Peter Hain): On numerous occasions.

Mr. Foulkes: Since it is the House that will have to legislate on any changes, could the Secretary of State please tell us the exact status of the commission and to whom and when it will report? Given that it affects all parts of the United Kingdom, not just Wales, will the Leader of the House tell us when we can debate the matter on the Floor of the House?

Mr. Hain: The National Assembly set up the commission and it is due to report in early spring next year. Its report will go to the National Assembly and the Welsh Assembly Government will consider it. No doubt representations will be made to us. If any changes are sought as a result of the Richard commission, my right hon. Friend is right that it will be for the House—obviously in partnership with the Welsh Assembly Government—to decide.

Michael Fabricant (Lichfield): Should it not also be in partnership with the people of Wales? Will the Secretary of State for Wales now give an undertaking that, if the Lord Richard report states that the National Assembly should have increased powers, the people of Wales will be consulted through a national referendum?

Mr. Hain: If the Richard commission were to propose tax-varying powers—as apply in Scotland, and the Scots held a referendum on that precise issue—Wales would have to hold a referendum. However, I can tell the hon.

Gentleman that the Labour Government will not support any increases in taxes of that sort for Wales—*[Interruption.]*

Mr. Speaker: Order. Once again, there is far too much noise in the Chamber.

Public Transport

6. **Ann Clwyd** (Cynon Valley): What recent discussions he has had with the First Secretary of the National Assembly for Wales about the provision of public transport by bus. [135533]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): My right hon. Friend and I have regular discussions with Assembly Secretaries about issues affecting Wales. The Assembly is allocating £8.5 million to local authorities this year to help boost the number and range of subsidised bus services, and to support community transport projects. That is in addition to their hugely successful free bus-pass scheme, which has opened up local travel opportunities for the over-60s and disabled people.

Ann Clwyd: As my hon. Friend knows, there have been innumerable complaints about the unreliable and shoddy service provided by Shamrock to my constituents in the Cynon Valley—and it also applies to neighbouring constituencies. Given that the company—*[Interruption.]*

Mr. Speaker: Order. The House is being unfair to the hon. Lady.

Ann Clwyd: Given that my constituents continually complain to me—week after week, month after month—about Shamrock's unreliability, and that people in the local authority have also complained about the company, what can be done to revoke its licence in view of its inability to provide the service that the people of south Wales deserve?

Mr. Touhig: I certainly recognise the importance of reliable transport and, more particularly, a reliable bus service. If an operator is not complying with its conditions of licence, that should be reported to the traffic commissioner for investigation. Where complaints relate to a service subsidised by a local authority, the council should also be informed. I can tell my hon. Friend that our colleagues in the Assembly are funding an officer of the National Federation of Bus Users, who will be happy to pursue complaints about particular local bus services. I would commend that course of action to my hon. Friend.

Mr. Roger Williams (Brecon and Radnorshire): Without a rural bus service, the closure of small rural schools will lead to a huge increase in private car usage on the school run. In that light, will the Minister support my and my hon. Friends' campaign to keep small rural schools in Powys open—not only on account of their good educational record, but to ensure that journeys are shorter and that private car usage is not increased?

Mr. Touhig: School closures will be a matter for the local authority, but I am aware of an early-day motion tabled by Liberal Democrat Members which deals with that matter. Clearly, public transport is important to rural schools. I shall certainly take note of the hon. Gentleman's point and draw it to the attention of my right hon. Friends.

Economic Activity

7. **Mrs. Jackie Lawrence** (Preseli Pembrokeshire): What discussions he has had with National Assembly for Wales Secretaries concerning measures to increase economic activity in Wales. [135534]

The Secretary of State for Wales (Mr. Peter Hain): Regular ones. Wales saw the highest increase in the rate of economic activity of all the United Kingdom regions in the past 12 months.

Mrs. Lawrence: My right hon. Friend will be aware that 600 jobs were lost in north Pembrokeshire when the former Tory Government closed down Royal Naval armaments depot Trecwn. The subsequent purchasers of the site have kept it idle for many years. The site has now been sold on to two companies with a proven record in commercial development and job creation. Will he discuss with the Assembly Secretaries ways in which those companies can be supported in recreating some of the jobs lost under the last Tory Government?

Mr. Hain: I will certainly meet my hon. Friend and I will be happy to take forward that project. Throughout her constituency, more jobs have been created and employment is rising because of the excellent economic record of this Labour Government.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [136363] **Linda Perham** (Ilford, North): If he will list his official engagements for Wednesday 5 November.

The Prime Minister (Mr. Tony Blair): Before I list my official engagements, I wish to pay tribute, on behalf of the whole House, to Corporal Ian Plank, who was killed in a coalition operation in Iraq on Friday. He was a greatly admired and widely respected member of the Royal Marines, and I know that the whole House will join me in sending our deepest sympathy and condolences to his family, friends and colleagues.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Linda Perham: What are the Government doing to address the concerns of my constituents in Ilford, North about antisocial behaviour and, given the date, the misuse of fireworks in particular?

The Prime Minister: The Anti-social Behaviour Bill will make a big impact, we hope, on antisocial behaviour in local communities by giving the police the powers that they need to tackle that menace. We welcome the new Fireworks Act 2003, which is on the statute book in large measure because of the efforts of my hon. Friend the Member for Hamilton, South (Mr. Tynan). We announced this week that before Christmas possession of fireworks by under-18s in public places will be made illegal and possession of the largest and most powerful fireworks will be outlawed for all members of the public. Fixed-penalty notices will be introduced, with fines of up to £80, for people caught throwing fireworks in the street. In addition, we are considering several new measures in consultation with the industry and others.

Mr. Iain Duncan Smith (Chingford and Woodford Green) *rose—*

Hon. Members: Hear, hear.

Mr. Duncan Smith: My hon. Friends should have registered that vote last Wednesday.

As the Prime Minister said, we learned overnight of the tragic death last week of Corporal Plank. Our thoughts are with his family, as once again we are reminded of the extraordinary sacrifices made by British servicemen and women, to whom we all owe a huge debt of gratitude.

When I first faced the Prime Minister across the Dispatch Box we discussed the war on terror. The loss of life over the past week has brought that war into sharp focus. There are growing concerns that foreign terrorists—including, it appears, some British citizens—may be operating in Iraq. What information does the Prime Minister have about who is arming, funding and organising those groups, and what further action is being taken to disrupt their activities in Iraq?

The Prime Minister: I gather that this will be the right hon. Gentleman's last Prime Minister's questions, so perhaps before answering that question I may say that whatever our differences—and there have been a few—I wish him well in the future and so does everyone on this side of the House—*[Laughter.]* Well, we do.

In respect of Iraq and terrorism, I will give the right hon. Gentleman as much information as we have. There are essentially two groups of people conducting those operations in Iraq. One is made up of Saddam's supporters or former members of the regime, and the other is made up of assorted terrorist groups, some of whom have infiltrated Iraq since the coalition forces took control back in May. We are obviously doing everything that we possibly can to disrupt their activities, but the most important thing to remember is that the position is not the British and American and other coalition forces versus the Iraqi people; it is the coalition forces and the vast majority of the Iraqi people versus those groups of former supporters of Saddam and terrorists. The truth is that we are trying to make that country better day by day and their entire purpose is to stop us.

Mr. Duncan Smith: I thank the Prime Minister for his kind words.

Obviously, the objective that he has set out is to hand power back to the Iraqi people as soon as possible. I think that everyone would accept that enormous progress has been made, in difficult circumstances, towards setting up the Iraqi governing council. However, does the Prime Minister believe that it will be possible to hand over power to a civilian Iraqi Government while the whereabouts of Saddam Hussein remain unknown?

The Prime Minister: We believe that that is possible. We think that the biggest inhibition will simply be the progress that we can make. It is worth pointing out that in addition to the American forces and the 10,000 British forces in Iraq, there are now 16,000 forces from other countries there. Several European Union countries are providing thousands of people who are helping with our efforts in Iraq. The main thing is to recognise that fantastic progress is being made in large parts of Iraq. For example, the coalition programme has cleared more than 14,000 km of the country's 27,000 km of canals. All 22 universities and 43 technical institutes and colleges are now open, as are nearly all primary and secondary schools. All 240 hospitals are open, as are more than 1,200 clinics. The distribution of medicines has risen from almost nothing to a current total of almost 12,000 tonnes.

Six months ago, satellite dishes were illegal, access to information was strictly controlled and it was difficult for people to use the internet. I am told that today there are more than 170 newspapers—which is progress of a sort—and satellite dishes are freely available and widely used, as is the internet. The point is that there is no inhibition on the progress that we are making, in both political and economic terms, other than the small group of people to whom I have referred. As we know from our experience of terrorism, if such people are prepared to cause death and mayhem to wholly innocent people they can cause a lot of devastation and inhibit the progress that we are making. However, I think that the answer to the problem is implicit in the right hon. Gentleman's question, and I agree with him—it is to carry on making the efforts to make Iraq better.

Mr. Duncan Smith: The Prime Minister and I have spoken on a number of occasions about the dangers of rogue states, terrorist groups and ballistic weapons coming together. I have always agreed that the war on terror would be long and difficult and that there would be no easy victories. However, I believe that enormous progress has been made. In the past two years, the Taliban have gone from Afghanistan and Saddam Hussein has been removed from power in Iraq, even though we may not yet know where he is. Does the Prime Minister agree that in Afghanistan, Iraq, or

wherever else we have to fight the war on terror, we must finish the job we started or the terrorists will win in the end?

The Prime Minister: I agree strongly with that, and I thank the right hon. Gentleman for the support that he gave for the action in Afghanistan and in Iraq. People should be very clear about why terrorist groups are now pouring into Iraq. If the coalition forces, together with the United Nations and the international community, can make Iraq better and expose the propaganda about us seizing the oil or desiring to destroy the Muslim population for the lies that it is, those terrorists know that that will send a signal across the world—not least the Arab and Muslim world—that will be enormous, tremendous and positive in its impact. That is precisely why those people are in Iraq at the moment. They know that this battle is not only about Iraq, but about whether we can establish a situation where Iraq becomes a prosperous, democratic and stable state. If that happens, it can act as a beacon to the rest of the world.

Mr. John Denham (Southampton, Itchen): I congratulate my right hon. Friend on the remarkable increase that has been achieved in police officer numbers, which has exceeded the initial target. However, does he share my concern that a significant part of an officer's career will be spent policing drunkenness in town and city centres on Friday and Saturday nights? As the alcohol strategy is finalised, will he look seriously at enabling local authorities and police authorities to raise a small statutory levy on licensed premises in town and city centres to pay for the costs of policing and ensure that other police officers can be out in the communities, where people want to see them?

The Prime Minister: First, the whole House will recognise the concern that my right hon. Friend has raised. We have not said that we will go down the route of a levy, but I understand the argument that he makes. The Anti-social Behaviour Bill will give the police power to levy fixed-penalty notices, which is an enormous help to them. In the trial areas, it has been immensely effective in allowing them to control antisocial behaviour of the type that he describes. We will also have powers to close down premises that routinely give rise to drunken and disorderly fights outside. It is therefore important that we consider the full range of powers and make sure in particular that swift judgment can be exercised when a pub or club in the centre of town routinely causes absolute misery to the local inhabitants.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): May I also express my best personal wishes to the leader of the Conservative party? I want to raise an issue on which he and I share considerable common interests, if not common instincts: the Government's European policy. Yesterday, the Chancellor remarked that some of the measures in the proposed European Union constitution

"would lead to tax harmonisation and a federal state in Europe".

Does the Prime Minister agree with the Chancellor?

The Prime Minister: It is precisely for that reason that we are making it clear that there cannot be any tax harmonisation or abolition of the unanimity rule on tax. I said on Monday in my joint article in the *Financial Times* with the Estonian Prime Minister *[Laughter.]* It is an important new alliance for us. I said:

"Making everybody follow the same tax rules would quickly diminish Europe's competitiveness by killing jobs and stifling growth".

I hope that what the right hon. Gentleman's words indicate is that he is on the same side as me in that particular regard.

Mr. Kennedy: Yes indeed, but the Foreign Secretary keeps describing the proposed constitution—he has done so repeatedly in the House on many occasions—as a tidying-up exercise. Yesterday, however, the Chancellor warned that it could lead to fiscal federalism. With that difference of emphasis between the Foreign Secretary and the Chancellor, with whom does the Prime Minister agree?

The Prime Minister: Of course the European constitution is important. It is a very important document. The issue, however, is whether it alters fundamentally the relationship between the member state and the European Union. It is precisely because we are insisting that all the attributes of the nation state remain that we believe that we will get the right outcome for this country in respect of the negotiations now taking place in the intergovernmental conference. It is not merely us who think that. The House of Lords European Union Committee agreed with our view that

"there is considerable reassurance in the draft Treaty for those who fear that the EU is becoming too like a State"

and repeated its judgment of May this year that

"it is clear that the balance of power is going to shift from the Commission to the Member States"—

[Interruption]. The shadow Leader of the House, the right hon. Member for Bromley and Chislehurst (Mr. Forth), is shouting out that he disagrees, but his position is well known: he wants Britain out of the European Union. The real issue is between those of us who believe that it is important to get the right result from this conference but that we should have Britain in Europe, and the significant part of the Conservative party who want Britain out of Europe.

Mr. Andrew Miller (Ellesmere Port and Neston): I am sure that my right hon. Friend will congratulate Cheshire police on their improved crime figures. Sadly, however, their hard work was damaged by the recent appalling actions at a training centre in Cheshire by racist police officers. Will he congratulate the chief constable, Peter Fahy, on the robust actions that he has taken and the letters that he has published in regional and local press, and assure citizens in this country, wherever they come from, that the racist elements in the police force will be rooted out once and for all?

The Prime Minister: I am happy to join my hon. Friend in congratulating the chief constable on his remarks. There are now more police officers in the Cheshire police than ever before, and I congratulate them on the work that they are doing. It is important

that at the self-same time as we join the chief constable in condemning absolutely and unequivocally the actions of the small minority who engage in racist or intolerant behaviour, we recognise that the vast majority of our police officers up and down this country do a fine job on behalf of all the citizens in their local communities.

Q2. [136364] **Ann Winterton** (Congleton): Is the Prime Minister surprised by the fact that the campaign for regional government, which was launched earlier this week by the Deputy Prime Minister, has been met by overwhelming opposition in the north-west, and by cross-party opposition too? Taxpayers know that they will have to bear increased costs with no increased powers or resources whatever, in addition to diminished democracy.

The Prime Minister: The very simple answer to the hon. Lady is that there will be a chance for people in the north-west to express their views. Then, we will see what they really think and whether they believe regional government makes the north-west more accountable for the decisions that are taken there. That is why it is fair to do that.

Q3. [136365] **Ian Lucas** (Wrexham): In the days leading up to Remembrance Sunday, does my right hon. Friend agree that now is the time to reaffirm our commitment to the generation who have given us so much? My constituent, Mr. Ken Mack, has collected a petition, with more than 11,000 signatures already, calling for greater security for elderly people in nursing homes and residential homes. Will the Prime Minister please reaffirm his commitment to that generation and ensure that sufficient resources are in place to give them the peace of mind that they deserve?

The Prime Minister: Of course, I agree entirely with my hon. Friend. He will know that care homes in Wales specifically are a matter for the Welsh Assembly, but I point out to him that in the past few years since this Government have been in power, we have increased funding for personal social services in Wales by something like 33 per cent. There are still, of course, pressures on social services and care homes, but it is precisely for that reason that we gave such a large amount of additional investment in the last spending round. Incidentally, all that investment was opposed by the Conservative party.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I have asked the Prime Minister this question 18 times, and a fat lot of good it has done me over the past two years—but I am going to give it one more try. Why does the Prime Minister persist in denying the British people a chance to vote in a referendum on the European constitution?

The Prime Minister: I am afraid that the 19th time of asking will not do the right hon. Gentleman much good either. I have to repeat what I have said before. In my view, because it does not involve a fundamental change between the member states and the European Union, I do not believe that we should have a referendum on this issue. I also believe, as I think most people recognise, that the real reason the Conservatives want a referendum is to campaign for a no vote as the first step to getting Britain out of Europe.

Mr. Duncan Smith: This week, the Deputy Prime Minister announced three more referendums on regional government. That takes the total of referendums under this Government to 37 since 1997. Is the Prime Minister really telling all of us that an elected assembly for Hull or an elected monkey for Hartlepool are more important than an elected President for Europe?

The Prime Minister: Regional government or, indeed, the mayor alters fundamentally the basis on which people are governed locally. However, I suppose that the right hon. Gentleman at least is entitled to ask a question about a referendum because he wanted a referendum on the Maastricht treaty *[Interruption.]* Yes, he did, but some other people sitting quite close to him did not.

Mr. Duncan Smith: And some other people sitting not too far away from the Prime Minister actually did, so he wants to be very careful about that. *[Interruption.]* Steady, Jack! Everyone except the Prime Minister admits openly that this constitution represents a fundamental change to the way this country is going to be governed. Even his Chancellor, writing in *The Daily Telegraph* of all papers, warns the Prime Minister about a drift to a "federal European state". I must say to the Prime Minister that, just between the two of us, I have a sixth sense these days about a leadership bid, so he should watch very carefully.

The Prime Minister still persists in saying that the constitution does not change anything; it is just a tidying-up exercise. By common accord, for the last time, that is the reason why no one believes a word that he ever says any more.

The Prime Minister: If the right hon. Gentleman is interested in the answer, I shall give it to him. Of course it is true that if we were to go down the route of tax harmonisation and if, for example, tax rates were to be set by Brussels and defence was to be run by Brussels, that would be a different matter—it would be a fundamental change. However, that is not what the draft treaty says and it is certainly not what the outcome of the conference will be.

The right hon. Gentleman says that no one other than myself believes that the issue will not fundamentally change the nature of the relationship, but I go back to what I said a moment or two ago. The House of Lords European Union Committee, which has Conservative as well as Labour members, said:

"it is clear that the balance of power is going to shift from the Commission to the Member States".

The whole basis on which he posits the case for a referendum is simply false. Let us wait and see what we get out of the intergovernmental conference, but if we do—as I believe that we will—protect our tax, defence and foreign policies, there will be no case for a

referendum other than the true case put forward by the Conservative party, which, as I repeat for possibly more than the 19th time, is to get Britain out of Europe.

Mr. Graham Allen (Nottingham, North): On Sunday, there will be an especially proud group of men and women marching down Whitehall past the Cenotaph: the Suez veterans who will be able to wear their medals for the first time. I thank the Prime Minister for his personal intervention to enable the Suez veterans to have those medals. As he sees them walk by on Sunday, will he reflect on the very few remaining groups of people, such as those involved in the Arctic convoy and the Enigma project, who are still awaiting due recognition? Will he consider giving them some good news over the next year, just as he has thankfully given good news to the Suez veterans?

The Prime Minister: I join my hon. Friend in paying tribute to all people who served, and gave their lives in many cases, in the first and second world wars so that this country could remain free and democratic. We owe them an immense debt of gratitude. We keep carefully under review the medals for various groups of veterans and I shall certainly pay attention to what he says.

Q4. [136366] **Richard Ottaway** (Croydon, South): Does the Prime Minister agree that people might have more trust in his Government if his fellow MPs practised what they preached? If he lived in Hackney, would he send his children to the local schools?

The Prime Minister: First, it is for individual people to decide whether they wish to send their children to a private school or a state school. I believe that the most important thing for the Government is to make a significant investment in the education service of this country that will be used by the vast majority of parents. We can look at the hon. Gentleman's constituency and local education authority. There has been a massive increase in the money that we are giving to local education authorities. A massive amount of extra investment is going into schools and there are more teachers and more classroom assistants. That is the real commitment to state education and every single bit of it was opposed by the Conservative party.

Mr. Khalid Mahmood (Birmingham, Perry Barr): Will my right hon. Friend give the House a firm commitment on when he intends to end the import of and trade in illegally logged timber in the UK?

The Prime Minister: At present we are working on, and we are obviously strongly committed to, tackling illegal logging and its associated trade. We are doing what we can within the European Union because it is there that we need regulations to deal with illegal logging and to develop agreements with timber-producing countries. They would deny access to EU markets for illegally logged timber from such countries, so I hope that we will see a result in the European Union Council in the coming months.

Q5. [136367] **Mr. Philip Hammond** (Runnymede and Weybridge): If the Prime Minister refuses to answer the question asked by my hon. Friend the Member for Croydon, South (Richard Ottaway) in terms of his own children, will he tell the House what advice he would give to parents in Hackney who have deep misgivings about the quality of their local state schools?

The Prime Minister: It is for individual parents to make up their minds about how to educate their children. It is not a good idea if the whole of the debate ends up being personalised around one Member of Parliament or another. I will tell the hon. Gentleman what I think. In Hackney, at the moment, there is one city academy and it wants to open new city academies. There are specialist schools throughout the country that are gaining superb results. The fastest improving school in the country is actually in the public sector and is in Tower Hamlets. I have to say to him that the real issue is not what comments we can make about this or that Member of Parliament's children, but our commitment to state education in this country when we know that for years, under the previous Government, state education did not get the investment that it needed. The truth is that over the past few years we have put extra investment in the schools, as the hon. Gentleman knows from his constituency. He should have the honesty to tell his constituents that he opposed every penny piece of that investment.

Q6. [136368] **Mike Gapes** (Ilford, South): Increases in police numbers and the number of community support officers, together with the growing use of antisocial behaviour orders, are very welcome, but can the Prime Minister explain to my constituents why some people with numerous convictions and some with bad character oppose vitally needed reforms of our antiquated criminal justice system in the other place?

The Prime Minister: I hope that opposition to the Criminal Justice Bill is dropped when the measure returns to this House, because it is extremely important for this country. For example, it is clear that many juries should have greater access to information about defendants' previous convictions. Surely hon. Members on both sides of the House can agree that where there is evidence that juries have been interfered with in organised crime trials, the judge should have the power to put the right of jury trial to one side and try the case himself. Last year alone, there was a £9 million cost to the Metropolitan police for protecting victims and witnesses in organised crime trials. When the measure returns from the other place, I hope that we get a united House of Commons that reinstates it, because it is important for the future of criminal justice in this country.

Dr. Jenny Tonge (Richmond Park): Given the Government's commitment not to sell arms to countries that will use them for internal repression or external aggression, why do we continue to sell arms to Israel?

The Prime Minister: We actually have one of the strictest sets of rules on the sale of arms of any country. It is important that we hold to that, whatever the country concerned, and we do, whether it is in respect of Israel or anywhere else. Across the European Union, Britain probably has the toughest inhibitions on the sale

of weapons. I do not believe that we should discriminate against any country. We should apply the rules fairly to all countries.

Q7. [136369] **Mr. James Plaskitt** (Warwick and Leamington): With 130 more nurses and 30 more registrars and consultants, activity levels at Warwick hospital since 1997 are up by 45 per cent., and all waiting times are down. The management team tell me, however, that with increasing patient choice it is essential for them to begin the process of moving towards foundation status. Can my right hon. Friend tell me that we will continue with both the investment and the reform?

The Prime Minister: We certainly will continue with both. I am delighted that there is so much additional activity at Warwick hospital. As my hon. Friend knows, the new state-of-the-art accident and emergency department that is under construction and scheduled for completion this autumn will be able to cater for more than 50,000 patients annually. Massive investment is now going into our health service. He is also right to draw attention to the fact that the arguments for foundation status come from the hospitals themselves and the staff in those hospitals—dedicated NHS people—who believe that the next stage of change is to give them greater freedom and greater flexibility. We will deliver both to them.

Mr. Archie Norman (Tunbridge Wells): Is the Prime Minister aware of the very grave warnings given by the Royal College of Physicians and the British Medical Association on the implications of the working time directive for the NHS next year? Specifically, one in five accident and emergency departments may have to close at night, two thirds of acute medical units are insufficiently staffed, and practitioners, such as the hon. Member for Wyre Forest (Dr. Taylor), forecast that smaller units in places such as Southport, Wakefield, Pontefract, Cheltenham and Hartlepool may have to close. Is it not common sense and in the interests of all patients to postpone implementation? If not, will the Prime Minister guarantee that none of those units will close as a consequence?

The Prime Minister: The point the hon. Gentleman raises is important, which is why we have worked on it for many months to ensure that the impact of the working time directive is properly handled.

As the hon. Gentleman knows, the directive originally came into force a long time ago—back in 1990, I think. It is important to recognise that we have a particular issue with junior house doctors' hours that means that we have to take great care with implementation, so we are in discussions with the European Union and with other partners. However, I say to the hon. Gentleman and, through him, to others that we will take account of the directive, but it is important to balance the clear need for doctors' hours to be reduced over time with the need to do so in a way that is compatible with the service.

The hon. Gentleman will know from his constituency and others that there has been massive additional investment in accident and emergency departments in this country—about £150 million has been spent on A and E departments alone. That is reducing the time that people have to wait in them.

Road Traffic Regulations (Consultation) Bill

12.30 pm

Mr. Ian Liddell-Grainger (Bridgwater): I beg to move,

That leave be given to bring in a Bill to create full statutory public consultation procedures wheresoever road traffic management schemes are proposed by local authorities.

Three hundred and eighty years ago a shaggy-haired troublemaker was arrested in the cellars beneath the House of Lords. Guy Fawkes and his gang wanted to blow up Parliament, but the Bill I present today is less dramatic: there is no gunpowder involved, no treason and—perhaps surprisingly—no plot. All I want to do is close a legal loophole and open up the process of democracy. My target—speed limits—might seem mundane, but the way in which speed limits are fixed has now become a muddle of paperwork. The process needs changing simply because it is out of date and denies local people any sort of intelligent consultation. My simple Bill would alter things for the better.

Back in 1984, Parliament passed the Road Traffic Regulation Act. It was the technical bible of its time, stating how speed limits were to be set, with the then Department of Transport in complete charge of all facets of the process. In the intervening 19 years, there have been unseen changes, usually made through secondary legislation—statutory instruments that, by their nature, are subject to little, if any, parliamentary scrutiny. As a result, power has shifted dramatically away from the current Department for Transport. The big local authorities now set most speed limits, and these days they rarely have to tell the Department what they are up to—in fact, in theory, they do not have to tell anyone much at all. The Department issues advisory circulars, but local authorities are left—rightly, in their eyes—to get on with it. It is the nearest thing to unfettered power that we have in this country.

All that a local authority with responsibility for traffic management—a county council, for example, although it could be another body—is obliged to do is advertise any proposed scheme in a local newspaper. Only one advertisement is required. The rules do not insist that it be carried on the front page; consequently, speed limit changes are always tucked away in regional newspapers, on the back page and in very small print. They are phrased in legalistic gobbledygook and are, for the most part, ignored or, worse still, totally misunderstood.

Local authorities do have a few legal obligations. They are supposed to consult the emergency services—after all, only the police have the power to enforce speed limits. However, there is no precise definition of "consultation". Details of speed plans and limits are usually sent to town and parish councils for comment, but the system is—dare I say it in this place—almost feudal. A bundle of official papers arrives on the desk of the clerk to the parish council: to his and most eyes, it looks like a fait accompli. Commenting or raising objections is not encouraged, and there is no legal arrangement for gathering any comments or, more important, for publishing them.

The catch-all phrase that we have all seen in so many statutory instruments and Department for Transport circulars is, "The local authority should consult as it sees fit." In other words, "Do what you like, chaps." That shows a touching faith in human nature by assuming that local authorities always do the decent thing. The trouble is that they do not.

Twelve months ago, Somerset county council came up with a wide-ranging new speed limit policy. It may have been, and probably was, conceived with the very best motives, including road safety, in mind, but it has proved a failure. Somerset now has hundreds more signs costing thousands of pounds throughout the county. I am informed that even the smallest signs—those of 2 ft in diameter—cost £70 each. The total bill for council tax payers is already hundreds of thousands of pounds.

Unfortunately, many of those signs contradict one another. There is a village in Minehead with 14 new speed limits, each of them different, within less than 250 yd. The forest of ironwork is ugly and, more importantly, some of the speed restrictions are incredibly dangerous. According to the police, they are liable to cause accidents rather than prevent them. There is already hard evidence that they have caused accidents. Do not take my word for it. Leading members of the Institute of Advanced Motorists have said that it is true.

The real abiding sore is that local people were not consulted first. It is the issue that has generated more debate, cross letters and public anger than anything in which I have been involved in Somerset for years. It is all because of lack of consultation with the general public. Parish councils were sent copies of the plans, but several of them now believe that they were duped. The documents supplied by the county council were insufficiently detailed for any informed comment to be made.

The councillors who lodged objections or made constructive suggestions about the scheme were totally ignored. Other parish councillors, who lobbied the county council to introduce new schemes, were also ignored. The message is, "If you don't want speed limits, tough; if you do want them, tougher still." That strikes me as a funny old way to run a policy.

Consultation is a buzz word of the age. Every hon. Member, political party and public pronouncement trumpets the value of consultation. The trouble is that we do not spell out what we mean by it. My Bill does. I propose a legal requirement for consultation. County councils would be obliged to take town and parish councils into their confidence at an early stage. Any objections would have to be published by the county council in detail, including its reasons for accepting or rejecting them. They would be duty-bound to hold well-publicised public meetings to assess local reaction to proposals and to publish that reaction before the proposal is enacted.

These are not revolutionary ideas. Many progressive county councils across England and Wales have already adopted the approach. If others did, I and other hon. Members would not be being bothered—but they have not.

In this instance Somerset has got it wrong. The county council knows it and it has admitted it privately. We now have to reverse the process before there are more injuries and trouble. After 12 months of speed-sign chaos, the county council is surveying public opinion. It has issued detailed questionnaires and invited people to give their views. Rightly, it has set up a commission to

[Mr. Ian Liddell-Grainger]

enable that to be done. It is beginning to do the very thing that should have been done in the first place before the policy was enacted. However, we must remember that, regardless, Somerset is under no legal obligation to take a blind bit of notice of what is said, or even to publish the results after the horse-has-bolted consultation exercise.

That is why the Bill is necessary. It would stop what has happened in Somerset and elsewhere so that, anywhere in the country, people would rightly be consulted about their feelings. It would give town and parish councils a meaningful role in representing the views of local people; ensure that county councils come clean about their plans; guarantee that different voices are heard; help to prevent the introduction of costly schemes; save the taxpayer a great deal of money; and, above all, it would assist democracy. The National Association of Local Councils is backing it, as is the Campaign to Protect Rural England. The Bill is a simple, straightforward measure with a simple, straightforward purpose, and I commend it to the House.

12.40 pm

Mr. David Laws (Yeovil): I understand why the hon. Member for Bridgwater (Mr. Liddell-Grainger) has introduced his Bill, but his conclusions are wrong, and there is a danger that it could end up as a bureaucrats' charter. Consultation on traffic schemes is a major issue in Somerset, not least because the county council, as he implied, has introduced many speed management schemes to reduce accidents in accident blackspots and improve road safety outside schools. In addition, many rural communities and parish councils are unhappy with the fact that, by default, the speed limit is 60 mph in those communities. We need to consider what sort of consultation we need before such schemes are introduced. Contrary to the hon. Gentleman's comments, those schemes are often extremely successful—many in Somerset have cut injury accidents by up to a third.

There is substantial consultation before such schemes are introduced. Indeed, when implementing traffic management improvements requiring traffic regulation orders, Somerset county council consults in accordance with statutory requirements and best practice. It follows prescribed consultation arrangements and provides a site notice, and there is an opportunity for people to make representations, which have to be considered before any traffic order is confirmed. When a new speed limit is going to be introduced to address a known accident problem, there is extensive consultation of all the relevant bodies and individuals before a local safety scheme is established.

That consultation involves parish councils, district councils, local county councillors, the police, emergency services and members of the public who are directly affected by the scheme. As the hon. Gentleman suggested, adverts are placed in the local press in accordance with statutory requirements. In addition, the assistance of parish councils, and the use of their notice facilities, is regularly sought. Indeed, when local communities press for road safety schemes in my constituency, the criticism I often hear concerns the time taken to introduce them because of the consultation that has to take place.

The hon. Gentleman did not sufficiently highlight the fact that many of the schemes introduced by Somerset county council and, no doubt, other county councils are introduced at the request of parish councils. There is often a great deal of local concern about high traffic speeds and road safety outside schools.

The programme in Somerset was developed in response to countywide concerns about community safety and the impact of speeding traffic in settlements. The hon. Gentleman will know that there are 2,600 injury accidents on the roads in Somerset every year, and 45 fatalities. The measures put in place by Somerset county council are designed to make our communities safer, reducing the speed of traffic in settlements and the number of injury accidents. In view of those arrangements, it is difficult to understand how consultation could be further improved by any statutory requirement.

However, the county council recognises that not all highways authorities in other counties conduct the extensive consultations that regularly take place in Somerset. We can only assume that in his Bill the hon. Gentleman is seeking to make mandatory across the country the excellent best practice in Somerset. If he is trying to advertise the excellence of our consultation in Somerset and argue that it should be extended across the country, he will have our support, but I fear that his speech implied that we could end up with extra bureaucracy, more delay before the schemes are put in place and extra road safety problems and accidents. If that is what he is proposing, he will not have my support or that of my constituents. Such a proposal seems neither very conservative nor very sensible, and not in the interests of our constituents. Instead, it would be a bureaucrats' charter and delay useful road traffic schemes rather than ensuring that they were better.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Liddell-Grainger, Mr. Kevan Jones, Mr. Andrew Rosindell, Mr. Tim Boswell, Mr. Andrew Turner, Mr. John Burnett, John Thurso, Mr. David Clelland and Mr. Adrian Flook.

ROAD TRAFFIC REGULATIONS (CONSULTATION)

Mr. Liddell-Grainger accordingly presented a Bill to create full statutory public consultation procedures wheresoever road traffic management schemes are proposed by local authorities: And the same was read the First time; and ordered to be read a Second time on Friday 21 November, and to be printed [Bill 174].

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Speaker. I am sure that I recall that rulings have been made from the Chair that votes should follow voices and that, particularly in the case of ten-minute Bills such as the one that we have just considered, it was not the done thing—I put it no more strongly—for people to seek to make a cheap speech opposing a Bill without following it by dividing the House. I do not

necessarily want you to make an instant ruling, but it would help the House to know whether that ruling is indeed still in force, or whether I can now speak against every ten-minute Bill and then not bother to divide the House.

Mr. Speaker: The right hon. Gentleman has a good reputation for dividing the House. I remember him doing so at 2 o'clock in the morning when I was a Deputy Speaker, and I was very grateful to him for doing so. We are all on a learning curve from time to time, and I say to the hon. Member for Yeovil (Mr. Laws) that the next time he opposes a Bill, if he gently says no, it will allow me to express an opinion that the Ayes have it. He does not need to divide the House, but a voice should be heard when I invite the House to divide.

Mr. John Bercow (Buckingham): Put it down to his inexperience.

Mr. Speaker: We all have to learn—even the hon. Gentleman.

Opposition Day

[6TH ALLOTTED DAY] [2ND PART]

Decommissioning (Northern Ireland)

Mr. Speaker: We now come to the main business. I inform the House that I have selected the amendment in the name of the Prime Minister.

12.48 pm

Mr. Quentin Davies (Grantham and Stamford): I beg to move,

That this House expresses its profound disquiet at the accounts given by the Prime Minister and by General de Chastelain on the issue of whether information on the latest IRA act of decommissioning, additional to that made public, was given by General de Chastelain to the UK and Irish Governments; believes that the credibility of both the Prime Minister and of General de Chastelain are of vital importance in the successful conclusion of the Northern Ireland peace process; and therefore considers it imperative that this matter should be clarified urgently and unambiguously.

Let me start by dealing with the issue of bipartisanship. Over the past two weeks, every time we have raised the issue of the Prime Minister's assurance about the latest IRA act of decommissioning and the conflict between his own statements and those of General de Chastelain, or every time the Government have thought or feared that we were about to do so, a number of Labour Back Benchers, apparently entirely spontaneously, have started to talk about bipartisanship in terms such as "Wouldn't it be a good thing for Northern Ireland if the Opposition could only be bipartisan?"

We have been a responsible Opposition on Northern Ireland, and we shall remain so. We support the Government entirely on their objectives and the Belfast agreement. We have always supported them on tactics when they have done what we thought were the right things. But one thing that the Government and even the Whips and spin doctors in No. 10 surely cannot expect us to do in any circumstances is to be party to a cover-up and acquiesce in a deception of the public. That would be a veritable perversion of bipartisanship. It would be the political class ganging up against the public whom we are all elected to serve. It would be to betray the most fundamental purpose of having a Parliament—to ensure honest and transparent government.

Kevin Brennan (Cardiff, West): Will the hon. Gentleman give way?

Mr. Davies: No, I will not. I am not going to give way to Labour Members at all, for the simple reason that only the Prime Minister can throw light on the questions that I am going to ask. The Prime Minister should be here in person instead of relying on proxies, whether ministerial or from the Back Benches, to try to defend him. Since he alone is in a position to answer these questions, I shall wait until he appears: if he has the courage to do so, I shall certainly give way to him.

The problem that brings us to this debate is simply stated. On 22 October, the Prime Minister, speaking at

[Mr. Davies]

Prime Minister's questions about the previous day's act of decommissioning by the IRA, said of General de Chastelain:

"He gives certain information—not the full information, but certain information—to us, as the two Governments. Although we are not at liberty to disclose that information without his permission, we are working hard to try to find a way in which we can do so, because I believe, on the basis of what we know, that people would be satisfied if they knew the full details."—[*Official Report*, 22 October 2003; Vol. 411, c. 634.]

There are two salient points about that answer that the House should note. First, there is the factual, or purportedly factual, statement that General de Chastelain gives, and on this occasion gave, certain information to the two Governments that he did not disclose and that the two Governments are not at liberty to disclose to the public. That is a matter of fact, and on it there was a very clear statement of fact by the Prime Minister. Secondly, there is the assurance, explicitly based on that information, to the effect that, if people knew the details that the Prime Minister knows, they would be satisfied. That is not a factual statement: it is an assurance based on a judgment. But, of course, if no additional information was available to the Prime Minister, that judgment could not in good faith have been made, and the assurance would be worthless, irresponsible and, worst of all, dishonest.

I am afraid that the kernel of the issue that we all have to confront, whether we like it or not, is this: General de Chastelain has said, unambiguously and in every conversation that he has had on the subject over the past two weeks, that he does not give supplementary information to the two Governments and that he did not do so on this occasion. In other words, he has directly contradicted the factual statement made by the Prime Minister in the House on 22 October. He has repeated that at every possible opportunity, including in two extensive conversations with me.

Let me read from a transcript of one such conversation that took place in a meeting in which I was not involved. Several people were present on both sides of the table. There is a formal record of that meeting, which was between General de Chastelain and members of the Democratic Unionist party. "PR" is Peter Robinson, the hon. Member for Belfast, East; "GDC" is General de Chastelain; and "DP" is Dr. Paisley, the hon. Member for North Antrim. With your permission, Mr. Speaker, I shall place a copy of that record in the Library after I have spoken. I quote:

"PR—Did you go beyond the descriptive terms in report or conference when talking to the PMs?

GDC—I gave them no more detail than I have told you.

DP—The governments have no more information on the last reports?

GDC—Unless they are reading something else into the reports.

PR—The 2 governments see certain things. They didn't see it from you?

GDC—They have no more information than what was made public."

In view of the importance of this matter, I shall repeat that last quotation from General de Chastelain:

"They have no more information than what was made public."

The House will be able to compare those words with the Prime Minister's words of the day before and the Wednesday after—21 and 29 October—which I have already quoted. Let me quote and contrast what the Prime Minister said last Wednesday—29 October—at Prime Minister's questions. He said:

"certain information was given to us by General de Chastelain and I had very much hoped that it would have been possible to provide the full information to everybody."—[*Official Report*, 29 November 2003; Vol. 412, c. 300.]

One could not have a more stark contrast or a more thoroughly documented conflict of words than that.

Mr. Henry Bellingham (North-West Norfolk): My hon. Friend was at Prime Minister's questions today when the Prime Minister said that he had extra duties in this House later today. Does my hon. Friend agree that one of those duties should have been to come here and listen to him? The Prime Minister is the only person who can respond, so surely he should be here now?

Mr. Davies: I thoroughly agree with my hon. Friend. A great many people throughout the country will think exactly the same and draw their own conclusions from the fact that the Prime Minister did not want to face up to the points that he knew that I was going to put to him.

Kevin Brennan: On a point of order, Mr. Speaker. Although it is the hon. Gentleman's decision whom he gives way to, is it in order for him to accuse Labour Back Benchers of making orchestrated interventions on him, then to give way to a Member on his side of the House having said that he did not intend to give way at all?

Mr. Speaker: I am afraid that the hon. Gentleman is trying to draw me into the debate.

Mr. Davies: It is a great shame that Labour Members, in a mistaken attempt to put up a cloud of camouflage, should raise such completely bogus points of order. Every parliamentarian, whatever his party allegiance, should focus on this clear issue that goes to the heart of integrity in Government and truthfulness in this House of Commons. Labour Members are getting agitated because we have got to the kernel of the issue. The plain fact is that the Prime Minister and General de Chastelain cannot, unfortunately, both be speaking the truth. The House urgently needs to discover which one of the two it is.

Helen Jackson (Sheffield, Hillsborough): On a point of order, Mr. Speaker. Am I not right in thinking that we have already debated this issue twice: first, in a statement made by the Secretary of State on 22 October; and secondly, on an urgent question, which you allowed almost a week later? We have had two debates, and there is no new material.

Mr. Speaker: Order. This is a debate on a substantive motion before the House: that is very different from a statement. The hon. Gentleman is in order; if he goes out of order, I shall soon tell him so.

Mr. Davies: Thank you, Mr. Speaker.

The Opposition are raising this issue and Government Back Benchers can think of nothing better to do than to try to distract attention with points of order. That speaks for itself. As for the hon. Lady's point of order, it was so spontaneous that she had to read it out.

Kevin Brennan: Will the hon. Gentleman give way?

Mr. Davies: I have already explained why I will not give way to Labour Members on this occasion. The

matters that we are discussing are extremely grave, and only the Prime Minister is in a position to answer. When he comes here, as he should, I shall certainly give way to him.

Mr. John Bercow (Buckingham): Notwithstanding the undoubted dedication to her duties of the Minister of State, Northern Ireland Office, the right hon. Member for Liverpool, Wavertree (Jane Kennedy), is it not regrettable, even if unavoidable, that the Secretary of State is unable to be with us? Does not that underline the importance of the Prime Minister's making an appearance some time between now and the end of this important debate?

Mr. Davies: I think that people will draw their own conclusions from the obvious discomfort of the Prime Minister's Cabinet colleagues and their desire to stay away from the debate. I have some sympathy with them in that regard, given the unpleasant reality that we all have to face.

It is urgent that the House get to the bottom of this matter. It is clear that Labour Members do not wish to do so; that is the last thing they want. I intend to proceed, however. There are three reasons why this is so important, and I would have hoped that they would have been clear to everyone on both sides of the Chamber. First, General de Chastelain is a very distinguished public servant. He is a former chairman of the Canadian chiefs of staff, and a former Canadian ambassador to the United States. He generously agreed to give up what has now been several years of his life to preside over the Decommissioning Commission. As a public servant, he cannot defend himself in the media. It cannot be right that his veracity and reliability should be impugned without the case against him being examined very thoroughly indeed.

The second reason goes right to the heart of the peace process in Northern Ireland, which must, if it is to be successful, include the completion of decommissioning. For that reason, it is very important that the Decommissioning Commission should be able to operate. That means that, like it or not, the paramilitary organisations and the people of Northern Ireland as a whole must have trust in it, and in the veracity of its chairman, General de Chastelain. There will be a considerable crisis if that trust disappears.

The gravest, and by far the most important, aspect of this is a matter of fundamental constitutional moment. It is the issue of whether the House and the British public have been told the truth.

Lembit Öpik (Montgomeryshire): Does the hon. Gentleman agree that the core problem is that General de Chastelain has now been put in the position of having repeatedly to deny that he has given more information to anyone else, and that there is an air of questioning about whether that is the case? The only person who can put that right is the Prime Minister.

Mr. Davies: I wholeheartedly agree with the hon. Gentleman. He and I share the view that this is an extremely important matter—I think that everyone would agree with that—and that the Prime Minister should have the courage to come to the House to give his own explanation.

None of us needs to be lectured on the importance of telling the truth in the House, and I am certainly not going to do that. None of us needs reminding of the occasions in our lifetime, if not our memory, on which it has been alleged that Ministers have lied to the House. I can think of only two in the last 50 years: John Profumo in 1963 and James Callaghan—now Lord Callaghan—over devaluation in 1967. In both cases, they used ambiguous phrases rather than directly contradicting the truth. Nevertheless, they both resigned. I simply ask the House what precedent we would be establishing if we were to decide here and now, in 2003, that the very issue of veracity was no longer worth getting to the bottom of, or that the penalty for lack of veracity was nothing at all.

Finally, there is the important matter of the assurance that the Prime Minister gave. I shall quote him again:

> "I believe, on the basis of what we know, that people would be satisfied if they knew the full details."—[*Official Report*, 22 October 2003; Vol. 411, c. 634.]

That is a very significant assurance.

Kevin Brennan: On a point of order, Mr. Speaker. Is it in order for the hon. Gentleman to question the veracity of the Prime Minister's statements to the House?

Mr. Speaker: It is out of order. I would say to the hon. Member for Grantham and Stamford (Mr. Davies) that he is getting very close to the wire. He is beginning to make accusations against the Prime Minister in a roundabout way. The motion does not attack the Prime Minister in the manner that the hon. Gentleman is adopting at the moment. I must tell him to be very careful about what he is saying.

Mr. Davies: The motion, as your Clerks have always advised, Mr. Speaker, had to be phrased in a very neutral way, and I understand the reasons for that. The matter that I am raising is of enormous importance, and I have made it clear to the House on this and other occasions that I do not shy away from that importance. I have been very careful, however, to avoid unparliamentary language—

Mr. Speaker: Order. Of course it is a good thing to go to the Clerks for advice. That is important. The Clerks informed the hon. Gentleman that the motion had to be phrased in a neutral manner, but he must follow the sentiments of that motion. He cannot get away with saying that the motion is phrased in a neutral manner because the Clerks said that it should be, and then going beyond that neutrality.

Mr. Davies: I understand, Mr. Speaker, and I know that you and the House will understand the position in which I find myself. I know that you will share the view of all parliamentarians that issues such as these have to be raised, and that they must be raised in a parliamentary fashion. I am certainly endeavouring to do that. However, the public who send us here would not forgive us if we found some procedural strategy for burying such unpleasant issues permanently under the carpet.

[Mr. Davies]

As I was saying, there is the additional, but certainly not unimportant, matter of the assurance that the Prime Minister gave to the House:

"I believe, on the basis of what we know, that people would be satisfied if they knew the full details."—[*Official Report*, 22 October 2003; Vol. 411, c. 634.]

That is a significant assurance. The whole House will agree that anyone in a position of trust must be very careful about giving assurances; the greater the trust, the greater the responsibility. That applies throughout life, and in the professions. What would we think of a doctor who said, "I have examined this patient. I cannot describe his condition to you because of patient confidentiality, but I can tell you that he has not got an infectious disease", when he had actually never examined the patient at all, the assurance was worthless, and some decision, fatal to others, had been taken on the basis of it?

What would we think of an accountant who said, "I cannot give you the balance sheet and profit-and-loss account of this company, because they are confidential, but I have examined the figures, and if you knew what I know, you would be happy to trade with it or invest in it", when actually he had never seen the figures, and his assurance was entirely bogus? What would we think of such a doctor or accountant? Would we think that they were fit and proper people to work in their chosen professions, and that they ought to remain in them?

What about a Prime Minister who behaved in such a way? Would we think him a fit and proper person for that role? Does it matter whether the British people can trust their Prime Minister? Is it not vital that the House and the country know the truth?

Kevin Brennan: On a point of order, Mr. Speaker. The hon. Gentleman has just implied that the Prime Minister's statements to the House were entirely bogus. Is that in order?

Mr. Speaker: I do not wish to prevent the hon. Member for Grantham and Stamford from speaking openly in the House, but if he wished to say the things that he was saying just now about the Prime Minister, he really should have put a motion of no confidence before the House. He has, however, put this motion before the House, and he is now going beyond the terms of the motion. I say to the hon. Gentleman again—I am giving him good advice—that he must be very careful about what he says from now on.

Mr. Bercow: On a point of order, Mr. Speaker. Can you guide me, in accordance with precedent and advice that right hon. and hon. Members have received? I am among those who have received such advice. Can you confirm that it remains the case that, whereas to accuse someone of lying is unparliamentary, the suggestion that a right hon. or hon. Member might inadvertently have given credence to an untruth is entirely parliamentary?

Mr. Speaker: There is nothing inadvertent about what the hon. Member for Grantham and Stamford is saying before me. That is different, and I must tell him that it might come to the stage where I have to stop him.

Mr. Quentin Davies: Mr. Speaker, I shall continue to endeavour to avoid any unparliamentary language. I am familiar with the difficulty in which you find yourself, and I recall another famous precedent—that of Winston Churchill, who was once allowed to use the words "terminological inexactitude".

Mr. Roy Beggs (East Antrim): Will the hon. Gentleman give way?

Mr. Davies: I hope that the hon. Gentleman will forgive me if I do not. I have almost reached the end of my remarks.

Does it not go to the heart of our democracy that the British people can always trust the office of the Prime Minister? That is surely a legitimate question for me to ask today, and a question that the public who send us here hope that we continually ask ourselves. The Prime Minister himself needs to clear this matter up. He needs to come before the House without delay to make a personal statement and to answer questions on it, so that we can lay this matter to rest, one way or the other, once and for all.

1.9 pm

The Minister of State, Northern Ireland Office (Jane Kennedy): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"notes the importance of confidentiality to effective decommissioning of weapons in Northern Ireland; expresses its gratitude for the professionalism of General de Chastelain and the Independent International Commission on Decommissioning; welcomes the further positive developments in the peace process set out by the Secretary of State for Northern Ireland in his statement to the House on 22nd October, including the calling of elections to the Northern Ireland Assembly on 26th November; calls on all parties in the House to engage constructively in furthering the peace process in Northern Ireland; and looks forward to further progress after the elections towards the restoration of devolved government in Northern Ireland on a stable and inclusive basis."

Mrs. Jackie Lawrence (Preseli Pembrokeshire): Will my right hon. Friend give way?

Jane Kennedy: I will.

Mrs. Lawrence: In the light of Opposition comments, will my right hon. Friend confirm that the amendment congratulates General de Chastelain on the professional way in which he is handling the issue in Northern Ireland?

Jane Kennedy: My hon. Friend is right. We can all read the amendment.

We are always happy to discuss Northern Ireland issues in this place, but I have serious doubts about the appropriateness of the debate at this point and about what motivated the hon. Member for Grantham and Stamford (Mr. Davies) to table the motion. You will recall last week's urgent question, Mr. Speaker, during which you had cause—

Mr. Quentin Davies: Will the Minister give way?

Jane Kennedy: Let me make my point first. Then I shall be happy to give way to the hon. Gentleman.

On that occasion, Mr. Speaker, you had cause gently to chastise the hon. Gentleman for making a speech when he should have been asking a question. I recall the occasion vividly, as I replied to the question.

It is a little like "Groundhog Day". I suppose I can take some comfort from the fact that although the hon. Gentleman has had two opportunities to make the speech we have just heard, it is unlikely—if the newspaper reports are correct—that he will have an opportunity to make the same points again from his current position. Let me add, however, that personally I wish him well in the forthcoming reshuffle.

Members will have their own views on the wisdom—

Mr. Davies: Will the Minister give way?

Jane Kennedy: If the hon. Gentleman will contain himself for a few moments, I will give way to him shortly.

As I was saying, Members will have their own views on the wisdom of initiating such a debate in the middle of an election campaign in Northern Ireland. This is a time when the parties and voters in Northern Ireland should be discussing issues among themselves, and it is a time when many Northern Ireland Members would like to be out campaigning. As we are to have a debate, however, I think it right in principle for us here to show restraint during this period, and to avoid becoming part of the election campaign.

It may interest the House to know that this morning the Conservative party launched its own Northern Ireland election campaign. Let me quote from its party political broadcast.

"I'm asking you to cast your vote on the 26th November for the Conservative Party. We are the only one of the three national parties in the United Kingdom to take part in elections here".

There we have it. The synthetic indignation to which we have been subjected this afternoon is all about a party political campaign cynically motivated to inspire today's debate.

At this point I am happy to give way to the hon. Gentleman.

Mr. Davies: I understand the difficulty in which the Minister finds herself. Hers is the unfortunate role of having to obfuscate and find complete irrelevancies.

The Minister speculated aloud about my motives in raising this issue last week and again this week. Let me put her mind at rest: it has nothing whatever to do with my position in the Conservative party. I would do exactly the same from the Back Benches. I would think it the duty of any Member to raise the issue here if he or she were aware of the facts of which I have become aware as a result of my conversations with General de Chastelain, and of the other evidence I have given the House. That seems to me a fundamental duty. I would be failing in that duty if I suppressed the facts, and did not allow the House to focus on these vital questions.

Jane Kennedy: I suppose we note the hon. Gentleman's comments; but I believe that the great majority of Members hope for a positive and constructive outcome from the election campaign which will lead to the formation of an inclusive Executive in Northern Ireland. Indeed, I think that in principle that is the hon. Gentleman's position, but I must question—not for the first time—the maturity of his judgment in relation to what he seeks to achieve today.

Lembit Öpik (Montgomeryshire): Will the Minister give way?

Jane Kennedy: If the hon. Gentleman will allow me, I will make some progress.

Lembit Öpik *rose—*

Jane Kennedy: As I have said, I want to make some progress.

The campaign unfolding in Northern Ireland is, in fact, focusing on the future, and I believe that in most respects it is predominantly constructive. From all or at least most quarters, we are hearing imaginative and hopeful comments.

A cheap point was made about the absence of my right hon. Friend the Secretary of State. He is not here today, which is why I have the privilege of speaking. He is visiting Canada and the United States to communicate the real progress made in Northern Ireland—including the progress made during the last few weeks—and to thank the Governments and people of those countries for their positive contributions to the Northern Ireland peace process. In Canada, my right hon. Friend has seen the Prime Minister and other Ministers. High on the list of points he has made to everyone he has met there is the vital contribution of General de Chastelain, and indeed that of other Canadians who have been involved in the process.

Since the general's name has been dragged into the debate and his credibility questioned in such a regrettable way by the hon. Member for Grantham and Stamford, let me make it clear that we regard both him and his colleague Mr. Andrew Sens as men of vast experience and expertise.

Lembit Öpik: Whatever the Minister may feel about the Conservative party's motives on this occasion, I must tell her that the Liberal Democrats share some of its concerns. This is not about the credibility or integrity of General de Chastelain. We need to clarify a point that confused not just politicians but many members of the public, who were given the impression that there was information in the Prime Minister's remit that had not been shared with them.

Jane Kennedy: The hon. Gentleman will have an opportunity to make his points later if he catches your eye, Mr. Speaker. But I will come to them in a moment if he is patient.

Most important of all, we regard the general and Mr. Sens as men of cast-iron integrity. Without that integrity, they would not have gained the trust that has been necessary for us to make the advances we have made in decommissioning. Here, as in other areas of life in Northern Ireland, we can advance only by developing trust and confidence. The hon. Member for Grantham and Stamford either has not recognised that or, if he has, thinks that the scoring of cheap party political points in

[Jane Kennedy]

this place is more important than working together to deliver a more peaceful future and greater well-being to a part of the United Kingdom.

Mrs. Lawrence *rose—*

Mr. Quentin Davies: Will the Minister give way?

Jane Kennedy: I gave way to the hon. Gentleman earlier and ended up regretting it, so I think I will give way to my hon. Friend first.

Mrs. Lawrence: Does my hon. Friend recall that in a debate on Northern Ireland on 22 November 1999 the then right hon. Member for Huntingdon said "It looks as if we are finally looking towards a permanent solution in Northern Ireland. I fervently hope that that is the case"? Does my hon. Friend agree that that demonstrates a mature and bipartisan approach to the Northern Ireland issue, measured in terms of action rather than words?

Jane Kennedy: My hon. Friend is absolutely right. I regret what appears to be the Conservative party's present lack of a bipartisan approach.

The hon. Gentleman wanted to intervene. I regretted giving way to him earlier merely because of the long-winded nature of his intervention, and the fact that he did not make any point worth making.

Mr. Davies: I have already dealt with the issue of bipartisanship. As for the issue of confidence and trust, I entirely agree with the Minister. I said the same myself. It is because it is so important to restore confidence and trust, and because of the glaring discrepancy between the Prime Minister's remarks and the statements of General de Chastelain, that we need to clear the matter up. If the Minister wants to restore trust in the Northern Ireland peace process, let alone in this Parliament, she ought to contribute to that clarification by getting her right hon. Friend the Prime Minister to the House as soon as possible.

Jane Kennedy: May I respectfully suggest that the hon. Gentleman might like to take a pill, wrap a wet towel around his head, lie down in a darkened room, contain himself and deal with what are very serious issues without being histrionic.

Mr. Andrew Robathan (Blaby): The Minister is talking about trust, and the amendment mentions General de Chastelain. The question that we are asking is: can we trust General de Chastelain? It is quite straightforward. Can we trust what he has said? She has to answer that, because either we can or we cannot. The Prime Minister has said that we can, but then General de Chastelain has contradicted him. That is part of a pattern that relates to the dodgy dossier, because Dr. Kelly had something very different to say. Will she answer that?

Jane Kennedy: I am not sure that I would be allowed to follow the hon. Gentleman down that route given the terms of the debate, but I will answer those points shortly if I may make some progress.

The hon. Member for Grantham and Stamford did not adequately address the issue of bipartisanship. Moreover, he is wrong, because he does not appreciate Labour Members' disappointment at the breach of the bipartisan approach. Previous Opposition spokesmen, of both parties, have not taken the hon. Gentleman's approach and they have followed, perfectly honourably, a policy of bipartisanship. That is not to say that they have refrained from criticising the Government, or failed in their duty to hold them to account, but they have acted reasonably and with judgment. That was a perfectly honourable role for the Opposition to take.

Kevin Brennan: We do not doubt that the views of the hon. Member for Grantham and Stamford (Mr. Davies) on Northern Ireland are sincerely and passionately held, but the real issue is one of tone. Does my right hon. Friend agree that it is the tone in which he has raised the subject in recent months that has led many Labour Members, completely independently, not through any orchestration, to question the manner in which he raises his sincerely held views?

Jane Kennedy: My hon. Friend is absolutely right. I believe that the approach of previous Opposition spokesmen served both Northern Ireland and the United Kingdom as a whole much better than the approach adopted by the hon. Member for Grantham and Stamford.

As for the specific questions that the hon. Gentleman raised, let me make a preliminary point. Of course we do not seek confidentiality in respect of decommissioning. On the contrary, we believe that the greatest possible transparency is preferable. Following the IRA decommissioning of last month, there was constructive engagement on that issue. It did not result in agreement, but real progress was made.

The hon. Gentleman needs to realise, however, that what we are talking about is putting arms beyond use by agreement. If the police find illegal weapons, they will, of course, seize them, and I expect that we would not have any difficulties about transparency, but that is not the situation that we are talking about. The process of decommissioning, which I believe the hon. Gentleman, as a declared supporter of the Good Friday agreement, must support in principle, involves the co-operation of the organisation doing the decommissioning. Strident statements in the Chamber about the terms on which it should be done do not help to bring it about.

Judy Mallaber (Amber Valley): Will my right hon. Friend confirm that there has been no suggestion that there was no substantial act of decommissioning, which should be able to assist us in the positive process of getting a peaceful resolution in Northern Ireland? Can she confirm what was said and what the attitude was of the Taoiseach after his discussions with General de Chastelain?

Jane Kennedy: My hon. Friend makes two valid points. First, I am not aware of anyone questioning the fact that the act of decommissioning has been described as significant, and that the general's report indicated an event of significance for everyone with the interests of Northern Ireland at heart. Secondly the Taoiseach confirmed that the sense that he had been given in his

conversation with the general about the scale and nature of the event was that it was greater than the description that the general was able to give in his statement and even in the press conference that followed, but I will develop that theme shortly.

May I make some final points about the approach of the hon. Member for Grantham and Stamford? Quite apart from the possible impact of the hon. Gentleman's comments on Northern Ireland politics, I believe that he is attempting to drive a wedge between the two Governments, the Government of Britain and the Government of Ireland, and the Independent International Commission on Decommissioning. His attempts are irresponsible in relation to the credibility of the commission, although I do not believe that they will damage it because the commission remains an extremely important part of the machinery that is designed to bring long-term peace to Northern Ireland. With the developments of the past few weeks, we have the prospect of a process that will put all IRA weapons beyond use. The commission would be the instrument of that historic transformation. Undermining General de Chastelain and the commission, which is liable to be the effect of the hon. Gentleman's behaviour, if not his intention, is profoundly damaging to prospects for advancing the peace process.

Mr. Alistair Carmichael (Orkney and Shetland): May I say to the Minister in a spirit of bipartisanship that for the Prime Minister to say that he had been given information that General de Chastelain says he had not been given must inevitably undermine that process?

Jane Kennedy: As I have said, the Government's view is that we would prefer the decommissioning process to be transparent. Therefore, it is a matter of regret that— *[Interruption.]* Hon. Members may just like to calm down a little and listen to my answer. It is a matter of regret that, because of the lack of transparency surrounding that event, we were not in a position to restore trust and confidence between the parties in Northern Ireland. May I address the point raised by the hon. Member for Orkney and Shetland (Mr. Carmichael) by turning to what was said a fortnight ago at Hillsborough? We had an urgent question last week, in which I set all this out, and I will do so again.

At Hillsborough on the afternoon of 21 October, the Prime Minister and the Taoiseach were able to learn more about the decommissioning event than was set out in the statement issued by the decommissioning commission. That is not in the least surprising. The commission's statement was very short: a few lines. However, General de Chastelain and Mr. Sens gave a press conference afterwards. It lasted for about 15 minutes. I think that no one who was at the press conference, who saw it on the television, or who has subsequently read reports of it could deny that it added to their understanding of what was involved in the decommissioning event over and above the brief words of the statement itself.

There were some extremely illuminating passages. For example, General de Chastelain described what might be included in various terms used in his statement. Mr. Sens commented that

> "the material we saw put beyond use this morning could have caused death or destruction on a huge scale if it had been used".

There is no doubt that such comments instilled a much greater sense of what was involved in the act of decommissioning than the mere words of the statement alone. In speaking as they did, General de Chastelain and Mr. Sens breached no confidences. They certainly set out no inventories.

As I said, the press conference lasted for about a quarter of an hour. General de Chastelain and Mr. Sens were with the Prime Minister and the Taoiseach, in advance of their press statement, for an hour or more. Therefore, it is perfectly understandable that, in the course of such a meeting, they developed a still clearer understanding than observers of the press conference were able to develop about what was involved in the IRA decommissioning act. As the Prime Minister and the Taoiseach made clear, they were not given the full information in the commission's possession. But they were able, as a result of what they had learned, to indicate with conviction that there had indeed been a substantial act of decommissioning. That was implicit in what the general and Mr. Sens said at the press conference, but it is hardly surprising that the Prime Minister and the Taoiseach had a still greater sense of the importance of the event—even than those who attended or saw the press conference. There is really no more to it than that.

Mr. Beggs *rose—*

Mr. Quentin Davies: Will the right hon. Lady give way?

Jane Kennedy: No, I shall not. I have given way to the hon. Gentleman several times during this debate, and in that regard I have shown more courtesy than he was prepared to show to my Back-Bench colleagues during his contribution. However, I shall give way to the hon. Member for East Antrim (Mr. Beggs).

Mr. Beggs: I am grateful to the right hon. Lady for giving way. Does she accept that the failure to disclose the detail on, and extent of, the decommissioning that has occurred to date can provoke thoughts of a similarity to the experience of Lord Saville at the Bloody Sunday inquiry? Lord Saville said to the IRA contact on decommissioning, Martin McGuinness:

> "Firstly you are depriving us of the opportunity of discovering the full facts and matters relating to Bloody Sunday, and secondly it will be suggested in due course, that if you are not answering these questions you have something to hide".

Is there not the danger that General de Chastelain and the Prime Ministers are currently having similarly frustrating experiences in their contacts with IRA contact on decommissioning, Martin McGuinness? Is that not the reason for the confusion, or, indeed, do they all have something to hide?

Jane Kennedy: The hon. Gentleman makes a very powerful point, and I shall respond in this way. I agree that the lack of transparency surrounding the event has led to the speculation now taking place. That is a matter of regret; however, it is part of the process. What we now want to see is further progress towards complete decommissioning of all weapons by all paramilitary organisations in Northern Ireland.

[Jane Kennedy]

Attempts to play with words—to imply that people have been misled, in order to stir up distrust and suspicion—are going to advance nothing, and certainly not the prospects for a better future for Northern Ireland. They are highly irresponsible and will impress no one. We need to focus on the future. Real steps forward were achieved on 21 October. A speech by the leader of Sinn Fein referred to the

"full and final closure of the conflict".

That speech was endorsed by the IRA. A third act of decommissioning by the IRA took place that was considerably larger than its predecessors, and the prospect was opened up of a continuing process of decommissioning to put all arms beyond use.

On a political level, we saw engagement between Sinn Fein and the Ulster Unionist party of a kind never seen before. At least 15 meetings took place between those parties. They did not produce a resolution of the outstanding issues last month, but they are full of promise for the future. That is the advance that has been achieved in Northern Ireland, and the Prime Minister and the Taoiseach have applied themselves to it extremely diligently. The hon. Member for Grantham and Stamford, although he professes to be a supporter of the Good Friday agreement, has given the process no assistance at all. He has sought to impede it in various ways, in the hope of gaining some advantage here. Well, I am afraid that he has failed, and failed again today. After the election, we shall seek to advance the political process in Northern Ireland again. It will probably not be an easy road, but I am sure that the Prime Minister and my right hon. Friend the Secretary of State will put all their effort into it.

Judy Mallaber: Will my right hon. Friend give way?

Jane Kennedy: If my hon. Friend will allow me, I am coming to the end of my remarks.

Real gains have been made within recent weeks in the difficult and sometimes painful process of healing divisions in Northern Ireland. There is a constructive spirit abroad in relation to Northern Ireland affairs—in Northern Ireland and beyond. The Opposition have other preoccupations. I urge them to put them aside, and to play their part.

1.35 pm

Lembit Öpik (Montgomeryshire): I should begin by making one thing absolutely clear to the Minister. She may question the motives of the Conservative party this afternoon, and speak long and hard about her dissatisfaction with what the hon. Member for Grantham and Stamford (Mr. Davies) has said in the past about Northern Ireland. She will, of course, know that I have chosen many times to take issue with what I regarded as a cynical approach to Northern Ireland issues. Indeed, on many other occasions I have gone on the record in this Chamber as sticking up for exactly what she proposed; however, this is not one of those occasions. The Minister needs to understand that, regardless of what she thinks the Conservatives' motives are this afternoon, the Liberal Democrats share their concern about what happened in respect of the Prime Ministers' comments and the information that lies behind them. So unless she wants to suggest that we are somehow in league with the Conservatives in order to score cheap political points, she will have to accept that there is a case to answer. I did not hear that answer in what she said.

The issue of decommissioning, particularly decommissioning by the IRA, has been a thorn in the side of the peace process since the Good Friday agreement was signed—there is no question about that. The Independent International Commission on Decommissioning, headed by General John de Chastelain, was set up in 1997 to oversee the destruction of paramilitary weapons. Since then, the general and his colleagues have worked in very difficult circumstances. Contact between the commission and the various paramilitary groups has often been infrequent, with different organisations breaking contact altogether with the commission at various stages in the past six years.

We can all agree that, throughout that time, General de Chastelain and his colleagues in the commission have acted with the utmost integrity. So my first point is that there seems to be universal agreement in this Chamber—certainly among Conservatives, Labour Members and Liberal Democrats—that General de Chastelain has impeccable integrity. That is very important in terms of analysing the situation as a whole. Indeed, such integrity is vital to the success of the commission's role.

My second point is that that integrity must be maintained. Trust in General de Chastelain must be complete in the eyes of the paramilitaries, in order that he can carry out his functions. The IRA views itself as a legitimate army. This is not the place to conduct a long monologue about the IRA, but in trying to understand its relationship with the commission we must recognise how it sees itself, rather than focusing on how others might choose to see it. I should make it clear that my party and I do not condone, and never have condoned, what the IRA or any other paramilitary group has undertaken in terms of violence and intimidation in the Province. However, as I said, it views itself as an army and does not believe that it has been militarily defeated. So, for the IRA, decommissioning its weapons has been a huge psychological step.

For such acts to come about, General de Chastelain has needed to secure the IRA's trust, and I believe that he has acted impeccably in that regard as well. Of course, the commission also needs the trust of the public in Northern Ireland, so we must all recognise—I hope that this is a further point of agreement—that General de Chastelain must never be put in a situation that compromises his apparent integrity in his communications with the paramilitaries and, equally importantly, his integrity in the eyes of the general public.

That leads me to the third, and crucial, element of today's debate. There simply would not be enough public confidence in decommissioning without an independent outside body to confirm that such acts had taken place. It is hugely regrettable that in recent weeks this delicate balance, on which we all seem to agree, has been called into question. In my judgment, the Prime Minister's intervention has added confusion, without doing anything constructive to help to resolve the issues. I listened to the Minister and her liberal criticisms of the

hon. Member for Grantham and Stamford. On this occasion, however, she is adding fog rather than clarity to events. I was waiting for her to explain precisely what the Prime Minister had in his possession in the way of information—not a guess or a judgment—to give him the extra confidence to make the claims that he did.

Mr. Carmichael: Did my hon. Friend notice, as I did, that the Minister's words today were that the Prime Minister "had a sense" of what had happened, whereas the Prime Minister's own words were that he "had information" about it? Does my hon. Friend agree that those are very different things and that the circle will have to be squared if the Prime Minister's role is to be the subject of public confidence?

Lembit Öpik: My hon. Friend gets to the very heart of the matter. It is not merely playing with words, because what the words imply greatly influences the perceived integrity of General de Chastelain. As my hon. Friend suggests, the Minister needs to explain, perhaps in her summation, why the Prime Minister used the word "information".

It is also worth noting that, according to my recollection, Downing street backtracked to a certain extent towards the end of the week, and issued a statement that the Prime Minister's comments were an "informed guess", which further confused the issue. The Prime Minister has certainly not sought to back down and admit that he over-used the phrase "information" when it was only an informed guess. We therefore find ourselves in this quagmire.

Kevin Brennan: Does the hon. Gentleman agree that the intervention of his hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) sums the matter up perfectly: he and his colleagues and Conservative Front Benchers are simply playing with words? The debate is all about semantics rather than about the real politics and the real issues that matter in Northern Ireland.

Lembit Öpik: I have great respect for the hon. Gentleman and I have never questioned his genuine interest in Northern Ireland, but on this occasion he has made an error. I have been the Liberal Democrats' Northern Ireland spokesman since 1997, and one thing that I certainly have learned is that sometimes words are absolutely crucial to the meanings, which then impact on actions taken in the Province.

Kevin Brennan *rose—*

Lembit Öpik: I would counsel the hon. Gentleman to ponder this question. If it turns out that there is an unresolved difference between what the Prime Minister seems to have said and what General de Chastelain seems to have said, does it not necessarily create instability at the heart of the decommissioning process and cause problems for those politicians in Northern Ireland who have sought to bring their sceptical colleagues along with them? On this occasion, the hon. Gentleman may be sincere in his intentions, but he could not be more wrong. It is not about semantics, but about facts.

Kevin Brennan: I am grateful to the hon. Gentleman for giving way a second time. If it is not about semantics and it is not simply a matter of playing with words and making a judgment about the Prime Minister's words, does the hon. Gentleman agree with Conservative Front Benchers' calling into question the integrity of the Prime Minister?

Lembit Öpik: The hon. Gentleman is trying to play word games with me. You, Madam Deputy Speaker, will know that Mr. Speaker called the hon. Member for Grantham and Stamford to order on several occasions because he felt that he was implying that the Prime Minister had lied. I do not want to get into a debate about whether the Prime Minister lied. However, I certainly feel misled—

Madam Deputy Speaker (Sylvia Heal): Order. I think that I had better make it clear that I do not believe that any hon. Member is going to use that expression.

Lembit Öpik: I fully respect that, Madam Deputy Speaker. I am bound to tell the hon. Member for Cardiff, West (Kevin Brennan) that I am not accusing the Prime Minister of lying. It is a side debate and we could perhaps discuss it in a pub on another occasion. I want to stick to the focus of the debate. I hope that it is in order to say that I feel misled. I feel that there is an unresolved confusion between the statements of the Prime Minister and those of General de Chastelain.

Kevin Brennan: On a point of order, Madam Deputy Speaker. Is it in order for the hon. Member for Montgomeryshire (Lembit Öpik) to say that he feels misled by the remarks that the Prime Minister made to the House?

Madam Deputy Speaker: I believe that the hon. Member is just about within the bounds of order—I put it no more strongly than that.

Lembit Öpik: I am happy to be hauled up if I go beyond those bounds. Attitudinally, I have always regarded the Prime Minister's intentions with regard to the Northern Ireland peace process as honourable, and I want to emphasise that this is not an effort at character assassination of the Prime Minister—absolutely not: it is an effort to get to the heart of the Northern Ireland peace process.

Several hon. Members *rose—*

Lembit Öpik: I shall give way in a moment, but let me finish this point, so that we can move on from talking in detail about the Prime Minister. I do feel misled, and if I feel misled others who are involved in the peace process much more closely than I am will also feel it. The practical consequence of the problem could be observed in what the Ulster Unionist party did. My suspicion is that the right hon. Member for Upper Bann (Mr. Trimble) was put in a virtually impossible position. It sounded to me as though the Prime Minister was implying that he had information that made him confident, but that he was not able to share it with anyone else.

The substantial question for the Minister is whether she can clarify the confusion once and for all—*[Interruption.]* She says from a sedentary position that

[Lembit Öpik]

she has already clarified it, but I am not satisfied that she has. The Liberal Democrats are not putting up any candidates in Northern Ireland and I do not particularly enjoy supporting Conservative Members on their motion, but my commitment to do the right thing causes me to press the Minister to explain once and for all exactly why the Prime Minister used the word "information" when, later in the week, Downing street said that it was only an informed guess.

Angela Watkinson (Upminster): Does the hon. Gentleman agree that the exact meaning of words is important in these matters, and that words such as "substantial" and "considerable", when used in statements about the decommissioning of arms, are extremely unhelpful because they are subjective and open to wide interpretation? That led to considerable misunderstanding and unease about what had happened. How can we ever be sure that decommissioning has been complete unless the exact wording is used?

Lembit Öpik: Funnily enough, having criticised the Minister, I am now going to come to the Government's defence. In my judgment, the problem is not the vagueness of the wording on decommissioning. I acknowledge that I differ from the Conservative party on that matter. My view is that if we demanded more specific statistics, the IRA would probably not participate at all.

Mr. Bill Tynan (Hamilton, South) *rose—*

Lembit Öpik: I shall give way one more time, but then I shall attempt to finish my speech.

Mr. Tynan: I thank the hon. Gentleman, who, as he said, has spoken on Northern Ireland matters since 1997. He has gained a tremendous reputation for fairness in those matters, but does he not accept that it is a major mistake to be involved in discussions on the basis of the Prime Minister making one statement and General de Chastelain making another? How can the problems be resolved when both individuals are saying what they are saying at the present time?

Lembit Öpik: The hon. Gentleman correctly highlights the danger of discussing weapons on the basis of a single source. We have seen the consequences of that problem in debates on weapons of mass destruction in Iraq, and we can now see it in respect of Northern Ireland. However, there is one difference, which has already been established and which brings me back to my starting-point. General de Chastelain's integrity is not in question here. The Minister went to great lengths to reassure us that the general is telling the truth, and I believe that he is. If that side of the problem has been tidied up—unless the Minister wants to change her statement, I believe that it has—it leaves an unanswered question about the behaviour of Downing street and the Prime Minister.

Various options are open to the Prime Minister to clear the whole thing up. We may have to recognise that General de Chastelain was not the only source from whom the Prime Minister could have acquired more information. Perhaps he got it directly from Sinn Fein, perhaps from Gerry Adams, perhaps from the IRA. He may even have heard it in a pub. Perhaps he was walking through the beautiful fields of County Tyrone, saw some people digging a hole and went over to see what was going on. Perhaps he had an anonymous tip-off, possibly from the security services, or he saw satellite photographs. Perhaps he had a vision. Clearly, he acquired the information in some way.

It would be helpful if the Prime Minister even said, "I did have more information. I cannot tell you from where I got it and I accept that I am asking you to trust me because I am the Prime Minister." That would be better than the present situation, in which we have had no clarification. My appeal to the Minister is to pass on to the Prime Minister a respectful request that he tidies up whether he meant to use the word "information" or not.

Mr. Peter Robinson (Belfast, East): The Prime Minister has already made it clear that he did not get the information in a vision or from the intelligence services. He specifically said in his statement that he got it after his conversation with General de Chastelain. That, therefore, puts all the pressure on him.

Lembit Öpik: That is, sadly, the case, but I am willing to allow the Prime Minister the chance to display human fallibility. After all, he is not a saint, but he is a very decent guy. Even decent people make mistakes, so he could clarify the point without great cost to himself. He might suffer a little embarrassment, but he is big enough to survive that. We have rehearsed the issue enough now. If he meant to say "information", from where did he get it? If he cannot tell us the source, let him at least say so. If he meant General de Chastelain, let him confirm it: if he did not, he needs to explain to all of us that General de Chastelain had nothing to do with the extra information that he claimed to have.

Mr. Carmichael: The Prime Minister's statements have not been satisfactorily explained, and he is the only person who can explain them satisfactorily. All that is needed is for the Prime Minister to come to the House and say, "I made a mistake and I said more than I should have done", or "The sense of what I said was wrong." If it comes to a straight choice between the Prime Minister's dignity and the integrity of the peace process, it must be made in favour of the latter.

Lembit Öpik: My hon. Friend's comments speak for themselves.

The Liberal Democrats tend to get annoyed by the phrase "bipartisan agreement", because we do not feel included. When the Minister regards the Conservatives dolefully, I would remind her that the Liberal Democrats have been good friends of the Government on Northern Ireland policy. I do not make lightly the strong criticisms that I have made today, but the bipartisan agreement seems to have gone one miserable step further. It now seems to exclude everyone except Sinn Fein and the Ulster Unionists from the discussions that took place in Northern Ireland—*[Interruption.]* Whatever the Minister's protestations from a sedentary position, I know that the Alliance party, the SDLP and others felt that the recent discussions were a two-party

show. They feel that if they had been present they might have been able to provide sufficient counterbalance to ensure that the momentum was sustained in the negotiations. I ask the Minister not to make that same mistake again.

To exclude pro-agreement parties, such as the Alliance, from the negotiations was foolish. Those parties could have made a positive contribution and are still willing to do so, but the Government have squandered some good will by including two parties with a collective share of less than 50 per cent. of the poll. I ask the Minister to be much more respectful towards all the people represented by the other parties, because they form a majority of the electorate in Northern Ireland.

Our amendment makes our position clear. On this occasion, we will support the Conservatives' motion, for the reasons that have been stated, but I do not do so lightly. Northern Ireland debates often reside on the periphery of mainstream political discussions covered in the papers, but unless the question that has been raised about the information claimed by the Prime Minister is clarified, there is every reason to believe that the issue will grow and grow, to the discomfort of the Prime Minister and the distraction of all of us who are interested in supporting the peace process in Northern Ireland.

1.54 pm

Mr. Iain Luke (Dundee, East): I am glad to take part in this debate, and the Opposition are within their rights to have a debate on this matter. We should discuss Northern Ireland and the minutiae of the peace process at every possible opportunity, until lasting peace is achieved to the satisfaction of this House and the people of Northern Ireland. As a member of the Northern Ireland Affairs Committee, I have just returned from a visit to Northern Ireland with other members of the Committee. We had a successful and calm visit, and it was good to see the ubiquitous fly posting there. We saw plenty of fly posting in east Belfast. I am not sure whether it is illegal there, but it is contrary to a byelaw in my part of the world. However, I was glad to see such activity because it indicates that the electoral process is under way. We should do all that we can to ensure that the election campaign proceeds peacefully and positively.

Today's debate has concentrated on what the Prime Minister said or did not say, and the contribution of the hon. Member for Grantham and Stamford (Mr. Davies) was not helpful. He took the opportunity to attack the Prime Minister as part of the United Kingdom political campaign, rather than to do what is best for the peace process in Northern Ireland. I can understand that. Indeed, I have many questions relating to that point, such as a query about the nature of the bipartisan process. I accept that the bipartisan process has collapsed and that we need to work hard on both sides of the House to re-establish it and to set out criteria on which it will work. If we learn anything from this debate, it should be that a bipartisan approach means that all the leaders of the major parties are represented at meetings that discuss issues that may be resolved by confidential, bipartisan and private meetings, rather than on the Floor of the House.

Mr. William Cash (Stone): The hon. Gentleman said that he is a member of the Northern Ireland Affairs Committee. Does he agree that it would be helpful for the Committee to clarify this issue, in the interests of the process, of the facts and of the elections, by having the Prime Minister appear before it to answer its questions in the proper environment?

Mr. Luke: I am a relatively new member of the Committee, and that request should be put to the Chairman. I cannot decide what the Committee does on my own.

Mr. Tony Clarke (Northampton, South): Given the point made by the hon. Member for Stone (Mr. Cash), does my hon. Friend agree that it would have been helpful if the Opposition had not initiated a debate on Northern Ireland on the afternoon that the Northern Ireland Affairs Committee is meeting, thus restricting participation in the debate? Could not the hon. Gentleman have discussed that with the Chairman, who is a member of his party?

Mr. Luke: We do not live in a perfect world and Northern Ireland is not a perfect issue. The Committee is very concerned by the situation in Northern Ireland and I know that the Chairman and other members have expressed concern about the fact that they cannot participate fully in this debate because of their commitments later today. I hope that the Opposition will consider such issues in future so that members of the Committee may have the opportunity of a fuller involvement, including the Chairman, who has a long history of involvement in the affairs of the Province.

Northern Ireland is an important issue and it saddens me that we are mired in an Irish bog of political partisanship. It is hugely important to return Northern Ireland to peace, prosperity and political normality, allowing its citizens to enjoy the everyday well-being that is accepted as a right by all the other citizens of the United Kingdom. Life can be hard enough for people in the area that I represent. The poorer estates face the same problems as those in Northern Ireland—illness, poor housing, poverty and crime. That is hard enough to cope with, but it is made worse by the fact that the paramilitaries control the culture, while politicians seem to be making no positive or progressive attempt to resolve the problems that people face. I can understand the despair felt by many people in Northern Ireland.

We have a duty not to condemn the ordinary citizen in Northern Ireland to being mired in that bog. Instead of digging in deeper, we must do all that we can to pull people out and move the process forward.

I began visiting Northern Ireland before I became a Member of Parliament. When I became a team leader and senior lecturer in further education, one of my first tasks was to go to Northern Ireland to recruit students to study at Dundee's educational institutions.

Mr. David Trimble (Upper Bann): The hon. Gentleman must have been desperate to keep those institutions open.

Mr. Luke: I was successful in that endeavour, as Dundee has a strong and healthy Irish population. I

[Mr. Luke]

have seen a lot of progress in Northern Ireland over the past decade. Fewer people now come to Dundee to study, as they are happier to stay in the Province. The normalisation of the situation there has resulted in freedom from fear, and our hope is that that fear will be dispatched for ever.

We should not be frightened by the peace process, which should be based on a bipartisan approach. The approach adopted by Nelson Mandela and his road to freedom is probably the best, given that reconciliation rather than retribution is the key. The hon. Member for Montgomeryshire (Lembit Öpik) spoke about the secretive nature of paramilitary organisations. We should not push them back into their bunkers; instead, we should try to do all that we can to bring them out into the open. In the past, the approach of the International Independent Commission on Decommissioning has been a throwback to the old days of warfare and paramilitary activity in Northern Ireland. We should do all that we can to encourage the commission to speak more openly about what is going on.

At last week's Northern Ireland questions I asked that the Government recommit themselves to two specific matters in relation to establishing a lasting peace settlement and securing positive arms decommissioning. I asked them to ensure that Sinn Fein/IRA made a firm commitment to giving up warlike activity for ever, and that, under the umbrella of the IICD, the Government took steps towards making decommissioning transparent.

People in Northern Ireland fear that arms are not being decommissioned, and I can understand why. Until it can be stated that no more arms are available for use in military activity, people will not believe that decommissioning is complete. They will not accept it until they can see it in black and white.

There is a problem with decommissioning, although the point is not what my right hon. Friend the Prime Minister did or did not say. We must get away from that and recreate a bipartisan approach. I commend the right hon. Member for Upper Bann (Mr. Trimble), who has done a great job despite the problems in his party. Most parties have problems, and what matters in the end is not the journey but the final result. The progress that has been made is shown by the fact that Sinn Fein as a party is becoming increasingly engaged in the political process.

We need to achieve a positive result with decommissioning. A positive result in the political process will have been achieved when Sinn Fein Members of this House take their seats. I have made that point before. I voted against the motion allowing Sinn Fein Members to use the House's facilities until they took the oath and engaged positively in the political process. When that happens, it will underline the fact that warfare in Northern Ireland has finished.

Sinn Fein's engagement with the political process would be positive even if it pushed for reunification with southern Ireland. That is a legitimate political goal, although its popularity in the Province is debatable. If Sinn Fein Members took their places in this House, we could debate reunification here, and that would be a sure sign of Sinn Fein's commitment to the political process. The Government extended to Sinn Fein the opportunity to use this House's facilities in the hope that that would begin the endgame in the peace process, even if the hon. Members involved did not take the offer up immediately.

I do not want to make partisan or political points. I have visited Northern Ireland and been involved in my own community. I believe that everyone is entitled to a lead a peaceful existence. We have some way to go before that is the birthright of everyone in Northern Ireland. The hon. Member for Montgomeryshire said that he felt left out of the bipartisan approach. As a Back Bencher, I do too, although I suppose that I have more frequent access to Ministers than the hon. Gentleman.

I support the Government amendment, but I hope that Ministers will go away from the debate determined to ensure that issues such as decommissioning are dealt with in a bipartisan manner. Because of their grievances, the Opposition have moved away from that goal, and I urge them to reconsider. I hope that my right hon. Friend the Prime Minister will take the initiative and invite the emerging Conservative leader to meet him and other major leaders to talk about what a bipartisan approach really is. We must make sure that we get the process on the road, with the support of the people.

I accept that General de Chastelain has impeccable intentions. That is beyond question: his is a hard, long job, and we must support him in it. That means that we should not nitpick about the words used by him or by the Prime Minister. He has got something to say, and we must make sure that the senior politicians involved in the matter hear it. In that way, problems can be resolved and the process can keep moving. After 26 November, there will still be a long way to go. I hope that the situation in Northern Ireland will be much more normal at the end of the process, and that people will refrain from trying to make political points in respect of the role played by the Prime Minister in the UK context. We must ensure that, after 26 November, the First Minister is in charge of the Province, and able to make progress towards establishing the sort of civil society that people in Northern Ireland can be proud of.

2.7 pm

Mr. David Trimble (Upper Bann): In her opening remarks, the Minister of State referred to the party election broadcast by the Conservative party. Unfortunately, I did not have the pleasure of seeing it, as I travelled over for this debate last night. However, I noted that she referred to a comment in that broadcast to the effect that the Conservatives were the only national party to contest the elections in Northern Ireland.

I have a bit of information—if I dare use that word—for the Minister: among the candidates in the Northern Ireland election are people who are applying for membership of the Labour party. I look forward very much to those people being able, at the next election, to run under the colours that they want to run under, and not having to run under other colours. I hope that the Minister will take that on board.

Jane Kennedy: For the sake of clarity—and in case the right hon. Gentleman misunderstood me—what I said was that it was the Conservative party that claimed that

it was the only one of the three main parties to field candidates in the election. The Conservatives were putting that forward as something worthy of support and note.

Mr. Trimble: I take the Minister's point, although she did not dissent from the Conservative claim. I thought that I would be the bearer of information for her, so that she could appreciate the situation more fully.

The Government lost me when I read the first line of their amendment to today's motion. The first line of the amendment states that it

"notes the importance of confidentiality to effective decommissioning of weapons in Northern Ireland".

As I said, the Government lost me with that line. I do not agree with that proposition. Furthermore, unless I am very much mistaken, there is no obligation or requirement of confidentiality in the decommissioning process at all. The legislation as enacted makes no reference to confidentiality as being required or desirable; it simply does not come into the picture.

When we look at decommissioning schemes, which are made under the legislation, we see in the first scheme a reference to confidentiality. The relevant paragraph of that scheme, paragraph 26, states:

"The Commission shall ensure that all information received by it in relation to the decommissioning process is kept confidential and that any records maintained by the Commission are kept secure. Disclosure of information received by the commission may occur where disclosure is necessary: for reasons of public safety, to confirm the legitimate participation in the decommissioning process by those eligible to do so, to fulfil the Commission's duty to report to the two Governments."

One notes the reference to "duty to report" to the Governments. I always thought that such a duty was implicit in the legislation, and it is explicit in that scheme, and I would have thought it perfectly natural for the Independent International Commission on Decommissioning to give information to the Government that was not in the public domain. I would find no reason to quarrel with that.

Mr. Cash: Will the right hon. Gentleman go a little further down this route and say that he would believe that, in the circumstances, there was a statutory duty to report?

Mr. Trimble: The phraseology of the scheme,

"to fulfil the Commission's duty",

seems to imply that, but I do not want to get into an argument about that. The point that I want to develop from that paragraph is that it attaches the confidentiality to all information received by the IICD. The importance of the paragraph therefore depends on what meaning one attributes to the word "received". The question then arises as to whether information that the Commission obtains by its own actions, through supervising or inspecting an act of decommissioning, is "received" within the meaning of paragraph 26. I think not. I make that point—the point could be argued—simply to say that I doubt whether, under paragraph 26, there is any duty of confidentiality on the commission with regard to decommissioning conducted under that scheme.

I turn now to the second scheme, which was made after the conference in 2001 at Weston Park. It has been the general assumption—it is purely an assumption, and it could be wrong—that such decommissioning that has occurred by republicans so far has been under the post-Weston Park scheme, and one assumes that that is why the scheme was made after Weston Park, because that was in the context of the IRA accepting for the first time, as it did in 2000 and 2001, that it had an obligation to decommission. There is no equivalent of paragraph 26 in the second scheme. The only reference to information in the second scheme is in paragraph 5:

"The Commission may provide to a person who seeks it such information in relation to the making of arms permanently inaccessible or permanently unusable in accordance with this scheme as it considers appropriate."

The second scheme therefore makes it absolutely clear that the commission may give such information about what has happened as it considers appropriate. As I suspect—although, as I say, I might be wrong—that the actual decommissioning is done under that scheme, it is clear on that basis that there is no obligation to confidentiality on the IICD at all.

The question then arises: from where does the issue come? My understanding—I am open to be corrected—is that the question of confidentiality arose only in the circumstances leading to the first act of decommissioning. What I think happened on that occasion was that republicans said to the IICD that they would decommission only if the IICD agreed to keep all the details confidential. I suspect that the reason why republicans said that to the IICD was that they were very worried about the effects within their own ranks if it was known that they were engaged in substantial decommissioning of their weapons. That supposition is reinforced by the fact that republicans have told their members a set of fairy tales about what has happened and what has not happened. One picks up comments from time to time from various sources as to what rank-and-file republicans have been told on that, and if Members wish to explore that matter further, I refer them to some of the articles in, for example, a dissident republican magazine called "The Blanket", which details some of the rumours that have been put about. I mention that simply to make the point that the republican movement is nervous about the impact of decommissioning within its own ranks.

At the time that that first decommissioning occurred, clearly, we welcomed the decommissioning act, because it was something that we were told would never, ever happen, and the mere fact that it had happened and that the republican slogan "Not a bullet, not an ounce" had been discarded was significant. Even if it had only been a bullet or an ounce, it would have been significant and worth welcoming on that basis. In terms of the first event, therefore, the quantities and the methodology were of secondary importance to the fact that it happened. None the less, we expressed to the general our doubts at the time as to the wisdom of him accepting or imposing on himself this obligation of confidentiality. As it turned out, our doubts were well-founded.

When the second act of decommissioning occurred, its impact on the public, although I believed, and still believe, that it was substantial as well as significant, was nil, for exactly the reasons given by the hon. Member for Dundee, East (Mr. Luke) in his comments. People

[Mr. Trimble]

believe what they see, and what they know about, and are sceptical of those things that are referred to only in the most general of terms. A considerable degree of scepticism therefore existed with regard to decommissioning. If my supposition as to what happened with regard to confidentiality is right, I can understand what the IICD was doing. Clearly, it wanted more than one act of decommissioning, and it believed that by agreeing to confidentiality it was making possible a process that would lead to subsequent ones—I understand that.

The point that I would make—and have made—to the IICD is that it underestimates its influence and the strength of its position. We are now in a situation in which those same republicans who, three years ago, were brought to the issue of decommissioning extremely reluctantly and nervously now realise that it is necessary for them to do it, and they want to do it to advance their political project. Their approach to decommissioning is not the same as it was three years ago, so the IICD's approach does not have to be the same either. It would be entirely open to the IICD in the present circumstances to say to republicans, "Look, we agreed to confidentiality then, but when you promised to decommission"—this is a significant point to bear in mind—"you said that you would do it in a way to maximise public confidence." Building on that, it is perfectly open to the commission to say to republicans that to build public confidence now it must be done in a transparent way, and that it will not co-operate further in secret decommissioning. If it did that, it would be effective.

We should be moving into open, transparent decommissioning to build confidence. Ultimately, the decommissioning process is all about a confidence-building measure. The point has been made repeatedly over the last few years that people can acquire new weapons and that decommissioning is not important. It is important in terms of getting rid of weaponry that otherwise might fall into the wrong hands or be used to harm persons, but its importance beyond that is in building confidence that people have given up violence permanently and are now committed completely and unambiguously to political and only political means. As a confidence-building measure, therefore, it is of no value if it does not create confidence.

We have made that point repeatedly to republicans this year. We did so in the discussions that took place in the abortive attempts to advance matters in April and we have done so again in the past couple of months. On more than one occasion, I said to the republican movement, "If you are thinking of another secret decommissioning event, forget it. You'll only be throwing the guns away." I said it as starkly as that so that there would be no misunderstanding at all about the need for transparency on this occasion.

Republicans agreed that there would be greater transparency—that was the term they used. Hon. Members and citizens of Northern Ireland will have heard Martin McGuinness's radio interview on the BBC more than a month or so ago in which he said that he accepted the points that had been made with regard to greater transparency and that he thought that the points that had been raised with him could be met. Therefore, there was a clear expectation that there would be greater transparency, and I suppose republicans might now claim that there were a few extra words in de Chastelain's report. However, to think that those words amounted to greater transparency is simply plain daft.

Republicans have done themselves and their credibility huge damage by not following through with greater transparency, particularly as we now have—thanks to General de Chastelain's verbal slip at the Hillsborough press conference—the confirmation that the IRA's contact person with the de Chastelain commission is Martin McGuinness. The person who agreed that there was an issue and thought that it could be dealt with is clearly also the person who said to de Chastelain, "No, you cannot say any more." The republican leadership will have to sort out that conflict.

The contradiction between what Mr. McGuinness said to us and the public in Northern Ireland and what we must suppose he said to the IICD is a much greater contradiction than the one we are debating today. I shall come to that latter contradiction later. However, I must underline the fact that, in the background, is something that in terms of confidence, trust and advancing the process is hugely more important. Republicans and Mr. McGuinness will have to face up to that issue and, at this time, speak clearly and honestly and stick to the position that he sets out and not say one thing to us and a different thing to the IICD. That matter has to be resolved.

For the avoidance of doubt—in case anyone thinks that the omission of this point is significant—I must also say that, as well as greater transparency, it is just as vital to us that it is clear that decommissioning is now an act of completion. It should therefore be not just another few steps along a process, but a situation in which the completion of that process is clearly there before us in the immediate future. That is just as important.

I have dealt with the issue of confidentiality, because it is hugely important that the House realises that there is no requirement for confidentiality and that it is undesirable in terms of creating public confidence. We should have gone long past any prudential argument with regard to that. Until we do, we shall face considerable difficulties.

I now want to deal briefly with a point that is contained in the motion. Hon. Members have said that there is a certain amount of confusion between what the Prime Minister and General de Chastelain said. There is confusion, but there is no absolutely necessary contradiction between what has been said. However, that all comes down to the question of what we mean by the word "information" and whether information can include the sort of comments made by Andy Sens in the press conference. We may find that one party is using the word "information" precisely and that the other is using it in a loose sense.

We are all familiar with occasions when the Prime Minister, in his enthusiasm, has used words somewhat loosely and sometimes made commitments without taking full advice and without fully appreciating what he was making commitments to. That is precisely how the Government got themselves into a mess with regard to fugitives from justice, which other people call on-the-runs. The Prime Minister made commitments without

precisely understanding what he was doing. I am not suggesting that that is what happened in this case, but it has happened occasionally.

Mr. Carmichael: I commend the right hon. Gentleman on his very fair analysis on the point of confusion. He is absolutely right. However, does he not agree that the person who could resolve the confusion is the Prime Minister himself? If he continues to fail to do so, that could be damaging to the whole process.

Mr. Trimble: I understand that point. As the hon. Gentleman knows, my concern is for the public of Northern Ireland, who are confused. Even if that confusion were mistaken and even if the public did not fully appreciate what had been said, the fact that the public are confused is a good reason why the confusion should be clarified. To that extent, I agree with the hon. Gentleman's comments. However, I am slightly uneasy because, as the hon. Member for Montgomeryshire (Lembit Öpik) pointed out, information could have been received from a whole variety of sources, and that is another factor. I know that the Prime Minister said that he had received the information from the commission, but we are on the verge of sensitive issues. Therefore, a degree of care is clearly necessary.

Although I agree that there is a degree of confusion between the general and the Prime Minister, the best way of resolving that is to deal with the much more important issue of transparency. If full details of what had been decommissioned had been coming into the public domain now and if an inventory had indicated what had been decommissioned, I do not think that anyone would have been scratching their head and wondering what the general or the Prime Minister actually meant. That is not an insignificant matter in itself, but the best way to resolve it is by going the whole hog and getting proper transparency on decommissioning. People would then be able to see whether it was significant.

The Minister said that the Government believe in the greatest possible transparency, and I hope that they will be making that point to the IICD and pointing out the need for it. The IICD is the creature of the Government; it reports to them and it is there to see that Government policy, as it were, is carried through successfully. I am therefore quite sure that the IICD would pay close attention to the advice that it receives from the Government and I hope that they will advise it along the lines that I have indicated.

I shall illustrate why I think we need greater information. I have mentioned public confidence and it is quite clear that there will not be public confidence until there is precise information. That is not just a matter of the public being ignorant or adopting an unreasonable attitude. Andy Sens said that the material decommissioned could have caused death and destruction on a huge scale had it been used. I do not demur from that. I am sure that he would not say that if he were not quite satisfied that it was true. However, let us suppose, for example, that what had been decommissioned was a series of home-made IRA mortars that had been manufactured for the purpose of decommissioning. Yes, Mr. Sens's comment would be true, but we would take quite a different attitude to whether the decommissioning was significant if what had been decommissioned had been manufactured in the weeks and months beforehand.

If I applied my mind to it, I could perhaps find other reasons to explain why substantial decommissioning would not build confidence in a commitment to exclusively peaceful means. Because of the way in which things might be arranged, acts of decommissioning will not be significant in building public confidence until they are sufficiently transparent to enable the public to be confident that people have crossed the Rubicon and left behind violence and committed themselves in the future to exclusively peaceful and democratic means. This example shows just how important it is to have full information on these matters.

I conclude with a comment, although hon. Members must not think that it is just an afterthought, because it is highly important. We also need to see decommissioning from loyalist paramilitary organisations. Although there was a small token act of decommissioning by the Loyalist Volunteer Force many years ago, the mainstream loyalist paramilitary organisations need to address the issue. They should not sit back and wait, because as and when people become aware of the extent to which republicans have decommissioned, the anomaly of loyalists' failure to act will become more glaring and the pressure on them to make progress will consequently increase. There is not the same political pressure on those groups, but I hope that the community at large and the Government and their agencies are putting considerable pressure on them. I simply underline the need for such decommissioning to happen, too.

2.30 pm

Mr. Bill Tynan (Hamilton, South): I thought at the beginning of the debate that it was going to be bad-natured and bad-tempered, because of the comments emanating from those on the official Opposition Front Bench. I am delighted that the debate has become realistic and that hon. Members have covered issues that need to be covered. During Question Time today, the Prime Minister told us what was happening in Iraq and paid tribute to a young soldier who lost his life. The soon-to-be former leader of the Conservative party joined in those commiserations with the soldier's family. The fact that we are not talking about Northern Ireland and the peace process but navel gazing to find out what divides us, rather than unites us, epitomises our debates on Northern Ireland.

It is interesting that there are three Scots in the Chamber. That is because we have an affinity with Northern Ireland, we recognise the problems that it has faced over many years and we have been party to finding a solution over those years. However, it is not so long since there was loss of life in Northern Ireland. Before I became a Member, I used to watch television with horror as it showed the bombings and murders that took place, and I wondered why we could not reach a consensus on Northern Ireland. The debate has shown us that the peace process has moved forward a long way. It has not moved forward enough to solve the problems, but there has been a real leap forward. I should have thought that it would be better today for us to discuss how to take the process further.

[Mr. Bill Tynan]

It is a daunting task to follow the right hon. Member for Upper Bann (Mr. Trimble). He made arguments for taking the peace process forward and told us what was necessary to achieve that. Transparency on decommissioning in Northern Ireland is absolutely essential and we will have to face that fact if we are to have lasting peace there. I hope that we can unite to concentrate our minds on that, so that all parties in the House can move forward in that direction.

The hon. Member for Grantham and Stamford (Mr. Davies) said that he supported bipartisanship. I accept that. He said that responsible support for policies on Northern Ireland was important, and I accept that completely. However, he then spoke about deception and cover-ups. He gave an example of a doctor who had not examined a patient but said that he had, and compared that to the Prime Minister's actions. That is the wrong way to conduct a debate on Northern Ireland at this time.

The Prime Minister has made his position clear. Opposition Members say that they do not trust the Prime Minister but that they trust de Chastelain. The right hon. Member for Upper Bann spoke about how it is possible for the English language to be used so that information may be conveyed and understandings may be drawn from that, and we can all recognise that.

Lembit Öpik: Does the hon. Gentleman accept that the problem goes wider than Northern Ireland? The debate is especially significant because if the Prime Minister cannot clear up this piece of evidence, that has an effect on other questions such as those about Iraq. The answers that we hear today will have a bearing on such questions because we will find out the Prime Minister's modus operandi. The questions need to be cleared up because otherwise knock-on suspicions about other aspects of the Government's work will be created.

Mr. Tynan: If something is to be cleared up, some confusion must exist. I do not think that there is confusion. The Prime Minister has made a statement and I do not think that there is any argument about what he said or about General de Chastelain's comments that he gave full information at his press conference. If one starts with a premise that confusion exists, it must be resolved, but if there is no confusion, there is no need to resolve it.

Mr. Carmichael: May I remind the hon. Gentleman of the words of the right hon. Member for Upper Bann (Mr. Trimble)? He said that there clearly was confusion on the streets of Northern Ireland. We cannot blame people in such circumstances, and the Prime Minister could easily clear up that confusion.

Mr. Tynan: I interpreted the comments made by the right hon. Member for Upper Bann about confusion as meaning that we did not have transparency in the decommissioning process and that people were not aware of what had been decommissioned. I thought that he meant that given those circumstances, it was important for the people of Northern Ireland to know exactly the position to which the IRA had moved on the decommissioning process. *[Interruption.]* The hon. Member for Orkney and Shetland (Mr. Carmichael) has obviously decided to have his own conversation on the other side of the Chamber. That is my interpretation, and I am not asking for clarification of it from the right hon. Member for Upper Bann.

Rev. Martin Smyth (Belfast, South): I thank the hon. Gentleman for giving way, because I have not been able to stay in the Chamber throughout the debate, owing to other business connected with the House. I understand that one of the difficulties surfaced yesterday in the court in Londonderry. The original interlocutor with General de Chastelain, Martin McGuinness, refused to answer certain questions because of an IRA honour code. Is it possible that the arrangements made by Martin McGuinness are casting a long shadow over the overall process, meaning that there is no transparency? There can be no transparency until folk go for the truth rather than the IRA honour code.

Mr. Tynan: I am sure that the hon. Gentleman understands why I shall leave that question hanging in the air. I do not want to intrude on what has been said by Martin McGuinness or any other Northern Ireland politician who is not in the Chamber.

Points have been made about the Select Committee on Northern Ireland Affairs. I am a member of the Committee, although I was not in Belfast over the past two days because I had business in the House. It is unfortunate that this debate is being held on a day during which the Committee is sitting. It is also regrettable that the debate is being held during the run-up to the elections in Northern Ireland on 26 November. Northern Ireland Members could have used their time better in campaigning for their points of view, so that they could retain seats in Northern Ireland.

Neither the motion nor the amendment says, at any point, that we welcome decommissioning and the fact that the Assembly will be restored after 26 November. We need constructive cross-party support for a continuing peace process. It is vital that we join together. Once the debate is over, I hope that we can put it behind us and find solutions in Northern Ireland based on the transparency that is required to give people confidence in the process. We must remember that the people of Northern Ireland are the important consideration, not the political parties that make capital out of the misery in Northern Ireland. It is important that we move forward with a consensus. I hope that we all learn lessons from the debate.

2.40 pm

Mr. Richard Shepherd (Aldridge-Brownhills): A former Member of the House, long since retired and departed, was charged with a public disorder offence when a student at Oxford and appeared in front of the magistrates. When the magistrate leant over and said "How do you plead?", he said "Not guilty." The magistrate said "So you're saying the police are lying?", to which, with the full confidence that we can marshal only when we are university students, the student addressed the magistrate and said, "Certainly not. You should well know there are five possibilities: I am lying; the policeman is lying; I am genuinely mistaken; the

policeman is genuinely mistaken; or, finally, that the two accounts, though seemingly contradictory, can be reconciled." The magistrate was wise in those matters. He said, "Guilty. Ten shillings."

On the information in front of us, I disagree with the hon. Member for Hamilton, South (Mr. Tynan). There is a great difficulty in reconciling the two accounts. That has been the substance of the Opposition's charge on a matter that is of clear importance to Northern Ireland, but is also of great importance to the integrity of our proceedings. That is my first concern. Everything that now happens is questioned. There has to be authority in statements that are given on the Floor of the House of Commons. It would have been simple for the Prime Minister to put beyond doubt the actual situation. The ominous silence on that gives rise to grave suspicions. I do not wish to be derogatory about the Minister who is given the task of responding to the debate, but if she can address none of the central issues raised by every hon. Member who has spoken from the Opposition Benches, it will only act to underline the wider process in respect of the authority of what the Government say. This is an important debate for Northern Ireland, the House and, therefore, the people whom we represent.

A while ago, my hon. Friend the Member for Grantham and Stamford (Mr. Davies) took a courageous decision—I say that easily because I joined him in his decision—to vote against the then Government's conclusions on the Scott inquiry. Central to that were accounts of conduct to the House. In fact, Sir Richard Scott commented that Ministers had failed in their constitutional duty. He relied on the rules and guidance to Ministers that they should be frank, open and truthful to the House. We voted in support of that proposition. In a sense, that is the source of opposition and what we expect.

A great journalist, Richard Norton Taylor, wrote perhaps the most distinguished book on the subject, called "Truth is a Difficult Concept". When the judge asked the civil servant who had been the Ministry of Defence's spokesman during the Falklands war for his evidence, the civil servant said, "Ah. Truth is a very difficult concept." That is what the public now think. That is what I think. The Government's attachment to truth is now so questioned that we cannot have confidence, not just in Northern Ireland matters, but in a much wider sphere. This country was committed to war, no less. That had to be on the basis of the attestation of the only man who could know about the dangers facing us. If that is questioned, as it is now, we are in deep trouble. As it stands, I do not think that there is a person in my constituency who can reconcile the Prime Minister's statements.

2.46 pm

Mr. Alistair Carmichael (Orkney and Shetland): It was not my intention to contribute, but I feel compelled to do so. It pains me to say that some of the opening speeches did not show the House at its best. We are, perhaps, ill-served by the terms of the Conservative motion, although that is not necessarily a criticism of the Conservative Front-Bench team. Mr. Speaker told the hon. Member for Grantham and Stamford (Mr. Davies) that his speech would have been more appropriate under the terms of a confidence motion. In that, as in all things, Mr. Speaker was correct. However, such a motion is the nuclear option and I understand why the Conservative party chose not to pursue that route. It is unfortunate, to say the least, that the Prime Minister has ensured that the nuclear option is the only one left to the official Opposition and others who oppose the Government.

I can improve little on the speech of the hon. Member for Aldridge-Brownhills (Mr. Shepherd), whom I have the pleasure to follow. He was clear and succinct. The point is simple: the words that were used by the Prime Minister have created confusion. That confusion is damaging and needs to be cleared up. I heard what the Minister said today and have read what she said in the House before. It pains me as an admirer of the right hon. Lady that she did not acquit herself, or serve the House, well.

Only the Prime Minister can clear up the confusion. He said previously in the House that he had information. The Minister said that he had a sense of the situation. With all due respect, those are different things. This is not semantics. Our ancestors had a sense that the world was flat. We now have information to prove that it is not. We have danced around the "L" word, as I shall call it in the interests of parliamentary language. I do not believe that the Prime Minister lied. He may have been a victim of some confusion in his mind in a way that he has been when asked about his favourite food or football team, but those are different and less serious matters. He may have used language that he should not have used. That has clearly led to confusion. I say in passing, I only have a sense that that is the case; I have no information to suggest that it is.

Mr. Quentin Davies: I agree with what the hon. Gentleman says about the difference between the force of the words "sense" and "information". Does he agree, however, that it is a matter not only of different words and the different meanings they convey, but of the assurance that was based on them? An assurance based on a sense of something carries a different force from an assurance based on information about something. It was the latter assurance that the Prime Minister gave the House and the British public.

Mr. Carmichael: Yes, I broadly agree with the hon. Gentleman's point, which is the same as I explored in my intervention on the right hon. Member for Upper Bann (Mr. Trimble). He made the important point, of which we in this House must not lose sight, that there is confusion among the general public, on the streets of Northern Ireland. Confusion within the House is no great novelty and is of no massive import; the place where the integrity of the peace process is at its most important is on the streets of Northern Ireland, which is why the confusion must be cleared up.

Mr. Luke: The right hon. Member for Upper Bann (Mr. Trimble) was making the point that confusion and uncertainty arise less around the process itself, which people accept is under way and there has been significant decommissioning, than around the issue of completion. How do we know that all the weapons have been handed over and thrown away if we do not have at the end of the process completion that is transparent and clear? That is the question we are all asking.

Mr. Carmichael: I commend the hon. Gentleman on a brave attempt, but it is the same one as his hon. Friend the Member for Hamilton, South (Mr. Tynan) made. When the hon. Member for Dundee, East (Mr. Luke) reads the *Official Report* tomorrow, he will realise that the right hon. Member for Upper Bann made his comments in the context of a discussion of the Prime Minister's words—in fact he stated clearly that the issue that he was debating during that passage of his speech was the confusion in the Prime Minister's terminology. The right hon. Gentleman rightly devoted a greater part of his speech to the broad issue of transparency, but the *Hansard* report will show that that was the case.

The Minister of State, making the Government's case, said that the debate about terminology was an irrelevance. I do not think that that is true—confusion in the mind of the public can never be an irrelevance—but even if it is, it is an irrelevance that is having an effect and will not go away, an irrelevance that has given rise to doubt, which will snowball into disbelief if left unresolved. It is not often said that the House is a forgiving place, but I believe that if the Prime Minister came to the House and gave an explanation, in view of the prize to be won—the peace process in Northern Ireland—the House would be forgiving toward the Prime Minister. In the absence of that, the streets of Northern Ireland will be much less forgiving.

We are dealing with a symptom of a far more profound malaise: the difficulties attached to the massive investment of political capital in the concept of decommissioning. The right hon. Member for Upper Bann spoke of the scepticism among the people, saying that people do not necessarily believe what they hear, but they do believe what they see. As long as they hear about decommissioning but continue to see acts of paramilitary beatings on their streets, the scepticism of the people of Northern Ireland will be entirely understandable and justifiable.

Others have spoken of the need for transparency. I agree with them up to a point. It is desirable—indeed, essential—to maximise the transparency of the decommissioning process; however, we cannot hide from the fact that the very nature of the act of decommissioning means that it will always be opaque to a degree, or that to seek total transparency in decommissioning is to set ourselves up for failure. I say that as one who has always taken the view that decommissioning is something of a red herring in the overall process, and that what was always necessary is the sort of statement that we have had in recent days from the IRA.

Much has been said about bipartisanship—or, as we on the Liberal Democrat Benches see it, multilateral support for the peace process. Like my hon. Friend the Member for Montgomeryshire (Lembit Öpik), let me make it clear that we shall continue to support the peace process. However, unless the confusion created by the Prime Minister is resolved, that process will remain damaged, and the damage will have been caused unnecessarily. That is to be deplored, and I believe passionately that it must be urgently remedied.

2.56 pm

Mr. Peter Robinson (Belfast, East): I well understand why Government Members seek to dilute the importance of this debate, but this debate goes to the heart of a crucial matter in British politics as a whole: the extent to which we are entitled to trust the Prime Minister.

The central issue of the debate relates to decommissioning. Newspapers and others have made attempts to quantify what has to be decommissioned in Northern Ireland. I shall read out a list that was prepared by *Jane's Intelligence Review*, much of which was repeated in the *Daily Mirror*, *The Guardian*, *The Irish Times*, and *Magill Magazine*, which indicates the best estimate of what has to be decommissioned, about which the Prime Minister and General de Chastelain were speaking.

It is believed that the Provisional IRA still holds 6,000 lb of Semtex explosive, 588 AKM assault rifles, 400 other assorted rifles, 10 general-purpose machine guns, 17 DShK heavy machine guns, three 0.50-calibre heavy machine guns, nine SAM-7 missiles, 46 RPG-7 missiles, 11 RPG-7 launchers, seven flamethrowers, 115 hand grenades, 600 handguns, 40 machine guns, 31 shotguns and 1.5 million rounds of ammunition. That list does not start to take into account the IRA's capacity to manufacture its own explosives and ordnance. The right hon. Member for Upper Bann (Mr. Trimble) referred to home-made mortars, and we know of the IRA's use of fertiliser to make explosives. Therefore, when a right hon. or hon. Member says in the House that at least there seems to be no argument but that what was put beyond use—whatever that term means—was "substantial", little definition is provided by the word "substantial". As General de Chastelain said to me, "One man's substantial may well be another man's insignificant." In reality, without an inventory of what has been put beyond use and the way in which it has been put beyond use, the word "substantial" holds little meaning for any of us.

Many speakers have expressed the wish for the process to have been more transparent, but it was this House that passed the legislation—this House that refused to make the process more transparent, even though my colleagues and I asked for it to be more transparent. Indeed, we were vilified for doing so. I remember the right hon. Member for Upper Bann, who is now a great fan of transparency, telling us in the past that we should trust General de Chastelain. The right hon. Gentleman asked, did we not believe that eminent general when he said that items had been decommissioned? Now, the right hon. Gentleman himself does not trust the general sufficiently to leave it to the general's word alone. He now requires a transparency that on earlier occasions we asked for, but he did not.

Of course there should be transparency. I even argue with the term "decommissioning". To me, decommissioning is either a voluntary or a forced act of handing over weapons to be destroyed. The IRA is trading weapons for concessions, which is something very different from decommissioning.

There was a carefully laid plan and there were several steps in the choreography. The first step was that early in the morning the Prime Minister would announce that there was to be an Assembly election. In response to that, Gerry Adams was to appear on our televisions to use some carefully crafted language to tell us that the war was over. We were then to have an IRA

endorsement of Adams's statement, followed by General de Chastelain's statement, which was to be followed by the right hon. Member for Upper Bann telling us that he would behave himself in future and would not bring down the institutions if the IRA happened to carry out some terrorist activity. All that was to be followed by a statement from the two Prime Ministers. They were to outline the price that had to be paid for the IRA's endorsement of the process. That price was to be the giving of a free ticket to on-the-run terrorists. It was to be paid by removal of security installations from the border and elsewhere in Northern Ireland. It was to be paid also in that in two years policing and justice powers would be devolved to Northern Ireland to allow people such as Gerry Kelly, a convicted Old Bailey bomber, to become the Minister with responsibility for policing and justice. No doubt he would be the IRA's choice for the post of our justice spokesman.

The Prime Minister played his part and called the election. Mr. Adams appeared on our television screens and with contorted language made it clear that the process would be conditional on the Belfast agreement's being implemented in the way that the IRA wanted. He made it clear also that further implementation was required. That was endorsed, not surprisingly, by the IRA as it was conditional.

It was then that the general took the stage. He was working within the remit given to him by the House, by the Government and by their partner, the Government in the Irish Republic. He was acting within the terms of the arrangement that he had with the organisation with which he was dealing. The result was that he did not give the detail that the public in Northern Ireland wanted. I suspect that if he had given the detail the public in Northern Ireland would not have been satisfied. The sense that I have, to use a word that has already been expressed in the Chamber, after having met the general is that only a small proportion of the weaponry has been destroyed.

Rev. Martin Smyth: I have been listening with care to the hon. Gentleman's argument. Is it not a question of trust also, and the IRA showed that it did not trust the Prime Minister, because it held the general incommunicado? As a result, the decommissioning did not take place on the Monday. Instead, it took place after a statement had been made by the Prime Minister on the Tuesday morning.

Mr. Robinson: I touched on that matter with the general. I think that logistically he had to make himself available somewhere in the Republic of Ireland before the event occurred. I assume that he was held by agreement by the Provisional IRA. It shows the tawdry manner in which the entire process has been undertaken. A covert operation was taking place and the general was put in that position.

As for the issue of substance, I outlined to the general during our meeting with him what amounted to 1 per cent. of the intelligence guesstimate of the IRA's stockpile of weapons. Actually it was slightly less than 1 per cent. of it. I asked him whether he considered that to be substantial, and of course he did. If the IRA still holds 99 per cent. or even a percentage less than that of the weaponry that it had, we can set against that the remarks that have been made by Andrew Sens that the IRA had handed over weaponry that could have caused death and destruction on a huge scale. I asked whether what the IRA still retains could cause death and destruction on a huge scale, and of course the answer was yes. Let us not get the idea that the IRA has suddenly handed over its weaponry and that it is just a matter of someone publishing the inventory so that we might know the truth.

According to reports from those who were standing outside Cunningham house, the headquarters of the Ulster Unionist party, as the general was on his feet, they were beating the walls in anger that they were not getting the detail that they required. If the community in Northern Ireland is confused about anything, it is about how the leader of the UUP could have 15 meetings with the leadership of Sinn Fein-IRA. One of those meetings lasted for between 12 and 14 hours. Gerry Adams and Martin McGuinness were not tied down to the detail of what General de Chastelain would be allowed to say. That is bewildering. It is the most unbelievable folly that star negotiators in the UUP could sit for hour after hour working out all the choreography in the greatest detail, handing over statements one to the other, and not bother to ask what the general would be allowed to say.

The requirements for greater visibility and how the IRA is saying one thing and doing another have little meaning in the community in Northern Ireland. That community just gasped in amazement at the breathtaking incompetence of the leader of the UUP and his fellow negotiators.

For my part, I viewed the Hillsborough press conference and the exchanges that followed it as being of no advantage. I have a transcript of what the Prime Minister said at the press conference. He said:

"It is deeply frustrating for this reason that obviously we are both privy as the two Governments to what the details"—

not just information, and not the sense of it—

"of the decommissioning were and I think it is, well it is more than a little frustrating frankly they are not able to be put out into the public domain where people can see them and where opinion and particularly unionist opinion here can make an assessment."

Nick Robinson of ITN—no relation—intervened. He asked:

"Are you saying that if people knew what you know about what the IRA have done in terms of decommissioning, they would have the confidence, and why can't we know what you know, is it because the IRA won't let us know, they won't give permission or is it because the general won't say?"

The Prime Minister responded:

"Well that is a very good point and let me explain it. Yes I believe if people knew the information that we have been told then yes they would have been satisfied."

He went on to say:

"It would be more than faintly ludicrous if we were in a situation where a substantial act of decommissioning had taken place, where the details"—

again, "the details"—

"are known by the two Governments and by the body in charge of the decommissioning but the public don't know."

That is not a sense of it, not an informed guess and not a vision that he had somewhere on the road to wherever,

[Mr. Robinson]

but the details given to him by the general. The Prime Minister added:

"We do know a certain amount of the particulars, yes and those are important."

When we heard those words I knew immediately that the Prime Minister was bluffing. I knew that because on several previous occasions when I met General de Chastelain he made it abundantly clear that the rules under which he was operating were that he would give only the written reports to the Governments and such general descriptive terms as he would give us, but would not give them the detail—the inventory—until the process of decommissioning had been completed. He had made that clear on the two previous occasions when we met him, and on the occasion to which I am referring he made it clear once again. The Prime Minister was attempting to convey the impression to the people of Northern Ireland, and particularly the Unionist community, that he had the detail of what had been decommissioned, and that if only they knew what he knew they would be satisfied that a major and substantial act had taken place.

Mr. Cash: Is the hon. Gentleman certain that, despite the wording in the enactments on arms and explosives, the matters in question could in fact extend to other matériel that could be of great danger to the public?

Mr. Robinson: The general, in his press conference, gave certain headings for categorising the various items that had been put beyond use. There is extensive weaponry in each of those categories which, as the commissioner Andrew Sens said, could lead to massive destruction and death in Northern Ireland. We are dealing with weapons that have killed thousands and maimed tens of thousands of people in Northern Ireland. This is not a semantic exercise. We are not just dealing with the niceties of the English language—we are dealing with weapons of death that have caused death and destruction in Northern Ireland. This is a serious matter, and if the Opposition had not tabled their motion, they would have been derelict in their duty to the community in the United Kingdom as a whole.

In a meeting with General de Chastelain, the leader of my party, my hon. Friend the Member for North Antrim (Rev. Ian Paisley), other colleagues and I spoke with him for more than an hour and 10 minutes—longer, incidentally, than the time that the Prime Minister, the Taoiseach and the general spent together. The Prime Minister therefore had no time advantage to extract information. The extract from our meeting on our website at www.dup.org.uk gives a contemporaneous note of the issues that were raised, and shows that we dealt rapidly with all the necessary points and, I suspect, in much more detail than the Prime Minister did in the time at his disposal.

When we made our contemporaneous note available, the Prime Minister's spokesman released a statement. Asked for a reaction on the Democratic Unionist party's assertion that General de Chastelain had told it that the British and Irish Governments did not have any information about the act of decommissioning further to that which was already in the public domain, the Prime Minister's official spokesman, according to a report, pointed out that the Prime Minister and the Taoiseach had spoken to General de Chastelain for well over an hour—less than the time that we spent with the general. According to the report, the spokesman said:

"The details of the discussions, as you would expect, were confidential. That said, the Prime Minister had told journalists . . . that although he might not know all the details about the act of decommissioning, he still had a better idea about it than the public."

One can immediately see that, from the starting point of knowing all the details—and "if only the public knew what the Prime Minister knew"—the backtracking is beginning. Now the Prime Minister does not know all the details, but knows sufficient to have a better idea than the public. The weasel words from Downing street continued, but did not stop the public in Northern Ireland questioning the issue and did not stop the press probing it. When pressed overnight, Downing street was forced to make a further statement. A report said:

"Government officials said that Mr Blair had been offering an 'educated guess' and that confidentiality had not been breached."

If the Prime Minister had said, "If you knew what my educated guess was, you would be satisfied," that statement might be believable. However, that was not what he said. Pointing to the detail available to him, he said: "If you knew what I knew, then you would be satisfied". We were told more about the educated guess by the Downing street spokesperson, who, according to a report, said that

"it was possible to imagine a conversation in which the kind of thing which Commissioner Sens had been saying—about the damage potential of what was destroyed—would have allowed an 'educated guess' or an 'informed judgment' which amounted to knowledge."

That represents further backtracking on the Prime Minister's initial statement.

Were the public misled? I suspect that some people over here may have been, but I do not believe that the public in Northern Ireland were misled by the Prime Minister, not because he did not attempt to mislead them, but because they have been caught by him before. He came to Northern Ireland at the time of the referendum. There was a 20 ft by 10 ft hoarding carrying five pledges to the people of Northern Ireland, and he got out his marker to sign it personally in the presence of the press and the television cameras. There were promises that there would never be anybody from Sinn Fein-IRA in government until violence was given up for good. Since then, we have had Colombia and Florida, as well as murders, shootings and beatings. One of the other pledges was that the prisoners would not get out until decommissioning began and violence was given up for good—that was another broken pledge. I do not believe that the people of Northern Ireland were going to be succoured by what the Prime Minister said, but there can be no doubt that he attempted to embellish the facts so that he could substitute them for information that was not available to him or the general public.

The best that can be said for the Prime Minister in the circumstances is that the events were so choreographed that they resembled a west end stage production. He lost his grip on reality and allowed his stage character to replace facts with lines that better fitted the intended plot but departed dramatically from reality and left the truth lingering far behind. It was a deliberate attempt by the Prime Minister to bluff the public and convey the

impression that he had information which, if it was in the public domain, would have an altogether different bearing on people's understanding of what had just taken place.

Our debate has given the Government the opportunity to do one of two things—either to make the Prime Minister's boasts stand up and show that he had the details, so the issue could be passed on to the general, or to retract them. When the Minister opened the debate, she did neither, and the public will reach their own conclusions.

3.17 pm

Mr. Andrew Mackay (Bracknell): May I gently make an important parliamentary point to the Minister of State, the right hon Member for Liverpool, Wavertree (Jane Kennedy) and the Under-Secretary, the hon. Member for Basildon (Angela Smith), and urge them to take it on board? The Opposition strongly support the Belfast agreement, and have done so from day one, but we must always reserve the right, as I did when I was shadow Secretary of State, to speak out when we think that something is wrong, as that is essential to our parliamentary democracy.

I have been distressed because at times the Government give the impression that if my hon. Friend the Member for Grantham and Stamford (Mr. Davies) and other Front-Bench spokesmen disagree with Government policy or suggest that something is wrong, they are behaving incorrectly. The correct way for an Opposition to behave is to point out when something has gone wrong. We try very hard indeed to ensure that there is a bipartisan policy, but that does not override the Opposition's legitimate duties, and I hope that the Government accept that. It is a bit strange to talk to the noisier Government Members about a bipartisan policy when Members such as you, Mr. Deputy Speaker, who were in Parliament in the 1980s and the mid 1990s, will remember Labour Members voting against the renewal of the prevention of terrorism orders year after year. When the right hon. Member for Sedgefield (Mr. Blair) took over as Leader of the Opposition and sacked his hon. Friend the Member for Hull, North (Mr. McNamara) as shadow Secretary of State for Northern Ireland, Labour moved to a position of abstention. That was a step in the right direction, but it was hardly bipartisan.

I make no criticism of the Labour Opposition of those days for reaching a judgment, which I certainly did not share, that the prevention of terrorism orders should not be renewed and, later, for being doubtful about them and abstaining from voting. They should treat us in an equally adult way, but that that has not happened, especially in today's debate. It certainly did not happen when my hon. Friend the Member for Grantham and Stamford asked an urgent question last week, which is a great pity.

I should like briefly to speak to the motion, which I strongly support. I put it to the Minister that trust is essential in taking the process forward. Without trust, no progress will be made. We all know that trust is a precious commodity that is easily lost and hard to regain. After the Belfast agreement, I campaigned for a yes vote in the referendum in the Province with my right hon. Friend the Member for Richmond, Yorks (Mr. Hague), who was then Leader of the Opposition, on the very day when the Prime Minister gave his handwritten pledges at the Balmoral show ground. Those pledges were impressive at the time, as they answered virtually every legitimate concern of the Unionist community. They allowed us as an Opposition to support the agreement fully and urge people to vote yes. As the hon. Member for Belfast, East (Mr. Robinson) said—I shall not repeat his comments, which were accurate—all too many of those handwritten pledges have since fallen by the wayside. That hardly helps trust and confidence in the Province and it has led to many of the problems that we have subsequently faced.

That makes it all the worse that, after the latest talks collapsed because of the lack of transparency in decommissioning, the Prime Minister should say at the Dispatch Box in Question Time, "If you knew what I've been told privately, you would be very happy that there had been ample decommissioning." It has been confirmed that that is not true. It gives me no comfort to be standing here and telling the House that the Prime Minister said something that has turned out not to be true, but I have to say it, because General de Chastelain has confirmed it in conversations with a number of people, including my hon. Friend the Member for Grantham and Stamford and Mr. Robert McCartney, and in open talks with the Democratic Unionist party. Again, the trust of the British people and, much more importantly and specifically, people living in the Province, has been shattered.

The process will not now move forward until after the Assembly elections later this month, but there will be no progress whatever if there is no trust in what the Prime Minister, the Secretary of State and other Ministers are saying. Equally, Unionist politicians and their supporters in the Province will not be prepared to enter a power-sharing coalition and Executive after the Assembly elections unless there is very substantial decommissioning. I agree with my right hon. Friend the Member for Upper Bann (Mr. Trimble) that decommissioning must be substantial among not only republican paramilitaries, but so-called loyalist paramilitaries. The Opposition have always stressed that those two things run in parallel. We will know that decommissioning is happening only if we can see it happening.

There might have been a case for transparency in the early days; indeed, there probably was one, and we supported the regulations that ensured initial transparency. However, I would have thought that it was plain to everybody, including General de Chastelain and, more importantly, elected Ministers responsible for Northern Ireland, that power sharing could resume only if the new act of decommissioning was absolutely transparent and everybody could see what had been decommissioned. If there had been a substantial act of decommissioning, as I hope and as the Prime Minister led me to believe at the Dispatch Box, I would have urged all Unionist Members and all political parties in the Province to join a power-sharing Executive after the Assembly elections, but I cannot do so at the moment, because I have no more idea than you do, Mr. Deputy Speaker, of just how extensive that decommissioning was.

There is one aspect that I fail to understand, and Ministers have not given me an answer about it. Everything has been very carefully choreographed, and

[Mr. Andrew Mackay]

funnily enough, I do not object to that as much as the hon. Member for Belfast, East did in an amusing section of his speech. I do not mind things being choreographed if they have been properly thought through and will lead to a logical conclusion. Everything was very carefully set up. There are two Ministers on the Front Bench, including the right hon. Member for Liverpool, Wavertree, who is particularly experienced and has dealt with Northern Ireland matters with distinction for several years now, and we also have a most experienced Secretary of State for Northern Ireland and a Prime Minister and advisers who have been taking a keen interest in Northern Ireland. With the help and encouragement of the Opposition and all good men and women on both sides of the water, they have been trying to get a lasting settlement in Northern Ireland.

I cannot understand, however, why nobody stopped and thought about whether decommissioning would be transparent. If anybody had asked that question, there is no doubt that Ministers would have answered as I would have done and said that, if the act of decommissioning is substantial—the key in deciding whether power sharing takes place—it must be transparent, as it will not be believed otherwise. How have we got into a position in which hopes were raised? Like many other hon. Members, when I watched events unfold on television in my office upstairs, I was excited and thought that Gerry Adams went a lot further in his speech than I had seen him go before. He appeared to come much nearer to saying that the war was over and that only peaceful means would be used in moving forward. I was excited and hopeful, and I expected decommissioning to match. The fact that it was not transparent ruined everything that had been so carefully set up. I am sure that Ministers had done hours of work, along with the Prime Minister, advisers and democratically elected politicians in the Province, but it all suddenly came to nothing.

When the Minister sums up this useful debate, we have a right to an explanation of why nobody noticed the lack of transparency in what appeared to be a hopeful move forward towards a lasting peace and a long-term devolved Administration that would share power after elections. If we do not get an answer to that question, there will be all sorts of rumours and doubts in the Province and elsewhere, and when the elections are over and we are all trying to move forward to a power-sharing Executive and complete decommissioning, there will be no faith and confidence. That is essential today, so let us hope that we get a proper answer from the Minister.

3.28 pm

Mr. William Cash (Stone): The debate has been immensely important because it deals not only with the motion on the Order Paper, but the whole question of the degree of trust that we can have in the peace process and the prospects for a stable and secure Northern Ireland as it moves towards elections. As many hon. Members said, the context in which the debate takes place is in some ways even more important than the precision of the wording—which is not to say that that is not of vital importance.

There are a vast number of unanswered questions, and it would be a massive misconception to think that the debate will somehow resolve them. Some of the issues at the heart of these discussions correspond in a rather alarming fashion with those that we faced in relation to the tragic death of Dr. Kelly and the evidence that was given before the Hutton inquiry. As I explained in the debate last week, those unresolved questions affect our ability to get to the bottom of what has really been going on.

It would be a vast mistake to underestimate the fact that words matter. In "Through the Looking Glass", Humpty Dumpty says to Alice: "Words mean what you choose them to mean. The question is who is to be master, that is all." The Minister tried to finesse the word "information" by introducing the idea of the sense in which it is used. When one reflects, however, on the distinction between the reality of such words and the confusion and uncertainty that they can generate in relation to Northern Ireland, it puts one in mind of the history of the Irish question and the frequency with which the misuse of words has led to difficulties that could otherwise have been avoided. I say that because for more than 150 years my own family have been directly involved in the Irish question as Members of Parliament. I recall the difficulties that arose over Parnell and the great historic events that have taken place. Much good progress has been made. That is why I pay tribute to Members who recognise that although we have to address this question as a matter of accuracy, so much is at stake that we do not want anything to disturb it.

I do not need to go through wording that has already been exhaustively discussed, but the hon. Member for Belfast, East (Mr. Robinson) asked several questions that must be answered. The right hon. Member for Upper Bann (Mr. Trimble) raised issues about precision that require examination, especially his references to scheme 1, scheme 2, paragraph 25 and paragraph 5. Although those are technical points, they lie at the heart of the matter.

A balance has to be struck between confidentiality, specific transparencies and the broader transparency of whether the Prime Minister, in making such statements not only outside but inside the House, finds that his words can be reconciled, not only with his own statements but with those of General de Chastelain. It is also a question of whether we will be able to restore respect for politicians. In the context of Northern Ireland, that has never been more needed than in the past 30 or 40 years.

So what is to be done? Clearly, there is a contradiction—some may call it confusion—that cannot be left to rest. The reality is that there are options open to us. I have heard some hon. Members say that the Prime Minister should come here and make his own statement. I personally think that that is the most appropriate way of dealing with the situation. An alternative, which I mentioned in an intervention on the hon. Member for Dundee, East (Mr. Luke), is that the Prime Minister could appear before the Northern Ireland Affairs Committee and explain the circumstances under cross-examination. Another option is that he could go to the Security and Intelligence Committee. I went through the Intelligence

Services Act 1994 this morning: it applies to Northern Ireland. There are procedures in place. There are options, and ways of dealing with this issue.

At the heart of the matter is a sense of the correctness of the motion tabled by my hon. Friend the Member for Grantham and Stamford (Mr. Davies), who set out the case in terms that occasionally caused a little disturbance. Sometimes, however, disturbance is necessary in order to get to the truth. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) caught the essence of the parliamentary nature of trust in the House and outside. In the words of my hon. Friend the Member for Grantham and Stamford, there are questions of integrity and truthfulness that have to be examined in this broad context. I had to ask in our debate last week on the question of a judicial inquiry: who is speaking the truth? Two members of the war Cabinet—I do not need to go any further down that route. The reality is that this is becoming a pattern of behaviour, and it is a matter of grave concern that we clarify matters and get these things straight.

Lembit Öpik: Have we not established, unless the Minister says something different in her summary, that we all accept that General de Chastelain was telling the truth when he said that he had not provided any extra information? If that is the case, does that not beg a conclusion?

Mr. Cash: The logic of the hon. Gentleman's speech and of what he has just said—I pay tribute to both—sums up the position, as did the exceptionally good speech of the hon. Member for Orkney and Shetland (Mr. Carmichael). That question has to be answered. In fact, not a single person on the Labour Benches has attempted to rebut the substance of any of the points that we have made. They just want to move on; there is no reverse gear. That is the problem. But we cannot stay stuck in a situation in which there are matters of enormous importance not only to the House but to the whole process of obtaining peace and security in Northern Ireland, and then, in the fog of confusion that will arise, have to deal with the election. Imagine what would happen during the election if these issues were turned into soundbites, and we then found that there was no answer, no bottom line, and no ability to determine the truth when the electorate go to vote.

I have in my hand the ministerial code, which is described as

"A code of conduct and guidance on procedures for ministers."

In the foreword, the Prime Minister says:

"In issuing this Code, I should like to reaffirm my strong personal commitment to the bond of trust between the British people and their Government. We are all here to serve and we must all serve honestly and in the interests of those who gave us our positions of trust . . . I believe we should be absolutely clear about how Ministers should account, and be held to account, by Parliament and the public."

Where is the Prime Minister today? He is not here to answer these questions. If he has a proper and sensible answer—*[Interruption.]* The fact is that the Prime Minister could clear this up, one way or another. Let us be in no doubt about that. *[Interruption.]* I hear from the Minister's Parliamentary Private Secretary that the Prime Minister has cleared it up. Is there anybody in the House who believes that? Does any member of the public believe it? The Government Whip nods, so I know it cannot be true.

That same code of conduct states that

"it is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister".

I look for an answer. I believe there is an answer. But Prime Ministers remain Prime Ministers only for as long as they keep the trust of the people, and therefore on this particular occasion it is a disgrace that the Prime Minister is not in the House to answer our questions.

3.40 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): I apologise for not being present throughout the debate. I shall write to Members whose speeches I missed. I was at an event for the Tim Parry/Jonathan Ball trust; I am sure Members understand how important that was. I also apologise for the fact that I may not have time to respond to all the Members to whom I would like to respond, although I shall do my best.

At the outset of the debate, we doubted the wisdom of holding it at this time. Nevertheless, I am happy to acknowledge that we have heard thoughtful and interesting contributions. I believe that there is a great wish in all parts of the House—or almost all—for the decommissioning process to succeed fully, given that it is a key element of the completion of the transition of Northern Ireland politics to an exclusively peaceful and democratic basis.

We have done the groundwork for that final transition. The progress made in meetings between the parties and with the Governments that preceded 21 October was extremely significant. As has been acknowledged, on that day we did not see the full sequence of events that would have made the extent of the advance clear, and opened the way to resumed devolved government after the election. We should all recognise, however, that the Sinn Fein leader's speech and the IRA's statement, accompanied by the act of decommissioning itself, constitute a clear indication that we are moving forward. We shall need to build on this after the election. But this is the kind of process that requires us to speak and act with judgment and restraint. Some Members recognise that: others, unfortunately, do not.

In the future decommissioning process, we shall depend heavily on the Independent International Commissioning on Decommissioning. As my right hon. Friend the Minister stressed, we all owe a deep debt of gratitude to General de Chastelain, his colleague Mr. Andrew Sens and, indeed, his former colleagues Ambassador Johnston and Brigadier Nieminen. Their diligence and integrity have been manifest, and are a great asset for the future in Northern Ireland.

Some Members have focused on the wider picture. Others—perhaps predictably, but regrettably—have insisted on continuing to play games with words in an

[Angela Smith]

attempt to milk for some supposed political advantage the tireless efforts of the Prime Minister, the Taoiseach, General de Chastelain, Mr. Sens and the party leaders in Northern Ireland. We have seen a depressing performance from some quarters, and it was no less depressing for being thoroughly inept. It is not likely to persuade any impartial observer that there is any point of substance in the allegations that have been made.

I consider this the low point of Opposition tactics in Northern Ireland in the present Parliament so far, and I hope it will turn out to have been the low point of the entire Parliament. I hope that the Conservative party will realise how few favours it is doing itself. *[Interruption.]* Conservative Members would do well to listen occasionally, rather than rattling and prattling on. What upsets my colleagues and me most is the danger posed and the damage caused to the peace process, and to the public interest of Northern Ireland and the rest of the United Kingdom. *[Interruption.]* I think that the hon. Member for Grantham and Stamford (Mr. Davies) should learn from your earlier rulings on his comments, Mr. Speaker.

The hon. Member for Montgomeryshire (Lembit Öpik) referred to issues of inclusiveness. Devolved government was suspended last year because of a lack of confidence between two of the parties. The restoration of confidence between those parties is a key element in moving forward. The Government have facilitated that process. There have been a large number of meetings, which, despite Opposition Members' comments, have been extremely productive. However, we would not have made great advances in recent times without the support of all the pro-agreement parties. We should all pay tribute to all those parties, because their efforts have brought the process to this stage. For example, I highlight the commitment of the Social Democratic and Labour party to the policing process. Without its work, we would not be where we are now.

Issues of transparency were raised by the right hon. Members for Upper Bann (Mr. Trimble) and for Bracknell (Mr. Mackay), who was late to the debate, although I recognise his commitment to, and work in, Northern Ireland in the past. The statements by the leader of Sinn Fein and by the IRA were major steps forward and confirmed the commitment to exclusively peaceful and democratic means.

The act of decommissioning overseen by the IICD was very welcome but, unfortunately, as the right hon. Member for Upper Bann stressed, it did not achieve the necessary degree of public confidence. The point was made forcefully that, a significant act of decommissioning having been undertaken, such confidence has not been achieved because of the lack of transparency. He said that he did not agree with the confidentiality. I understand his reservations but it has to be said that, without that confidentiality in the past, it would not have been possible to make the progress that has been made to date and that he and every other hon. Member welcomes.

I do not think that it would be relevant now to go into the detail of the two schemes. Suffice it to say that we would want greater transparency. As my right hon. Friend the Minister of State said, the greatest possible transparency is preferable.

The amount of detail that the commission discloses depends on its view of what is necessary in the circumstances to fulfil its duty. That is a judgment for the commission, and it is a difficult judgment for it to make. We must put our trust—even the hon. Member for Grantham and Stamford has to do so—in General de Chastelain.

A number of points and semantics were made by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). The Prime Minister and the Taoiseach were able to gain from their discussions with General de Chastelain a greater sense of the scale and nature of the decommissioning event than members of the public, who had to rely on the statement and the press conference. I fail to see why Opposition Members do not accept that and do not want to move forward from there.

The hon. Member for Belfast, East (Mr. Robinson) argued against confidentiality. He argued against much more as well, but it is election time—

Mr. Patrick McLoughlin (West Derbyshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House proceeded to a Division.

Mr. Deputy Speaker (Sir Alan Haselhurst): I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 186, Noes 332.

Division No. 350] **[3:47 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burns, Simon
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam

Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Maude, rh Francis
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thurso, John
Tonge, Dr. Jenny
Trimble, rh David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Angela Watkinson and Mr. Mark Field

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*

Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Starkey, Dr. Phyllis
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Wilson, Brian
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and
Ms Bridget Prentice

Question accordingly negatived.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes the importance of confidentiality to effective decommissioning of weapons in Northern Ireland; expresses its gratitude for the professionalism of General de Chastelain and the Independent International Commission on Decommissioning; welcomes the further positive developments in the peace process set out by the Secretary of State for Northern Ireland in his statement to the House on 22nd October, including the calling of elections to the Northern Ireland Assembly on 26th November; calls on all parties in the House to engage constructively in furthering the peace process in Northern Ireland; and looks forward to further progress after the elections towards the restoration of devolved government in Northern Ireland on a stable and inclusive basis.

Water Bill [*Lords*] (Programme) (No. 3)

Motion made, and Question proposed,

Proceedings on Consideration and Third Reading

That—

(1) Paragraphs 4 and 5 of the Programme Order of 8th September 2003 relating to the Water Bill be omitted;

(2) proceedings on consideration shall be taken in the order shown in the following table, and each part of the proceedings shall (so far as not previously concluded) be brought to a conclusion on the day on which those proceedings are commenced at the time specified in the second column;

TABLE

Proceedings	*Time for conclusion of proceedings*
New Clauses and new Schedules relating to Part 1; amendments relating to Part 1.	5 hours before the moment of interruption.
New Clauses and new Schedules relating to Part 2; amendments relating to Clause 34, Schedule 1, Clause 35, Schedule 2, Clause 36, Schedule 3, Clauses 37 to 56, Schedule 4.	4 hours before the moment of interruption.
New Clauses and new Schedules relating to Part 3 (except new Clauses and new Schedules relating to fluoridation); amendments relating to Clause 57, Clauses 59 to 85, Schedules 5 and 6, Clauses 86 to 98.	3 hours before the moment of interruption.
New Clauses and new Schedules relating to fluoridation; amendments relating to Clause 58; remaining new Clauses and new Schedules; amendments relating to Clauses 99 and 100, Schedules 7 to 9, Clauses 101 to 104.	1 hour before the moment of interruption.

(3) proceedings on Third Reading shall, so far as not previously concluded, be brought to a conclusion at the moment of interruption on the day on which those proceedings are commenced.—*[Gillian Merron.]*

4.4 pm

Mr. Bill Wiggin (Leominster): It is a bad reflection on the House that we are even having this debate. We are all short of time—no one more so than the Minister, perhaps—and trying to cram as much as possible into our lives. But the use of guillotines to restrict debate is wrong and dumbs down the freedom of speech, passage of information and argument that we all value so highly—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Will hon. Members who are not staying for this debate please leave quickly and quietly? This debate deserves to be heard as much as any other.

Mr. Wiggin: All hon. Members make speeches, but if we try to go faster, we will reach the stage—I fear that we are there are already—where we are too busy to listen to other hon. Members' speeches. Perhaps this is a good moment to point that out, as one glance at the Chamber makes clear.

This programme motion is an affront. For that reason, if for no other, I shall urge the House to oppose it. However, we should oppose it for other reasons too. It presupposes that the proposals on quarry dewatering, changes to the regulator, the ability to take possession of privately owned sewers and the regulation of water supplies are not sufficiently important to warrant more than a few moments of time each.

The proposals in clause 6 mean that we need to protect the British drinking water industry from environmental damage, as small unlicensed abstractors will be able to drill bore holes into the aquifer. That could damage the aquifer and cause contamination to bottled water. We argued that the Environment Agency should have powers to monitor environmental damage. Small, unlicensed bore holes must not be able to undermine a company's investment and sustainable development. The Environment Agency must be able to be alerted to any problems.

In clause 17, we believe that there should be a link between abstraction licence applications and planning permission. In that way, a business wishing to abstract water could take more than one course of action. Provided that it has planning permission, a business should be able to go ahead with abstracting water, as long as it is environmentally safe to do so.

Abstraction and impounding are issues of extreme importance, but the Bill is inadequate to secure the investor confidence needed by water abstraction businesses. I have tabled two new clauses and some new amendments in connection with abstraction, and I believe that having just one hour for the debate will be inadequate. Enough time must be provided for discussion of all the complicated matters to do with that special issue, on which the livelihoods of water abstractors depend. I have severe doubts as to whether one hour will be sufficient.

Mr. George Osborne (Tatton): My hon. Friend is starting to set out a very persuasive case.

Mr. Eric Forth (Bromley and Chislehurst): But only starting.

Mr. Osborne: But only starting, as my right hon. Friend says. My hon. Friend the Member for Leominster (Mr. Wiggin) is talking about abstraction licences, and the relevant part of the Bill could have a huge impact on the quarrying industry. One hour is wholly inadequate for discussion of the many points that constituents have raised with many hon. Members, including me.

Mr. Wiggin: My hon. Friend is right, and I am grateful to him for drawing the House's attention to that very germane point. The size of the investment that firms must make in quarrying machinery, and the fact that it is impossible to quarry without abstracting water, mean that the Bill puts a heavy question mark over the future of the industry. It is very worrying that we will have so short a time for debate of such a crucial matter.

I know that the Minister has taken the trouble to meet quarrying industry representatives and that he has been sympathetic to their concerns. However, his sympathy and assurances are not enough. We need to have the

[Mr. Wiggin]

necessary undertakings written into the Bill, and there will not be enough time to make sure that that happens.

In addition, the Bill places time limits on licences. At the moment, licences will be certain only for 12 years. That is only one of the provisions that will undermine the key factor that is investor confidence. Although nearly all the costs involved in the water industry can be offset over a long period, that will be undermined if the Environment Agency can take licences away after just 12 years. In London, our drains, pipes and sewers were built by the Victorians, more than a hundred years ago. Water industry equipment is likely to last for a long time, but the Bill makes it difficult for investors to have the sort of confidence that they should have in such projects. The Environment Agency must be able to take into account the infrastructure costs and investments associated with abstraction and then make the decision on the life of the abstraction licence. That gives it greater freedom to issue longer licences when it is safe, especially environmentally safe, to do so.

Three topics of great importance to the future of our water industry, not only for businesses but for the customer, are the regulator, discharge to water courses and consumer council publications. Again, allowing only one hour for discussion of those three detailed topics is insufficient. We want to address several concerns surrounding those topics, such as the regulators of the new water services regulation authority and access to information available to the new council, but I fear that we will be short-changed in the amount of time that we have to do that.

Mr. John Bercow (Buckingham): My hon. Friend is offering a probing analysis of the deficiencies of the Government's position. As he is renowned for his self-effacement, however, I would not want him to understate the case in any way. Will he therefore confirm, for my benefit and to provide elucidation to the House, that for a Bill with 104 clauses, nine schedules and an unpredictable number of amendments to consider, the Government propose a truly draconian truncation of the debate, which will allow three or four minutes to consider each clause? Will not that outrage the listening public as much as it outrages us?

Mr. Wiggin: My hon. Friend is absolutely right. In his usual eloquent manner, he states the case exactly as it is. I also hope that the listening—or watching—public to whom he refers are gripped by the very short debate, but, as he says, they will be disappointed.

Mr. David Heath (Somerton and Frome): Is not Report supposed to be the stage at which those of us who have constituency interests have an opportunity to speak? As a Member with significant quarrying interests in my constituency, I want to contribute to the debate on the quarrying industry. I see clearly from this programme that I will not have the opportunity to do so—[HON. MEMBERS: "Why not?"] Because the Front Benches will take the time.

Mr. Wiggin: I will do my best not to take too much time, to allow the hon. Gentleman to make the points that he wishes to make. The point that he has just made, however, is true. He is right that the quarrying industry affects many constituencies and Members of the House, who will not have the opportunity to represent their constituents in the way that they would prefer. It is a draconian motion, as my hon. Friend described it.

Ms Joan Walley (Stoke-on-Trent, North): Does the hon. Gentleman also accept that in relation to issues such as quarrying, talks are going on behind the scenes, through the Departments, with the various interest groups, to ensure that those issues are considered? That is an issue of concern, but it is being dealt with through the guidance.

Mr. Wiggin: The hon. Lady's point is extremely worrying. We are talking about what is written in the Bill. We are legislating for all quarrying participants and abstractors. We cannot do that through behind-the-scenes conversations. Even if we could do so, the Minister's assurances may not be there for ever: perhaps he will be promoted, perhaps he will disappear on one of his ghost ships—who knows? It is extremely worrying that the hon. Lady suggests even for a moment that we can legislate with behind-the-scenes chats. I find that most unworthy of her.

Ms Walley: On a point of order, Mr. Deputy Speaker. I do not think that the hon. Gentleman is allowed to misrepresent what was said in that way. There was a genuine point—

Mr. Deputy Speaker: Order. The hon. Lady should not try to pursue on a point of order what is in reality a matter of debate.

Mr. Wiggin: I am grateful, Mr. Deputy Speaker, and I will give way if the hon. Lady would like to have another crack at trying to tell us that we should be legislating through behind-the-scenes chats.

Chris Grayling (Epsom and Ewell): Apart from the obvious issues in relation to the quarrying industry, large numbers of people in all our constituencies are looking to the House next week to debate properly the issue of fluoridation, which could undoubtedly fill an entire day of the parliamentary calendar were that opportunity to be made available. Does my hon. Friend agree that those people will feel profoundly let down by a Government who fail to make adequate time available for a proper and [illegible]bate of a major and important public health issue about which so many feel so strongly?

Mr. Wiggin: I agree with my hon. Friend; he is absolutely right. I shall come to fluoridation in a moment, but the issue will affect every household in the country and particularly the people who have the young children who are most vulnerable to tooth decay. One may believe that fluoridation is the best way of tackling that problem or that other methods should be explored, but it is almost deceitful that such provisions should be slipped into the Water Bill. I accept the reasons given in Committee as to why the Government chose to behave in this somewhat underhand manner, but there will be a deficit in the length of our debate. No matter how much we would like to debate this provision in the Bill more,

there is another probably more sinister side to the matter. The decision on whether fluoride should be added to water will not be taken by us in the House. It will be pushed to the strategic health authorities, and that is a further derogation of our duty.

Mr. George Osborne: The votes on fluoridation will, unusually, be free votes for Opposition and Government Members. Does my hon. Friend therefore not agree that hon. Members may be more susceptible in those circumstances to listening to the debate and making up their minds rather than following a party Whip? Is it not then even more important that we have adequate time to hear all the arguments on fluoridation?

Mr. Wiggin: That is a tremendous point. My hon. Friend is absolutely right. Furthermore, most hon. Members will have fairly open minds on this issue, particularly because the conclusions of the York report were so questionable. It did the work properly and suggested that there was a risk, but it said that further research needed to be carried out. The Government have failed to carry out that research and have proceeded with their legislative programme. That is astonishing. I agree that a great deal more time should be set aside so that we can obtain as much information as possible from the Government. They seem to be so confident that this is the best way to go ahead with mass medication that they have hidden it in the Water Bill.

Chris Grayling: Is my hon. Friend aware that the Department for Environment, Food and Rural Affairs has been seeking to avoid discussing this issue in public? Two weeks ago I was drawn at No. 7 in the list for DEFRA oral questions, but Ministers transferred that question because they said that this issue was not a matter for the Department even though it is the sponsor of the Bill. The Government are trying to avoid discussing a matter of such great importance.

Mr. Wiggin: I remember that my hon. Friend and I discussed this at length, because I was horrified by the way that he had been treated. He is right. I suspect that Ministers were frightened of him. I can think of no other reason why they should shy away from his incisive questioning.

Mr. Bercow: I am grateful to my hon. Friend for his customary generosity. Given that Ministers have a disagreeable habit of arguing in these circumstances that all the relevant matters have been exhaustively debated in Standing Committee, thereby justifying the circumscription of debate on Report, may I add ammunition to my hon. Friend's arsenal by making the point that some of us were not so favoured or fortunate as to be chosen to sit on the Standing Committee? That does not mean that we do not wish to inform the House of our views—if necessary, at appropriate length on Report.

Mr. Wiggin: My hon. Friend makes another extremely important point and I am very grateful to him for doing so. I suspect that, because he is such a tremendous debater, he will arm me with almost weapons of mass destruction. I do not think that I would be too upset watching the Government crumble before him.

Mr. George Osborne: A 45-minute warning.

Mr. Wiggin: Indeed, a 45-minute warning.

On the time limit of licences, we must cover the 12-year problem and the presumption of renewal. The presumption of renewal is a key issue for those investing in quarrying and abstraction. Provided that they are not doing any damage, the Bill should contain a provision that gives them a proper presumption of renewal. However, it does not. There will be problems with those who wish to appeal, and difficulties arise because details of how compensation will be claimed have not been set out. We could have thrown a little more light on those issues on Report, and it is again a tragedy that there will be a shortage of time. In Committee, we said that the Environment Agency needs to take account of infrastructure, costs and investments associated with abstraction before making a decision on the life of the abstraction licence.

We should address the conduct of the regulator and discharge to watercourses. The functions of the chairman and chief executive of the new water service regulatory body should be separate to prevent one person from having too much power in the regulation of the water industry. Clause 98 must ensure that surface water is kept separate from foul water in calculations of sewage water capacity. When new sewers are built, proper calculations should be taken into consideration so that if flash floods occur, water has the proper facilities to run off. If sewers flood back, which they do at present, it causes horrendous foul flooding that is deeply upsetting to householders and causes much damage. That could be avoided with proper regulation, but the Bill represents a missed opportunity to do that.

Clause 83 addresses the important duty to conserve water and improve water efficiency. An amendment relating to that issue was tabled by Labour Members and we had an important debate. I hope that further such amendments will be selected by Mr. Speaker, but who can tell at this stage? The water conservation duties in the Bill are too weak, and I hope to strengthen them on Report. I hope that an hour will be sufficient to hold an in-depth and constructive discussion on how to ensure the future best efficiency of our water because, after all, we all want the best possible management of water. Unfortunately, I doubt that there will be sufficient time for the views of the number of hon. Members who are passionate about that to be heard. The matter is of interest to hon. Members of all parties who have said how keen they are for a duty to preserve water properly to be imposed on all office holders.

Mr. Andrew Lansley (South Cambridgeshire): My hon. Friend touched on the structure of the regulator and regulatory methodology. Does he agree that we do not yet know whether the time available—an hour—to consider a range of subjects including the structure of the regulator will be sufficient? It was evident in Committee that the Government's proposals on the structure of the regulator were questionable, and the Government were questioned by not only Conservative but Labour Members. The chances of the Government

[Mr. Andrew Lansley]

tabling amendments should be high, in which case we might not need to debate them at length. However, we did not have time to consider the impact of regulatory methodology and the regulator's regulatory impact assessments in Committee. Under the programme motion, there is a risk that we will not reach those issues on Report either.

Mr. Wiggin: I agree with my hon. Friend, who was a huge asset to the Committee because his wide-ranging experience of the way in which such legislation should be written was crucial. Tragically, he is absolutely right about the lack of time to explore the issues that he mentioned. However, the situation is worse than that. We want to use the framework on which he touched to ensure that proper regulation will exist so that people will behave in the way in which the Government want rather than having to be punished and pursued after a transgression. It would be helpful for the Bill to include such a provision but, tragically, it will not.

Mr. George Osborne: Surely it is important to remember when considering the time allowed for discussing the groups of amendments that if there is a disagreement in the House and Divisions are called, that will eat into the debating time. In some cases, we might have only half an hour in which to discuss important issues.

Mr. Wiggin: My hon. Friend is absolutely right. I am reminded that we do not know whether there will be a statement on Monday, which would also eat into the time allowed for the debate. I am glad to say that guillotines and knives are bad because all Conservative Members think that we need the opportunity to hold the Government to account. They are wriggling by moving such a programme motion. I am worried that issues such as fluoridation, which my hon. Friends touched on, will not receive more than two hours if we are lucky. The situation is absurd. The topic is controversial. Much doubt and uncertainty surrounds it. Fluoridation should be allocated much more time. It is appalling how the relevant clause has been pushed into the Bill without providing reasonable time for a quality debate.

Chris Grayling: Does my hon. Friend agree that we might ascribe honourable motives to Ministers if we were at a time in the parliamentary calendar—

Mr. Deputy Speaker: Order. We always ascribe honourable motives to all Members of the House.

Chris Grayling: Indeed, Mr. Deputy Speaker. Let me rephrase my remarks. Does my hon. Friend agree that Ministers' motivations in selecting the timetable might be more dependable were the calendar packed with business? As we saw yesterday and see today, many parts of the parliamentary calendar are allocated to Adjournment debates, for example. Does he agree that if Ministers wanted to make time available, it would be easy for them to do so in the next few days?

Mr. Wiggin: I agree with my hon. Friend, who makes his point most honourably. The speed at which the Bill is accelerating through both Houses is unseemly and does not do justice to the importance of the argument.

Other unanswered questions left over from the Committee will also need to be debated. The Minister was amenable in Committee, but even he will not have time during the two hours to cover all matters raised. In fact, when we debated fluoridation, the Under-Secretary of State for Health, the hon. Member for Welwyn Hatfield (Miss Johnson), responded—*[Interruption.]* It seems that fluoridation slipped into a DEFRA Bill. The Government have ensured that the lack of debate will prevent everyone from having their say, including the public. After all, we need to debate fully whether the public will get a proper opportunity to be consulted and have their say on what happens to them.

We need to thrash out how the Government will proceed with their intended agenda of introducing a registered poison into our drinking water while protecting companies through an indemnification policy instead of devolving the matters to local authorities, which are democratically elected and accountable, as opposed to strategic health authorities, which are not. Strategic health authorities are also not local, whereas local authorities are in touch with local people. All households should be consulted. It is vital that everyone in an affected area is not only presented with neutral in-depth information, but has the opportunity to have their say, perhaps in a referendum. That is not in the Bill. It is essential to cover that in a constructive debate.

Mr. George Osborne: As I said, my hon. Friend makes a powerful case for more time to be available to debate fluoridation. There are many things to consider, not just whether it is good or bad. I suspect many hon. Members on both sides of the House, not least on the Labour Benches, will be interested in making that argument. We also need to consider how fluoridation should take place and which body should be charged with the duty of determining public opinion in a particular area. Such matters cannot be debated in a maximum of two hours.

Mr. Wiggin: My hon. Friend is right. The questions on fluoridation that we asked in Committee were not answered in full. We were relying on the debates on Report to provide some of those answers. One question was the likely cost of indemnification. What will legal procedures cost? We have been assured by people who feel passionately about fluoridation that they will go to court because they believe that it infringes their human rights. I do not know whether that will happen for certain, but we need to know what it would cost. That alone will easily fill the time allowed, but we have only two hours for the whole debate.

It is strange that the Government have decided to take time to put the Bill through both Houses but failed to allow a full debate on all aspects of it. In Committee we hurried through as much as we could and, despite receiving many assurances from the Minister, we are now hurrying through the Report stage as well. It is easy to grow cynical in old age, but the method of legislating is not as thorough as it could be—[HON. MEMBERS: "Oh!"] Methinks hon. Members do protest too much. We could do more to scrutinise the actions of the Government, especially a Government with such a large parliamentary majority, so we should we take a stand,

like Moses before the Red sea, and watch the Water Bill part before us into untimed portions, each to be fully debated by the House.

4.30 pm

The Minister for the Environment (Mr. Elliot Morley): I had not planned to say much during this debate, because the programme motion has already been debated and was agreed on 8 September. The hon. Member for Leominster (Mr. Wiggin) talks about parting the Red sea, but it sounds to me like he is lost in the bulrushes, so it might help the House if I clearly set out what has been agreed.

The motion does not alter the programme agreed by the House on 8 September, which is that the debate should last for one day, with the last hour reserved for Third Reading. The time allocated for debate on part 1, water resources, which includes quarry dewatering, will end at 5 pm. Debate on part 2, which deals with new regulatory structures, will end at 6 pm, allowing time to cover some of the points the hon. Gentleman raised. Debate on part 3, miscellaneous provisions, will end at 7 pm, which allows two hours to discuss fluoridation.

Chris Grayling: Has not the Minister experienced in his constituency the level of public interest in fluoridation? Does he not realise how many letters hon. Members have received on this subject? Does he not accept that many hon. Members will want to debate that subject? Does he not recognise that allowing only two hours is, to be frank, an insult to hon. Members on both sides of the House?

Mr. Morley: No, I do not accept that. I live in a fluoridated area and I have had no letters on the issue from constituents.

Mr. Paul Tyler (North Cornwall): It is an anomaly that Report stage does not include a report. Will the Minister report to us how many new clauses, amendments and schedules were not properly scrutinised in Standing Committee? Is it not the case that Committee stage proved to be more controversial and more detailed than was anticipated back in September?

Mr. Morley: No, I do not accept that. Although I cannot give the hon. Gentleman the precise details off the top of my head, I can say that the Opposition parties felt that too much time had been allocated to discuss fluoridation in Committee, so, with the consent of the Committee, the three sittings allocated were reduced to two, which allowed us to take all the amendments and schedules, and finish them completely in the course of the Committee's sittings.

Mr. Wiggin: Will the Minister give way?

Mr. Morley: Perhaps the hon. Gentleman will confirm or deny that my colleagues and I made every effort to take into account the Opposition's wishes when structuring the programme.

Mr. Wiggin: The Minister is right about fluoridation—we did manage to cover almost all the issues associated with it. However, he is not correct about how much of the rest of the Bill was not covered, which was a significant amount. It is important that people know that the issues I touched on in the speech I just made were not covered in Committee.

Mr. Morley: Just about all the issues were covered—not all, and I do not pretend otherwise, but I have served on Bill Committees for many years, including under the Conservative Administration when there was no programming of Bills, and I think that we got through a greater proportion of the Water Bill than of many other Bills. The lack of programming under the Conservatives meant that big chunks of legislation were never reached, and Opposition Members should not forget that.

Mr. Bercow: The Minister is sniffily dismissive of the idea that fluoridation is a matter of public controversy. I put it to him, for the avoidance of doubt, that I have received a plentiful supply of letters on that subject from constituents, who would not accept his categorisation of the issue as merely one of health, but regard it as one of civil liberties. Furthermore, I remind him that consideration in Standing Committee is separate from and irrelevant to the question of hon. Members having a chance to ventilate their views on the Floor of the House.

Mr. Morley: That is why the largest chunk of the time provided on Report has been given to the issue of fluoridation, precisely to allow Members on both sides of the House to put forward their points of view. That is right and proper.

Following representations from the Opposition, we increased the number of sittings from nine to 11, and reached agreement on the programming. I have served in Committee on both programmed and un-programmed Bills. I believe that if programming is addressed in a sensible and rational way, as is proposed, it guarantees that many of the important issues raised during this debate can be discussed in a way that hardly ever happens during consideration of un-programmed Bills. I am not criticising Opposition parties, which have been constructive in their approach to an important Bill that contains many important measures, which I think the House wants to support and which people want to see enacted.

4.36 pm

Sue Doughty (Guildford): We, too, have concerns about the way in which the time for consideration of the Bill is being divided. One of the key issues is that even at this stage amendments are still being tabled. We are considering the allocation of time on Report and the grouping of amendments, yet we still do not know at what stage amendments will come before us for consideration and how much time will be needed to discuss them. If we end up with many amendments coming forward for consideration at the end of the Report stage, as often happens, we will not have adequate time to discuss them.

It is a good thing that the fluoride issue is not taking over the entire Bill. There are a great many important issues to be discussed, of which fluoride is one. However, we still question why such a vital health issue ended up

[Sue Doughty]

in the Bill. I understand the concern about the legality of putting fluoride in water and the water industry's concerns about where it stands on that, but it is a health issue. However, those are concerns that affect many constituents and there will not be much time to debate them.

There are strong consumer issues. We have heard about quarrying, which affects many constituents. That is a key factor. Many Members want to make representations about those issues on the Floor of the House, and we need time to consider them.

Liberal Democrat Members are tabling important amendments that address some of the key injustices—*[Interruption.]* For us, they are important amendments. People in the south-west, for example, are paying large water bills and high environmental charges. Those are the injustices faced by people in the area, who are on very low incomes. We debated those matters in Committee. Having listened to the issues raised, we felt that it was right to bring forward further issues, particularly given that they concern Members with constituencies in the south-west, who have strong interests in the area.

We have concerns about the debate on fluoride. When we debated the matter on Second Reading and in Committee, we found that there was a lack of good scientific information on human health and fluoride. We have tabled amendments that will enable us to discuss why such scientific information is not available. Such information should be collected year on year. There were a number of questions that no one could answer on Second Reading or in Committee, which we felt could be dealt with successfully during further consideration.

Mr. George Osborne: The hon. Lady is touching on one of the more constructive Liberal Democrat amendments that was tabled in Committee, which proposed an annual review of the impact of fluoridation in areas where it went ahead. I understand informally from members of the Government that they were quite sympathetic to the idea, but we never had a chance to discuss it. Under the programme motion, we may never get a chance to discuss it on Report.

Sue Doughty: I thank the hon. Gentleman for making that point. We were taken rather by surprise because we did not know when debate on the motion would take place. We were rushing round trying to find the Government's answers and who had written to whom. We still cannot find a letter that responds to the points that we raised. We knew that the Government said that they would respond to us. The letter may have arrived, but we cannot find it. In principle, we are not unhappy about grouping amendments, because it is important that we get to the end of the Bill and do not use the available time to discuss only half of it. We often discuss the initial clauses of a Bill for too long and fail to get to the end. It is important that we have time to do so. Many hon. Members want to speak on fluoride and quarrying, and it is a matter of grave concern that, once again, we are in danger of running out of time to discuss an important and wide-ranging Bill.

Question put:—

The House divided: Ayes 300, Noes 181.

Division No. 351] **[4:40 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Bayley, Hugh
Beard, Nigel
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*

Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
Mactaggart, Fiona
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Squire, Rachel
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James *(Glasgow Baillieston)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Fraser Kemp and Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Doughty, Sue
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Fox, Dr. Liam
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gidley, Sandra
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, rh Michael
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Liddell-Grainger, Ian
Lidington, David
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Marsden, Paul *(Shrewsbury & Atcham)*
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit

Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Angela Watkinson and Mr. Mark Field

Question accordingly agreed to.

Vocational Education

Motion made, and Question proposed, That this House do now adjourn.—*[Gillian Merron.]*

4.53 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): Generations of politicians, educationists and industrialists have grappled with the challenge of making vocational education a success. I think that all hon. Members would accept that they have largely failed. No single speech, policy announcement or reform of the system will be enough to meet that awesome challenge. This debate is important, however, because it will shine a light on the Government's view that high-quality vocational education is central to the future success of our country and expose the contrasting agendas promoted by the respective parties.

Ironically, there is significant consensus among Members on both sides of the House as to why vocational education matters. It matters because we will never have a fair society or a successful economy if our post-16 participation and attainment levels remain among the worst in the OECD. It also matters because there is a significant skills deficit at technician and craft level compared with France and Germany, and because young people need a variety of ways in which they can progress and achieve on their journey to the world of work and responsible adulthood.

Far too often, opinion formers and policy makers—of all political persuasions and none—have given the impression that the only journey worth making is via the academic or conventional route. This Government's education reform agenda is about 100 per cent. of young people, not only the 50 per cent. who we want to access higher education by 2010. Vocational education matters because employers of all sizes in the private, public and voluntary sectors need well qualified young people. But, at the beginning of the 21st century, being well qualified must also involve possessing good communication, interpersonal, problem-solving, teamwork and leadership skills. In a dynamic global economy, adults can no longer count on one job—perhaps even two, three or four—for life. Lifelong learning must support a new concept, namely employability for life. Perhaps most importantly of all, today's young people are the parents of tomorrow, and educational failure fans the flames of low aspirations and inter-generational economic and social exclusion. These are all reasons why vocational education matters.

Let me take this opportunity briefly to remind hon. Members of the noble attempts that have been made through history to make a success of vocational education. In the 19th century, the state of vocational and technical education was repeatedly criticised, most notably in the Samuelson royal commission on technical education in 1884. The pattern of technical education that developed in the 19th century was institutionally marginalised from mainstream education. Whereas in France and Germany technical education was allied to general education, in Britain a divide developed between the two, separating skills and knowledge. The divide was cemented in divisions between Government Departments and agencies throughout the 20th century. The Board of Education, created in 1900, was to remain

separate—as the Ministry or Department of Education—from the Ministry of Labour and the Department of Employment for almost the entire century. The Departments were finally brought together into the Department for Education and Employment in 1995.

Despite the Education Act 1944—the Butler Act—which for the first time required local education authorities to provide further education, vocational and technical education failed to develop clear, high-standard qualification routes or institutions of study linked to schools and the labour market. Curriculum and qualifications authorities for academic and vocational qualifications, and funding channels for post-school education and training, remained divided.

The Manpower Services Commission was developed by the then Department of Employment. The MSC subsequently turned into the Training Commission and was then followed by the network of training and enterprise councils in the 1990s. The desire to improve links between schools and the world of employment led to the creation of the technical and vocational education initiative in the early 1980s. The TVEI saw significant investment in vocational school-based education—at its height, £141 million a year, using 1999–2000 prices as a benchmark. But Whitehall turf wars and the fact that the then Department of Education and Science was told of the initiative only at the very last moment—the mind boggles—meant that, while the TVEI was widely welcomed by schools, it had little impact on the thinking of the DES, and it was eventually phased out.

The Government do not intend to repeat the mistakes of history. Rather, we seek to learn the lessons of that history. We have charged Mike Tomlinson with the responsibility for leading a working group on 14 to 19 reform. The group, which we hope will produce its final report next summer, has been asked to address three main areas. The first is the need for a much stronger vocational offer, with a firm underpinning of general education. The second will involve ensuring that assessment within all programmes across the 14 to 19 phase is fit for purpose. The third is the development of a unified framework of qualifications suitable for young people across the whole range of ability.

Mr. Graham Allen (Nottingham, North): In my constituency, fewer young people go to university than in any other. In such areas, the vocational route is probably even more important than some of the university options that are currently exciting Members in all parts of the House. I hope that my hon. Friend will continue his good work, but will he also consider what is described as the navigation—the way in which people can move on from qualification to qualification? It is still difficult for young people to see a way forward into their 20s.

Mr. Lewis: I entirely agree. Our objective should be to help all young people enter skilled employment via either higher education or an alternative high-status vocational route. If we are to achieve that, we shall need the right provision in each area, especially for those over 16. That is why we have asked local learning and skills councils to conduct area reviews, so that each community has the right combination of institutions and we can deliver the progression route to all young people. My hon. Friend has campaigned and crusaded to that end in his constituency, because he understands that the raising of aspirations is one of the greatest and most fundamental challenges facing many constituencies.

Over the past year, as well as asking Mike Tomlinson to look at education for 14 to 19-year-olds, we have published our proposals for the future of further and higher education, as well as our national skills strategy. We are establishing a number of building blocks to achieve long-term cultural change.

For 14 to 16-year-olds, we are introducing a new curriculum with more flexibility to create an individual learning programme. Eighty thousand 14 to 16-year-olds from 1,800 schools are participating in the increased-flexibility programme, which involves their spending a couple of days a week at school, perhaps a couple of days at college, and one day a week with local employers. Eight new GCSEs were introduced in September 2002: applied art and design, applied business, engineering, health and social care, applied information and communications technology, leisure and tourism, manufacturing and applied science. GCSEs in construction and the performing arts will be available from next year.

Subject to parliamentary approval, work-related learning will become a statutory requirement for all 14 to 16-year-olds next year, and in 2005–06 enterprise education will become part of the curriculum.

Connexions is now up and running in every part of England. It involves working with schools to ensure that young people have access to good-quality impartial support when making curriculum and career choices, and giving more intensive support to teenagers when serious barriers get in the way of their learning.

Post-16 modern apprenticeships have never been more popular. Notwithstanding the oft-repeated statement which may be heard when MPs meet business people or educationists—"It is a shame that we do not have apprenticeships any more"—we have a thriving apprenticeship system. A record 230,000 young people are undertaking modern apprenticeships this year. Nevertheless, we want that number to grow significantly in the years ahead. Working with employers sector by sector, we must improve completion rates. Although they are getting better, they are not good enough.

Mr. Phil Willis (Harrogate and Knaresborough): Would the Minister consider paying particular attention to core skills? Surely they should be part of the main thrust of modern apprenticeships. Many young people are put off completing the work by an additional test.

Mr. Lewis: I agree that completion, as well as encouraging more young people to participate in the first place, poses a major challenge, but I believe that if we are to provide a high-status, meaningful option in the form of a modern apprenticeship, we cannot seriously suggest that those participating should not be able to demonstrate that they possess key skills. I acknowledge that the way in which the key skills component is delivered is important, but I do not accept the argument advanced by some that key skills are the reason for the

[Mr. Lewis]

significant non-completion rate. The history of non-completion suggests that there is no direct correlation between it and the introduction of the key skills test.

Mr. Andrew Lansley (South Cambridgeshire): If the Minister thinks that there is no correlation with the external assessment of key skills, will he look at an alternative interpretation of why the completion rate is not as high as it should be: the absence now of a realistic option for young people to go for other training? In effect, therefore, they are being given no choice but to go into foundation modern apprenticeships, which they probably have no realistic likelihood of successfully completing.

Mr. Lewis: I think that a combination of factors leads to non-completion, and we need to be clear about that combination. For example, undoubtedly, some young people and employers decide not to proceed all the way through because their relationship is positive and the young person is earning a salary—a decision is made that there is no need to complete the apprenticeship. However, we recognised that there was a gap, which is why we have introduced the entry to employment scheme. The hon. Gentleman may not be aware of that initiative, but this year a significant number of young people are choosing that option. They are the ones who are not ready to participate even in foundation modern apprenticeships. I would be delighted to furnish him with more details on the entry to employment scheme. It has filled the gap and addressed the problem that he rightly identifies: a cohort of young people who do not have the skills to enable them to commence even a foundation modern apprenticeship.

Jon Trickett (Hemsworth): I, too, pay tribute to the work that my hon. Friend is doing. In constituencies such as the one that I represent, a former mining area, with the lowest possible levels of education attainment, it is imperative that we get people to feel that high-quality, high-esteem qualifications are available as a route into work. However, does he not accept that we have mixed economy provision, which is complex and sometimes a bureaucratic nightmare? Will he address in particular the issue of blocks of money, which are made available by his Department for our institutions, being handed out, rather than subjected to competitive tendering among various providers? That is extremely unhealthy.

Mr. Lewis: The criteria must be quality and standards, and contractual arrangements must be made with those providers who can demonstrate that they have the capacity to deliver quality provision. In the context of modern apprenticeships, one of the criteria that we must set is that providers should support and achieve a much higher completion rate. Locality by locality, I expect local learning and skills councils to make decisions on contracting linked to standards, quality and clear outcome expectations. The reform of both further education and training provision through the "success for all" reform and investment programme should get us to the stage that my hon. Friend wants us to reach.

Jon Trickett: It seems that in some areas we are in danger of creating a quasi-monopoly. I am thinking not only regionally and locally but nationally. Is there not a risk that we will put all our eggs in one basket, which does not necessarily drive up standards among provider institutions? Would it not be better to say that we will look for competitive tendering wherever that is feasible?

Mr. Lewis: We have made it clear that we see the mixed economy as part of the system that we wish to create in which competition exists between colleges and training providers in both the private and voluntary sectors. The central thrust of that system, however, must be quality. We know that, sometimes, competition is a powerful lever to guarantee quality. If my hon. Friend has some specific examples where he feels that monopoly provision is not supporting high-quality standards, I would be pleased to hear about them.

It is important to refer in the context of modern apprenticeships to the taskforce that has been created under the chairmanship of Sir Roy Gardner, the head of Centrica. Unfortunately, he is also the chairman of Manchester United plc—but that was not in the briefing when I agreed to his appointment as chairman of the taskforce. The role of the taskforce is not only to engage far more employers in offering places to young people on modern apprenticeships but to ensure that we have ready access to employers' views on where modern apprenticeships are working and where there need to be policy revisions to ensure that, sector by sector, we get the framework for modern apprenticeships right. Therefore, the taskforce is important.

On the point raised by the hon. Member for South Cambridgeshire (Mr. Lansley), some 50,000 young people are participating in the entry to employment provision to which I referred.

All Members will accept that financial support is a very important factor in the choices that young people make. That is why we are incredibly proud of education maintenance allowances, which will be available nationally from September 2004. However, it is also important that we look at all financial support being offered at 16 to 19, so that we achieve cohesion and incentivise learning. We welcome the Treasury-led review in this area, and we have a particular interest in the impact on family means-tested benefits when young people participating in a full-time vocational college course are in receipt of a training allowance. We must ensure that the financial regime supports our objectives by encouraging young people to stay on, rather than encouraging them to drop out into low-paid, low-skilled employment.

Laura Moffatt (Crawley): The Minister may be interested to know that the issues of quality and supporting students who go into further education, which we have already discussed, are very real ones for my constituents, especially the young people. Crawley college has just opened the Longley building, which is dedicated to construction services and will ensure that young people get the very best training. Such work offers them the prospect of support and superb training,

ensuring that our economy in the south-east is vibrant and healthy and can support all the industries that we so badly need. Does the Minister agree that we need to build up a picture involving all the relevant organisations—employers, learning and skills councils and colleges that are prepared to invest in their own buildings—to ensure that we can offer our students the very best?

Mr. Lewis: I agree entirely with my hon. Friend—it is essential that we tear down the barriers between the world of education and the needs of the labour market in every region and sub-region. Many colleges are responding by developing, through capital investment and revenue funding, provision that genuinely meets the skills needs of specific sectors and their regional and sub-regional economies. What is happening in the college mentioned by my hon. Friend is an excellent example in that regard.

We have also introduced foundation degrees. In 2002–03, 12,000 students were studying for such degrees; we anticipate that the number will increase to about 50,000 by 2006. In the recently published skills strategy, we announced a new entitlement to free learning for all adults in respect of the first level 2 qualification. We also announced our intention to lift the age cap on modern apprenticeships, and the creation of sector agreements, which will allow individual sectors to define the vocational courses that they will require to meet their future skills needs.

Central to delivering this extremely ambitious agenda will be our capacity to raise standards, to improve the quality of provision and to create a new culture of collaboration between institutions in every area. We now have 1,445 specialist secondary schools; by 2006, there will be 2,000. As Members are aware, specialisms include arts, business, languages, science and technology. The seeking of specialist status and the requirement for sponsorship and community engagement have built relationships between schools and employers that will offer new vocational opportunities to many young people.

Further education colleges and training providers are benefiting from the groundbreaking "success for all" reform and investment programme, which provides unprecedented levels of investment in return for a more demand-led, high-quality system. As was pointed out, we now have 251 centres of vocational excellence, and the number will increase to 400 by 2006. The centres are being developed in co-operation with employers, and subjects include construction, engineering, manufacturing, technology, information and communications technology, and tourism. Local learning and skills councils are conducting area reviews to ensure the right configuration of post-16 institutions, and to support progression and attainment in any community.

Mr. Allen: The learning and skills councils are obviously central to everything that my hon. Friend is trying to achieve, so will he ensure that they take into account the contribution that secondary schools can make? In my constituency, most kids see school finishing at 16. One way in which we can get young people to bridge into 17 and 18-year-old education is to have on-site—not comprehensive, but well defined—facilities on each of the school sites. As I mentioned previously, some of the schools in my constituency do not achieve particularly high academic qualifications, but vocational education—perhaps sponsored by further education or badged by universities locally—could help youngsters to aspire to higher educational levels. Will my hon. Friend ensure that the Learning and Skills Council is fully aware that that is one possible route that it is able to fund?

Mr. Lewis: We have made it absolutely clear to the Learning and Skills Council that we do not have a one-size-fits-all national solution. What we want in every community is the most innovate and imaginative ways of supporting the maximum number of young people to progress and achieve in learning. We have also made it clear to the LSC that it has responsibility to engage with Members of Parliament, local councils and councillors to ensure that its decisions have the maximum possible support within local communities, and to tackle some of the fundamental structural problems that, over many years, have got in the way of achieving the aspirational agenda that we want. I urge my hon. Friend to join local learning and skills councils in ensuring that high-quality provision is made available in his area.

Mr. Allen: May I press my hon. Friend on site-specific or on-site provision at schools where children normally leave at 16? People want not to be told what should happen, but to have options. There seems to be a degree of reticence in respect of school sites with further education, university or other possibilities. Many children will not travel to an FE college and may feel inhibited about leaving their school and going to a sixth-form college, for example, but they could be nurtured from 16 into 17 and 18-year-old education by a teacher who knows them. If they go to an FE college, they may be one of several thousand sloshing through the doors who, although I mean no disrespect to FE colleges, are not given enough personal attention. Children will be one of many, which can lead to the sort of drop-out rates that were mentioned earlier.

Mr. Lewis: Let me be clear to my hon. Friend: there is a range of options to meet the objectives that I have set out. We have school sixth forms, sixth-form colleges, distinct provision within FE colleges, and post-16 provision located in the environment of a school where it is felt to be the most appropriate solution. We do not impose a one-size-fits-all model, but we do believe that it is right that local communities, in considering post-16 progression, reflect seriously on all the options.

Mr. Lansley: In the course of our discussions on the role and performance of regional development agencies, we examined their relationship with learning and skills councils. It seems clear that there is a discontinuity between the national governance of the Learning and Skills Council—and the sub-regional deliverers, the learning and skills councils in counties or unitary authorities—and the regional development agencies. The skills strategy published by the Minister's Department talked about the integration of learning and skills councils and regional development agencies. We can see joint working on the ground, but not how

[Mr. Lansley]

integration will happen. How can the local partnerships that the Minister describes determine the shape of local provision in practice?

Mr. Lewis: I agree with the hon. Gentleman. By the end of this year, each regional development agency will be expected to produce proposals for an integrated approach to skills, with local learning and skills councils, Business Link and Jobcentre Plus. That is one response. I also believe that the new chief executive of the Learning and Skills Council is considering, as we speak, the appropriate relationship and structures to ensure that the council engages to maximum effect with RDAs. The concerns that the hon. Gentleman articulates are being addressed, and they need to be addressed if we are to stimulate the demand among employers and individuals for the skills that we want.

Mr. David Chaytor (Bury, North): My hon. Friend the Member for Nottingham, North (Mr. Allen) raised the question of choice and variety at the age of 16. Does my hon. Friend the Minister agree that the dilemma is that in many parts of the country—if not most—colleges have better facilities for vocational education, but the schools have the advantage of loyalty from students? The key is the provision of comprehensive and objective advice about all the options available, so that young people are not influenced unduly by their attachment to their school, where the curriculum may not be appropriate, or by the attraction of the facilities at college, which might not provide the right context for their studies. What we need is good educational advice before the age of 16.

Mr. Lewis: I always agree with my hon. Friend from Bury—for obvious reasons. We are moving from a culture of competition to one of collaboration. That brings with it new challenges and dilemmas for policy and professional relationships, but it is the right direction to take. The impartiality of the advice, information and support given to young people about curriculum and career choices is important. That has to involve a partnership between the Connexions service and careers advice in schools. Increasingly, it must also involve employers going into schools and young people going out into the world of work. That will help to ensure that choices are made for realistic and practical reasons, rather than an outdated view of what certain industries can offer.

One concern in the past was that young people were steered in the wrong direction, which led to dropout and disillusionment and those young people never returning to education. Supporting young people to make the right choices is essential, but ensuring that we have the right provision is equally important to local communities.

Mr. Allen: My hon. Friend's relaxed and helpful style is creating a genuine dialogue in the Chamber, for which he should be commended. Sixteen-year-olds need advice, but it is also important for them to see their big brother, big sister or the kid down the road staying on at school on the same site. Better provision may be available elsewhere, but students face peer group pressure. If a student's colleagues all leave school at 16, it may be seen as weird and unusual to stay on. That sort of pressure can be dissipated only by students seeing 17 and 18-year-olds from their street staying on at school on the same site, even if they are doing vocational education.

I thank the Minister for his generosity in giving way again.

Mr. Lewis: It is fair to say that I get the message. The causes of low aspirations are significant and deeply rooted. We have to challenge the low aspirations found in many communities in various ways: not least, we have to influence the attitudes of parents and families. We must bring a stronger cohesion to our actions in terms of adult learning and our school standards agenda. In my view, parents and grandparents who have gone back to learning are far more likely to support the educational potential of their children and grandchildren.

Mr. Kerry Pollard (St. Albans): My hon. Friend mentions aspiration, but a key group of Bengali and Pakistani students have lower aspirations than others. Are steps being taken to ensure that aspiration flows right through the system?

Mr. Lewis: I agree that we need a system that can respond appropriately to the needs of individuals in a way that has not been done before. We need that more personalised education response, but we also need a system that is sensitive to people's cultural and religious requirements and aspirations. In every part of the country, we are trying to provide educational institutions and services that can meet the needs of distinct local communities. That is why a national, one-size-fits-all approach is often not appropriate.

I must make some progress now, for fear that some hon. Members might lose patience, despite what my hon. Friend the Member for Nottingham, North (Mr. Allen) generously said about creating a dialogue in the Chamber.

I turn now to the higher education White Paper's relevance to vocational education. It outlines a vision of world-class teaching, learning and research, and places higher education institutions at the centre of innovation and economic regeneration. Throughout all the reforms that I have described, work force development is essential. That will involve the remodelling of the school work force, the professionalisation of lecturers and tutors in post-16 provision and higher education, and the creation of a cadre of excellent leaders and managers across all sectors. Perhaps most significantly of all, we are also committed to the most radical overhaul of vocational qualifications for adults ever. The Qualifications and Curriculum Authority, the Learning and Skills Council and the Sector Skills Development Agency are working together to create bite-sized courses and the principle of mainstream unitisation.

If we are to achieve our aspirations for vocational education, however, we cannot focus exclusively on providers. We must also find innovative ways of stimulating demand for learning among young people, adults and employers.

The LSC is working with key members of the new national skills delivery group to develop a common marketing and communication strategy to promote

vocational education. Learndirect has attracted 960,000 learners in only three years. The trade union learning fund and learning representatives have brought members and employers to the "learning table" for the first time. The employer training pilot schemes are offering advice and guidance combined with financial incentives to attract employers, especially small and medium-sized enterprises. As I said earlier, local RDAs and LSCs, Business Link and Jobcentre Plus and are working together in each region to minimise bureaucracy and maximise their cumulative impact on demand.

In addition, the Government are considering the extent of our influence as an employer, contractor and procurer of goods and services. I am in the process of conducting an internal review of education and business partnerships, and of our links with national voluntary organisations such as Young Enterprise, Business Dynamics and Trident to strengthen the dynamic that joins schools, colleges, employers and young people. Most importantly, we are committed to ensuring that by next year 85 per cent. of the UK work force will be covered by sector skills councils. At the moment, they are the missing piece in the skills jigsaw.

I turn now to Her Majesty's Opposition, and thus move away from the consensus that is beginning to develop in the debate. Last week, the quiet man said that there was no knight in shining armour waiting over the hill to ride to the rescue of his party. He was right about that. The emperor elect says that he has learned

"that winning the argument is not the same as winning hearts and minds."

That is an example of the Opposition's eternal arrogance. I assume that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) thinks that he won the argument over the poll tax or over his claim that the minimum wage would cost 2 million jobs. I have news for him, on both vocational education and higher education—his party is winning neither the arguments, nor the hearts and minds.

Conservative Members advocate the sheep and goats model of vocational education that has been a primary cause of our national failure in this area. They would determine that at 14 middle-class students took the "academic route" and disengaged working-class kids went vocational. They would create a two-tier system in which vocational was perceived as and became the inferior second-class option.

Mr. Graham Brady (Altrincham and Sale, West): Is the hon. Gentleman trying seriously to advance the thesis that the Government's policy of putting top-up fees on students is more popular than the Opposition's policy of scrapping fees? Does he not believe that we have won the argument on that, and have we not also won the argument on the Labour Benches?

Mr. Lewis: I am coming to that.

In higher education, the Conservatives would significantly reduce the number of young people having access to higher education and consequently cap the aspirations of many working-class and lower-middle-class families. Their claim to financial savings implies that their alternative vision of vocational courses would cost little or nothing. High-quality vocational education, the best universities in the world and the maximum possible number of young people learning post-16 would not be viable under their dishonest financial support package. They also conveniently ignore the fact that credible vocational education can and should, in many circumstances, lead to higher education when young people want that, and that a significant part of achieving our 50 per cent. target for 2010 will be via vocational routes.

It is not a question of hearts and minds versus the strength of the argument. For 18 years, the Conservative party had a unique chance to prepare our country for the challenges of the 21st century. What was its legacy? It was millions of adults lacking basic literacy and numeracy skills; 37 per cent. of 11-year-olds being unable to read or write to the required standard; and antisocial behaviour and a lack of respect permeating much of our society. Thatcher's children are also the children of the right hon. and learned Member for Folkestone and Hythe. Blair's children will benefit from sure start, universal nursery provision, infant class sizes of fewer than 30, the primary literacy and numeracy strategy, our focus on the early years of secondary schools, our national attendance and behaviour strategy, Connexions, secondary reform, a new 14 to 19 agenda, more adults in school and lifelong learning than ever before, modern apprenticeships and education maintenance allowances, and revitalised further education and world-class higher education—not to mention family support and financial help focused on eliminating child poverty and making work pay. That is the long-term change that we are making to the learning opportunities available to young people in our country.

Andrew Selous (South-West Bedfordshire): I listened with interest and respect to the Minister until he went into slight ranting mode just now. Conservative Members would listen to him more closely if he were to acknowledge that under his watch not everything has been perfect: the proportion of GCSE vocational qualifications has fallen under his Government; and the proportion of people in learning and adult community enrolments has also fallen significantly. Perhaps he will come to those points shortly.

Mr. Lewis: I reject entirely the hon. Gentleman's assertions. If statistics are used out of context, they distort the argument. If it is being claimed that results for people taking GCSEs this year demonstrate that our educational reform agenda has not worked, I must point out that that takes no account of the fact that the young people taking GCSEs this year did not benefit from our literacy and numeracy strategy, our reduced infant class sizes, our early years of secondary school strategy and our 14 to 19 reforms. If we are to have an honest debate about the impact of cumulative educational reform, we must acknowledge that this Government's reforms for the long term are beginning to raise standards in our schools considerably, as is demonstrated by the improvement in literacy and numeracy at the age of 11.

Our ambitions for vocational education will not be realised easily. We are seeking not magic wands or quick-fix solutions but a long-term cultural revolution, which will tear down the barriers between the world of education and the world of work. That will create a climbing frame of opportunities for all our young

[Mr. Lewis]

people, not a cul-de-sac or a one-way street for too many. It will ensure that lifelong learning is the powerhouse that truly extends opportunities to all, creating a nation that utilises the talents of all of our people so that we can be the best in the world.

5.35 pm

Mr. Graham Brady (Altrincham and Sale, West): Oh dear! The Minister started so well, but it all went horribly wrong towards the end. We were on the verge of having a sensible and serious debate, and it is rather sad that he went off message.

I am pleased to be here to open the debate for the Opposition, but I apologise for my hon. Friend the Member for Daventry (Mr. Boswell) who should be doing so. He could not get back to the House in time from an important engagement on similar matters in Manchester today. I know that he would wish to be here but, sadly, he cannot. However, I am grateful to have this opportunity, particularly as it could be—who knows?—my last appearance at the Dispatch Box. We can only wait and see.

Mr. Pollard: Shame.

Mr. Brady: I am grateful to the hon. Gentleman.

The Minister said that this was an important debate. It is important to employers, who need well qualified young people to come into the labour force, and to all our people, both young and old. At the beginning of his remarks, the Minister let out the guilty secret that he tried to conceal a little later. There is considerable consensus between the two sides of the House and among all parties on some of the objectives that we wish to achieve, even if we have differences of emphasis and view on how we wish to get there.

The debate is timely in the context of the national skills strategy that the Government have published, the Tomlinson inquiry and the lively and ongoing debate on the future of higher and further education and, in particular, the funding of it, to which the Minister alluded.

We have heard constructive contributions from my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) and the hon. Members for Hemsworth (Jon Trickett) and for Nottingham, North (Mr. Allen), who commented on the dialogue that was developing. An interesting discussion started about the balance between providing vocational options in schools and doing that on other sites in colleges, and about how we can best move forward in a way that encourages the maximum number of young people to stay in education.

I should like the Minister to say a little more about that when he replies, particularly in the context of the flexibility pilots that have been proceeding. Those pilots are entirely welcome and have begun to show some positive outcomes. He will know, as I do, that people in the schools and colleges involved have real concerns about how the pilots can best be developed and what the appropriate funding streams will be, so that the vision of the hon. Member for Nottingham, North can be realised, with more facilities for over-14s and over-16s offered in schools. How can we enable people in schools to experience a proper mixture of vocational and academic options? I hope that the Minister will return to that point and give the House the benefit of his thoughts on the matter.

There is a broad consensus about the nature of the problem that we face in this country with regard to skills and vocational education. The Minister went through some of the details of the background but we remain today in a relatively poor position in comparison with our main competitors in developing non-academic skills. Some 28 per cent. of British people are qualified to apprentice, skilled-craft or technician level, as against 51 per cent. of the population in France or 65 per cent. in Germany. More than 13 million people of working age lack basic qualifications. As the Minister neglected to mention in his closing remarks, 80,000 children are, according to Ofsted, currently being failed and, very largely, by our education system.

Mr. Lansley: In the context of the important debate about productivity, does my hon. Friend agree that if one compares the UK with France and Germany, the deficiency is not the proportion of students in degree-level education but the proportion who are developing intermediate skills, which are essentially skills related to national vocational qualification level 2 or 3?

Mr. Brady: My hon. Friend is right, and his point is crucial to the debate about the balance between the need for higher and further education and how we should advance the cause of improving the population's skills for the benefit of the work force and employers. The Government have set an arbitrary 50 per cent. target for young people going into higher education, although during Education questions last week, I noted that the Minister for Lifelong Learning, Further and Higher Education suggested that the figure was between 40 and 50 per cent, which sounded like backtracking or a slippage of the target.

There is a discrepancy between the estimate of the need for graduate skills made by the Department for Education and Skills and that garnered by the Department of Trade and Industry. I received a written answer from the DFES last week stating that 65 per cent. of graduates are engaged in jobs that require a graduate qualification after three years in their careers. However, the week before that, I heard that research undertaken on behalf of the DTI through the national graduate tracking survey suggested that when graduates themselves are questioned after three years in their careers, only 48 per cent. say that they are in a graduate job. There is a real imbalance between the two Departments, so perhaps there is a lack of joined-up government. Of course, the figures go to the heart of the validity of the Government's 50 per cent. target and the question of how we should best move higher and further education forward.

The Government's target of 50 per cent. participation in higher education is only one example of the British tendency to undervalue the vocational and practical. Similarly, we saw an increasing tendency for the fields of study in polytechnics to become more theoretical and academic. That was not only a British phenomenon. We often hear Germany's experience of vocational education held up as a beacon, but the education in German polytechnics became less technical and more

theoretical and academic. That was dealt with in Germany through the creation of universities of applied science, which is an interesting model that has borne some fruit—it is certainly popular with German employers.

My hon. Friend referred to the productivity gap between this country and our competitors, which is inexorably linked to work-related skills. If we do not get our approach on such skills right, we cannot hope to reduce that gap. The UK's gross domestic product per head is below the European Union average and the Organisation for Economic Co-operation and Development average. Our gap between France and Germany becomes wider if we use the measure of GDP per person hour worked, which shows that we are working harder and for longer hours to make up for difficulties faced by members of the work force who lack skills that could increase productivity.

The picture is not all bleak, because some excellent vocational education is offered in this country. The Minister will recall his recent visit to South Trafford college in my constituency during which we saw airline cabin crew learning their trade, and students learning catering skills to a superb standard—he and I were privileged to sample their work later in our visit.

There are, however, gaps and shortcomings in the provision of vocational education. The Minister acknowledged in a written answer on 16 September the need to do more if we are to revitalise and expand apprenticeship programmes. There are also problems with the delivery of guidance, which has been mentioned. The Connexions service is far from universal in providing the necessary guidance to young people. The problem will be compounded by the introduction of greater flexibility at key stage 4. If we are to offer a greater number of different routes to young people at the age of 14, the challenge is to get it right when we guide them through the options so that we ensure they do not take a wrong turn, which could cause difficulties for their career throughout their working lives.

Foundation degrees must be developed with the involvement of both employers and colleges. Ministers need to be clear that the degrees are of value. They are not a shortcut to achieving the Government's target of participation in higher education or a rebranded higher national diploma.

I am delighted that my hon. Friend the Member for Daventry has joined us. I am only sorry that he was not here an hour or so earlier.

Concern is always raised when Ministers spend large sums on advertising, as they have for foundation degrees. It has not been possible to open a magazine or newspaper in the past couple of weeks without seeing glossy full-page advertisements. As they do not impart much information about foundation degrees, one is tempted to wonder whether Ministers are worried about the content of what is on offer. Conservative Members are more interested in the substance of the policy than the advertising budget.

The Government's record on adult skills was mentioned by my hon. Friend the Member for South-West Bedfordshire (Andrew Selous). It leaves something to be desired. The sinking of the flagship individual learning accounts was strangely omitted from the Minister's list of Government initiatives. That resulted in the loss of a considerable sum—

Mr. Tim Boswell (Daventry): £100 million.

Mr. Brady: So £100 million was lost through the incompetence displayed when the policy was introduced. We were promised that the policy, central to improving adult skills and learning, would be re-introduced in short order.

Mr. Pollard: A propos the ILA, its withdrawal was the result of a fraud committed on an ever-increasing scale. It had nothing to do with the way in which it was administered by the Department for Education and Skills.

Mr. Brady: The hon. Gentleman puts his finger on the point. Surely the problem is that Ministers should have implemented the scheme properly by providing proper safeguards against fraud. Instead, it was set up in a way that was wide open to fraud. They also ignored warnings and indications of difficulties for far too long before they acted.

Mr. Pollard: The ILA was worth £200. It would have cost much more to ensure that it was not abused. The problem was caused by Jack-the-lad coming along and abusing it.

Mr. Brady: If the hon. Gentleman thinks it is so obvious that the scheme could never have worked because it was too expensive to proof it against fraud, why does he think that Ministers in his Government were incapable of seeing the blindingly obvious when they introduced the scheme?

The Government's record on adult skills is not one of which they can be proud. Government targets push the learning and skills councils' budgets into providing for 16 to 18-year-olds and for basic skills at the expense of adult skills. That will affect the ability of colleges to meet local skill needs and demand from employers and employees for part-time courses.

What does business need? That was summed up by the British Chambers of Commerce which said that it wants

"young people to receive education and training, not education or training."

It backed that up with comments from 36.4 per cent. of respondents to its productivity survey earlier this year who cited the lack of available skills as a barrier to improving their business performance. The notion of education and training is at the core of our challenge in schools and colleges. Next week in Committee we will debate changes to the key stage 4 curriculum, which may bring welcome flexibility, space for training and work-related learning. However, the changes risk narrowing the curriculum, potentially restricting pupils post-14 to a choice of only one modern foreign language and only one of the humanities. It would be a tragedy if, in trying to provide greater flexibility and space in the curriculum, Ministers created a system within which our young people are offered less choice and a less broad curriculum. Ministers must persuade the House that they will not allow that to happen.

[Mr. Brady]

The Engineering Employers Federation is one of many organisations to have highlighted the importance of the vocational route being given equal weighting to the academic route. The federation also voices concern about the adequacy of guidance—a point touched on earlier—and says that there is a need for work-based learning that

"energises and excites students and does not drain them of enthusiasm for continuing to higher levels of study."

What would we do differently? The Minister gave a caricature of the Opposition's policies and record. We are committed to a major expansion of skills education, available to young people earlier than it is now. We will work to increase the involvement of industry in the design and outcomes of courses and qualifications. We are committed to raising the status of skills education, which can be achieved only through rigorous and relevant courses leading to high-quality qualifications. We have made clear our belief that the emphasis on increasing the numbers of people in higher education—the 50 per cent. target—is not appropriate, as it exaggerates demand for graduate-level qualifications and diverts attention from the real skills crisis in our country. We want to widen choice and diversity in schools through our school passport and to allow more technical schools to grow. We will attach new priority to adult education, which has declined markedly in recent years, with enrolments down by more than 15 per cent. since 1996.

We join the Government in our mutual ambition to see a renaissance in skills education in our country, but we shall constructively oppose the Government when we see them failing, or showing signs of taking the wrong turning and letting down our young people.

5.52 pm

Mr. Kerry Pollard (St. Albans): I shall be extremely brief, as we have little time.

There is a critical skills shortage—especially in the south-east; there is no doubt about that—in all sorts of professions and trades. In my area, it takes a year and a half to get an appointment with a speech therapist and the therapy that many young children need. That is unacceptable. We cannot get plumbers or bricklayers, either, so we need to increase their number. That is one aspect of the problem.

Another aspect, which no one has addressed, is prison education. If we are to reduce the prison population and stop prisoners reoffending, as about 75 per cent. do, we have to educate them and give them vocational skills. There are some excellent examples of this, and I shall cite two. One is found in Feltham young offenders institution, where the Ford Motor Company is offering apprenticeships to young guests. They are trained to maintain motor cars; the training continues after their sentence ends and they are often offered a job by the Ford Motor Company. That is an excellent scheme and we should set up more like it. The second example is that of Transco, which in two prisons in England is training gas fitters, giving people skills so that when they get out of prison, they can get a job, raise their aspirations and expectations, and perhaps not reoffend.

I am pleased that the Select Committee on Education and Skills has at last decided to consider prison education—it is long overdue. I know that the Minister and his colleagues will welcome that work. Our Government are doing good things to tackle the skills shortage, but we need to accelerate the process.

5.54 pm

Mr. Phil Willis (Harrogate and Knaresborough): First, I apologise to you, Mr. Deputy Speaker, for having to leave the debate early. I have already apologised to both Front-Bench Members.

This has been a most interesting debate, if only because of the revelation that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) and Baroness Thatcher share the same children. I find that an intriguing prospect. We now know what the right hon. and learned Gentleman got up to during the night.

I thank the Minister for finding the time to introduce this timely debate. It gives us the opportunity to consider what stage the Government have reached with their skill strategy, where they want to go and what has been left out for the next general election. It is timely in another respect, too. I am rather sad that the hon. Member for Huddersfield (Mr. Sheerman) is not in his place, because the Select Committee on Education and Skills has decided to conduct a year-long inquiry into the skills strategy. We support that decision and hope that the Committee will take the Government to task on many of the things that they are doing.

Few would deny the statistics that Members on both Front Benches have given during the debate. Indeed, those statistics have constantly been brought to the attention of the House. They show just how far behind Britain lags in its skills agenda. To be 25th in a league table of 29 industrial countries for 17-year-olds in further education or training is not something that any Member should be proud of. To be 13th out of 22 for 16-year-olds gaining the equivalent of five good GCSEs is another indictment of not only the present Government but the previous Government. Most worrying, perhaps, is that according to Chris Humphries of the national skills taskforce, by 2010 about 65 per cent. of jobs will require at least a level 3 qualification. At present, only about 38 per cent. of our workforce has that level of qualification, compared with 73 per cent. in Germany.

I am sorry that the hon. Member for Nottingham, North (Mr. Allen) has disappeared, having made three speeches. I know that the hon. Member for Altrincham and Sale, West (Mr. Brady) is incredibly committed to the whole of the education and skills agenda. The idea that we need either more level 2 or level 3 skills, or more graduates, is wrong. It is fundamentally flawed. Indeed, evidence from the recent report by Professor Machin of the London School of Economics, commissioned by the Department for Education and Skills, shows that higher academic qualifications have robust productivity effects, at both national and regional levels. Professor Machin's interesting piece of research demonstrates that by comparison with investment at any other level, it is graduates who add to our productivity and competitiveness, and to the earnings of the nation as a whole.

For Liberal Democrats—and, to be fair, for the Government—it is a question not of either/or, but of whether we need both approaches.

Andrew Selous: I wonder what the hon. Gentleman's response would be to the figures of my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), which showed that about 48 per cent. of graduates felt that they were not in graduate-level jobs three years after starting work. Does that not suggest that quite a few graduates have taken courses that have not best equipped them for the work that they have gone into?

Mr. Willis: I know that the hon. Gentleman, too, has an avid interest in educational matters, but his conclusion from the statistics to which he refers is flawed. If we are saying that the only value of having a degree and having gone to university is that of immediate employability prospects, we have missed the point.

All the independent evidence demonstrates that a graduate education is not only about economic well-being; it is also about social well-being and health—a graduate is likely to live longer. It is sad that after three years some people feel that they are not in a job for which their degree has equipped them. One would hope that, as they progress through life, they will see the broader values of their education.

My son graduated two years ago and is currently travelling the world. When he returns, he will probably have to start in a job where he does not have the equivalent of a graduate salary. So be it, but I hope that the whole experience will benefit him.

I am glad that the hon. Gentleman intervened, because I wanted to speak briefly about Conservative policy. What saddens me most is the fact that it is populist, appears to involve no additional cost and, moreover, would seriously undermine Britain's competitiveness and the social and economic well-being of our citizens. The thrust of the policy—this is surprising for the hon. Member for Altrincham and Sale, West who, for the moment, is Front-Bench spokesman—is "education for the best and skills for the rest". The Conservatives want bright middle-class children to go to academic schools and continue to take the traditional path to university.

Mr. Brady: Will the hon. Gentleman give way?

Mr. Willis: May I just finish this point, and then the hon. Gentleman can get excited?

Bright middle-class children would go to academic schools, preferably grammar schools, and continue to take the traditional path to university. The rest would have an increasingly substandard vocational education and would become plumbers. I use the term "substandard" because the idea that high-quality vocational education can be offered on the cheap is nonsense. The figures that Professor Barr gave serve as an analysis of Conservative policy. He said in his report that

"good vocational training has significant costs, which these proposals totally ignore."

Mr. Brady: The hon. Gentleman is being a little unfair to me. He and I have debated the future of secondary schools, particularly the question of selection, often enough for him to know that my passion for grammar schools derives from the fact that they offer opportunities to working-class children, who are too often deprived of such opportunities. The Minister snorts, but he had the opportunity to attend a grammar school, as did many Government Members. That opportunity is no longer available. Conservative Members want access, whether to old-fashioned grammar schools or to independent education, which in too many areas is available only to those who can afford it. It should be more openly available, regardless of people's means or income. That would help many Labour Members out of their embarrassment as well. I hope, however, that the hon. Gentleman accepts that he has done me an injustice.

Mr. Willis: I apologise to the hon. Gentleman if I have done so, but I do not believe that I have. It is surprising that since John Major left Parliament, not a single Conservative Member—this will apply also, I suspect, to the new Front-Bench team—has said openly that they want a grammar school in every town. What happened to that policy? If the hon. Gentleman believes that we should have grammar schools, he should tell the public to put their crosses against the candidates representing a party that wants to bring secondary modern schools to Britain. Nobody has ever beaten a path to my door to say that they want a secondary modern school for their children. It would be a great peril to go down that road.

To be fair to the Conservatives, at their party conference in October they sought to put more flesh on the bones of their policies. The proposal to provide vocational education from age 13 onwards is interesting, but there would not be a single extra penny for that policy or for all the new schools, based on the model provided by the charter school movement in America, that would be required. All the money would have to be found from existing resources. If that is their policy, the Conservatives should be upfront about it. Vocational education from level 2 to postgraduate level is infinitely more expensive to provide than academic education. Funding a PhD in sociology costs about a fiftieth of funding a PhD in chemistry or engineering. We must, therefore be honest about policies when we publish them.

On current trends, 450,000 students with the equivalent of two A-levels would not have a university place under the Conservatives and would have to get vocational experience elsewhere. The cost runs into billions of pounds. It is not small beer, but a massive bill, and the Conservatives must work out how to pay it if they are to be credible.

The biggest flaw in Conservative thinking is that removing the aspirations of working-class youngsters and the feeling that they can go to university does the whole process a disservice and puts us back to the pre-Robbins days of 1963, when only privileged youngsters from a privileged group of schools could go there. I trust that Conservative Members will rethink that policy.

I am pleased that the Minister dealt with the 14-to-19 agenda today. We are all waiting for the outcome of the Tomlinson inquiry, but there are already worrying contradictions in what Ministers say. How can we encourage schools and colleges to co-operate on individualised vocational programmes, possibly

[Mr. Willis]

involving employers, and end age-related testing, but hang on to central targets and league tables that use GCSEs as the main tool of institutional assessment? Those two polices are totally at odds.

When we do not know the outcome of the Tomlinson inquiry, why are the Government going ahead with area reviews and the learning and skills proposals for a new framework of schools and colleges in the areas covered? Why take that approach before we know the thrust of a policy on the basis of which we have agreed to proceed? Why do we have a Connexions service—this point was made earlier—that concentrates on the less able from the end of level 3, and not the gifted? We cannot have a curriculum that is open to all and offers a vocational option as well as an academic one if we simply allow schools to channel students through a particular route.

The hon. Member for Hemsworth (Jon Trickett), who has left his place, was leader of Leeds city council when I was a head teacher in the area. He knows only too well that that is the divide that arose—a divide between schools with sixth forms and the further education college sector. I fundamentally disagree with the hon. Member for Nottingham, North (Mr. Allen) about that issue. I do not believe that offering young people quality post-16 experiences in FE colleges so that their communities see that they are getting such experiences will mean that those young people say "That is not for me." The opposite is the case: we want students to stay on wherever they can, and they should have quality facilities.

Mr. Brady: I have some sympathy with the hon. Gentleman's remarks, but does he agree that the involvement of colleges with schools in providing some vocational education on school sites, perhaps from the age of 13 or 14, can be a very effective way of improving the vocational offer and building up a relationship between those colleges and schools?

Mr. Willis: I have no problems at all with that approach. Indeed, it is Liberal Democrat policy that independent careers counselling should be provided from age 14 onwards. Such advice should be independent of the school and any other institution. Furthermore, funding should follow students from that point onwards, and that arrangement should be flexible enough to allow students to build up their prospects, including the school, FE college and workplace. That should enable us to encourage students from 14 onwards to have some aspirations and a sense progression, and to pursue mixed routes. If that all takes place on the school site, I will be delighted. Equally, I will be delighted if it occurs from 14 onwards on a college site. If students wish to pick and mix—if the House will pardon the expression—I shall also be pleased.

The Minister will be aware that we have acknowledged, as I do today, the genuine effort that he has made to come frequently to the House to tell us about how the skills programme is developing and to allow us to debate it. None the less, we have consistently signalled to him the inherent dangers of developing separate skills and academic pathways. The danger is that that will perpetuate a system that the Conservatives have now made their official policy by providing education for the best and skills for the rest.

The Government are falling into the trap of facing two ways at once on education and skills. When I attend conferences on skills, the focus is on the White Paper, "21st Century Skills: Realising Our Potential"; the inspiration is eastwards, across the channel to Germany and France; and the challenge is to increase the stock of vocational level 2 and 3 qualifications at all costs. When I attend conferences on higher education, the focus is on the White Paper, "The Future of Higher Education"; the inspiration is westwards, across the Atlantic to the United States; and the challenge is to increase the stock of level 4 qualifications at all costs. The problem is that there are two White Papers, not one, in circulation; and the result is confusion on the part of schools, colleges, training providers and universities. We cannot go on debating the human capital policy of this nation when the fault line between skills and higher education is so deeply obvious.

The inconsistencies are there for us to see. Let us consider, for instance, the skills gap. The skills White Paper says that too few people have associate professional, technical and higher craft skills at level 3. Its solution is more advanced modern apprenticeships and vocational level 3 programmes. The higher education White Paper also says that we have a shortage of people with associate professional, technical and higher craft skills. It uses exactly the same language, but its solution is foundation degrees. So we have the absurd situation whereby two separate funding agencies, the Learning and Skills Council and the Higher Education Funding Council, fund two different products—level 3 qualifications and foundation degrees—and seek to solve the same problem, which in most instances will be delivered in the same further education colleges.

I hope that the Minister will take those remarks in the spirit in which they are intended, because it is a genuine issue that needs to be grasped. It is vital that we view the skills White Paper and the higher education White Paper together. I hope that he will prepare a strategy paper that allows the House to debate how those two aspects can come together, and that the Select Committee on Education and Skills will take the same approach when it begins its inquiry in January.

The centrepiece of the skills strategy is the skills alliance—or the Soviet central committee, as it has been dubbed because of its extreme complexity. Our concerns, however, are linked not so much to the national arrangements but to the sector, local and regional arrangements. At the launch of the skills strategy, I said to the Secretary of State that it would require a PhD to fathom out the roles played in the structure by the 47 local learning and skills councils, the nine regional development agencies and the proposed network of 25 sector skills councils. There seems to be utter confusion about the arrangements, with providers, especially further education colleges, not knowing which way to turn. Given that half of all vocational qualifications—some 550,000 per year—are delivered through FE, that FE provides 200 million days of adult training to British industry every year, and that the FE colleges link up with, on average, 500 firms each, we owe the sector some clarification about the local and regional arrangements.

It is not only the FE sector that is confused. This week, the CBI and the Engineering Employers Federation complained that bureaucracy is hampering plans to improve the skills work force. The Education and Skills Committee says that it will examine the roles of all the bodies involved in the skills alliance. I wish it luck, because there are now so many of them that it would take not this Chamber but the dome to fit them all in to discuss the issue.

The Government seem to be riding three horses at once. One minute, they believe in a local bottom-up education and skills strategy led by local learning and skills councils. The next, they believe in a sector-driven education and skill strategy led by the new, evangelical sector skills councils. Then, they believe in a regional approach driven by the regional development agencies and regional chambers of commerce.

The skills White Paper is fast becoming a classic Whitehall fudge. The Government must choose between local, sectoral and regional approaches to the commissioning and delivery of this strategy. The Liberal Democrats believe that the regional approach is the right one. We also believe that the Learning and Skills Council should be regionalised and merged with the RDAs, and that, when regional government comes on board, it should be subject to democratic accountability through the regional assemblies.

We accept that the Minister has made great play of working with the business community and talking about voluntarism. He does not want any sort of statutory intervention, so far as business is concerned. However, his colleague, the Chancellor of the Exchequer, seems to have a different view, in that he talks about post-voluntarism. Will the Minister explain to us what that means? Is the Chancellor talking about incentives via tax credits, match funding, national insurance rebates or even business rate rebates, in relation to delivering skills? If so, let us engage with him on that. Or is there an agenda to examine statutory licences to practice, statutory training levels and subsidies, and a statutory right to time off for study at level 2? If that is the agenda, I think that we ought to know about it before the general election, so that it can become part and parcel of this debate.

I applaud the Minister for coming to the House yet again to allow us to debate the skills strategy. We remain supportive of the Government's vision, and we are prepared to offer constructive support for what the Minister is trying to do, but action is needed if disillusionment is not to set in across the whole sector.

6.16 pm

Mr. John Horam (Orpington): I have never heard the Minister speak before, because I am not a regular attender of these debates, but if I may so, his speech was curiously schizophrenic. He started with some rather thoughtful remarks about vocational education, but his speech suddenly descended into a sort of rabble-rousing rant. If there had been a rabble to rouse, I could have understood that, but his tone was not entirely appropriate for the Chamber at this time, deep into a Wednesday evening when the business is relatively light and there are not many attenders, especially on the Government Benches. I felt he rather let the side down.

Unfortunately, the Minister seemed to infect the hon. Member for Harrogate and Knaresborough (Mr. Willis), who went off in a rather similar vein about Conservative party policy. That was interesting, because the Liberal Democrats claim to be the most effective critics of the Government these days, yet all that they seemed to be doing on this occasion was attacking the policies adumbrated by my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), who spoke from the Opposition Front Bench. Indeed, the hon. Gentleman's speech was in contrast to the magisterial approach of my hon. Friend, who made a rather modest attempt to say that he might not be on the Front Bench after the reshuffle that will presumably take place this weekend. He did not do himself justice; I am sure that he will be there for a long time to come, whether in this particular job or another one. He certainly got the better of the argument between the Conservatives, the Liberal Democrats and the Minister.

Leaving aside that rather curious aspect of today's debate, I believe that there is a danger that we might begin to regard vocational education in the same way as we view motherhood and apple pie. We all subscribe to it in a broad, non-political and rather bland way. If I were someone who worked in that sector, I would be wary of politicians bearing gifts. My experience gives me a second sense that these things sometimes do not work out quite as well as we hope they will.

There is a contrast between this debate and the much more heated debate that is taking place on higher education, in which we hear of Government revolts against their own policies. I am not sure which debate I would prefer to be in. Higher education is debated with great passion inside the parties and across the Chamber, whereas this subject—apart from the lapses that I have mentioned—seems to attract broad consensus. There is an old Chinese curse, "May you live in interesting times." I am sure that people in the higher education sector would be able to relate to that. Perhaps they would prefer to be somewhere in between the bland approach to vocational education and the rather hyper approach that we have adopted towards higher education.

I must agree, however, with the thrust of the points made about the value and importance of vocational education, and the extent to which standards have fallen in this country over the decades. The Minister himself spoke of a time back in 1880. The old Liberal party may have had a role in those days, before successive Labour and Conservative Governments took over. It is true that current standards do not meet the aspirations and needs of the country.

I want to say something about the Government's policy, and about the concern that it has prompted in further education colleges. More than 50 per cent. of all vocational qualifications—more than 550,000 annually—are awarded via colleges. Between 1997–98 and 2000–01, 2 million were awarded in that way, while 233,000 were awarded through employers. I am indebted to the Association of Colleges for those statistics.

We all know the value of further education colleges in that context. I also welcome, with some reservations, the package the Government put together last November, a year ago. It has been widely welcomed by colleges of further education, but they are concerned about a number of matters. They feel, for instance, that many

[Mr. John Horam]

qualifications are very inflexible, as is the way in which they are funded, and that there should be a more modular approach.

I am indebted to the hon. Member for Bury, North (Mr. Chaytor). Bury seems to have something of a hold over this subject, which is interesting. It must have an excellent college of further education. Anyway, the hon. Gentleman tabled an early-day motion, which I think I signed. It made the point rather well. It

"urges the Department for Education and Skills, the Qualifications and Curriculum Authority and the Learning and Skills Council to implement proposals in the interim skills strategy which . . . give colleges greater ability to develop bespoke"—

"bespoke" is the crucial word—

"training and flexible qualifications with simplified assessment systems so that they can equip more individual learners and employers with the skills they need in the modern economy."

That goes to the heart of the matter. As a matter of practicality, we need more flexibility and a more bespoke approach. I hope that the Government will heed that.

In the more sane and rational part of his speech, the Minister spoke of employers' reluctance to send people on vocational training courses. He made some sensible remarks, and I applaud the measures he said the Government were adopting to encourage employers to take the initiative. Too many employers are not sending people on such courses, often for ridiculous short-term reasons. They may feel that they will lose them to other companies, for instance.

Friends and colleagues involved in further education often mention another factor—the excessive bureaucracy that still accompanies all these measures. I recently received a letter from a constituent who works in further education. He wrote

"We continue to experience excessive bureaucracy. The way in which we are expected to bid for additional project money and the constant auditing of how resources are spent creates . . . additional cost. There is a commitment nationally to reduce bureaucracy, but we are not yet seeing any evidence of this on the ground."

That is the problem. Moreover, the Association of Colleges regretfully reports that only 3 per cent. of its members think that the Learning and Skills Council represents real value for money. That disturbing statistic reflects the bureaucratic approach that the LSC has somehow not yet managed to overcome.

Let me now make a point that I have made before. I rarely speak in debates on this subject, but I have spoken before of the Government's reluctance to consider including lecturers in further education colleges in their starter homes initiative. Under that initiative, which I believe has been retitled the home buy initiative, key workers are given help with housing, but FE college lecturers have always been excluded.

Mr. Brady: While my hon. Friend is on the subject of the key teacher home buy scheme, he may also wish to comment on evidence that I elicited from the Chancellor of the Exchequer in the form of a written answer. I was told that the loan would be considered a taxable benefit. According to an answer from the Department for Education and Skills, it would be means-tested according to the total family income of the teacher involved.

Mr. Horam: I am very interested in that because I am about to lead a delegation of colleges to see the Minister for Housing and Planning to discuss precisely those issues—I think that we have a date now: 4 December. I am conscious that, while a commitment in principle has been made, which I welcome, to include FE college lecturers in the scheme, the details are not yet clear. If my hon. Friend is right, that is a point that I would like to take up with the Minister on behalf of college lecturers.

At the moment, college lecturers are clearly at a disadvantage compared with teachers. Once there was not that amount of competition between schools and FE colleges to recruit staff, but now there is severe competition. They are all scrimping from the same pool. Colleges should not be disadvantaged compared with schools. They already suffer from many disadvantages in recruitment terms, about which we should be concerned.

I would like the Government to take on board the three issues that I have raised—bureaucracy, the attitude of employers and the need to help them to recruit properly. I hope that the Minister will respond to those points when he replies to the debate.

6.26 pm

Mr. David Chaytor (Bury, North): I commend the work that has been done on the skills strategy by my hon. Friend the Minister, and particularly his commitment to bridging the vocational-academic divide. I know how strongly he feels about that. Indeed, that sentiment is reflected in his commitment to prepare the White Paper and implement its recommendations.

I listened to the remarks of the hon. Member for Orpington (Mr. Horam), particularly the quotation from my early-day motion. I thank him for his support. I also listened carefully to the hon. Member for Harrogate and Knaresborough (Mr. Willis), who said that he was offering constructive support to the Government. If I were on the front line with him and that was what he meant by constructive support, I would be a little nervous. However, he made one or two important criticisms to which should like to come back.

The Minister and I share adjacent constituencies and we have the joint privilege of representing a local authority that has a national reputation for high educational standards, although it is my particular privilege to represent the constituency in which the major further education facilities are located. I think that I can say without fear of being challenged that Bury, North is now the further education capital of the United Kingdom. The level of investment in new facilities, the level of increase in revenue, the improvement in the quality of education and the increase in the number of staff in the further education sector in Bury, North are some of the biggest tributes to the Government's commitment to lifelong learning that one could offer.

It is important that we are having this debate, because vocational education is a matter of enormous significance that should have a regular allocated slot in

the parliamentary calendar. After all, we have an annual debate on agriculture and one on fishing, but there are far more people working in further education than in agriculture or fishing these days. It seems reasonable therefore that we should have an annual debate on vocational education and training and further education.

Given the comparatively small number of hon. Members present, I am struck by the stark contrast between FE and vocational education and HE and academic education. The big controversy in education policy at the moment is related to HE, which has dominated our education system for half a century or more. If we were debating tuition fees, there would be more than a couple of handfuls of hon. Members in the Chamber. That is an important point to note. The Government have, rightly, done more than any Government to try to redress the balance of investment and political attention to the advantage of the further education sector, which educates the overwhelming majority of school leavers. That means a necessary shift in the balance away from the university sector. What we are discussing today, however, is linked to the question of financing universities, tuition fees and top-up fees. It is particularly striking that the per capita investment in each FE student is some 20 per cent. less than in each HE student. That really makes the point for the Government's policy on tuition fees.

Dr. John Pugh (Southport): Does the hon. Gentleman accept that the distinction between higher or academic education and vocational education is somewhat spurious, given that some of the most oversubscribed courses in HE—those in medicine and law—are essentially vocational?

Mr. Chaytor: I agree completely—indeed, I have made the same point on many occasions. I come back to my starting point: this Government have done more than any other to try to bring together the academic and the vocational into a seamless range of provision. The hon. Gentleman is absolutely right to stress the vocational nature of some very prestigious university courses. We must get away from a concept that has divided our education service and our society; indeed, the Conservatives' policy on HE finance draws that point to our attention more than ever before. In arguing that we cannot have so many people in universities, and that we should abandon the 50 per cent. target, they are really trying to turn the clock back and to build a divide, at a very early stage, between the sheep and the goats. At the beginning of the first decade of the 21st century, this country does not have the luxury of dividing people into sheep and goats at birth, or at the age of five, 11, 16 or 18. That is why a coherent and integrated post-16—preferably, post-14—policy is needed.

I want to draw attention to the enormous step forward that the White Paper has taken in the financing of vocational education. There is the introduction of education maintenance allowances, which will go nationwide; the introduction of the education grant for adults post-19, which is being piloted; the development of employer training pilot schemes, which, as I understand it, are being carefully evaluated with a view to going nationwide; and the introduction of a commitment to free tuition for level 2 courses. All are important developments that represent a significant shift in educational opportunity for people who, historically, have been denied such opportunity. The Government are making the central point that, if we want a nation that can compete effectively in the modern world, and in which every individual has the opportunity to develop their full potential, we must invest equally in all individuals, rather than making arbitrary distinctions between those who will receive an academic education with a higher per capita investment, and those who will be sidelined into vocational training.

I know that time is short, but I want now to offer some constructive support for, and criticism of, the White Paper. I want to pick up on the comments of the hon. Member for Harrogate and Knaresborough, and to discuss the organisational structures that we have inherited and are trying to shape into the delivery mechanism for the White Paper's policies. The combination of the sector skills councils, the 47 learning and skills councils and the increasing involvement of the regional development agencies presents a confusing picture. I have made that point to the Minister privately, so I know that he is aware of it, but I want publicly to reiterate the overriding importance—this is also the view of a growing number of people—of streamlining our bureaucracy for the delivery of vocational education, and of bringing together previously separate bureaucracies, organisations, quangos and agencies. If this policy, in which we have invested a huge amount of political and financial commitment, is going to succeed, we cannot afford to see it hit the rocks because of bureaucratic obstruction.

In my many years of experience in vocational education and training, one difficulty has been that the debate has focused on the delivery mechanism. What has been left out in that is the concept of the curriculum. Whether we have good access to high-level skills, whether we have motivated young people and adults, and whether we develop a lifelong learning culture all greatly depend on what people are learning.

I conclude by returning to the early-day motion—I must confess that I had forgotten about it, but it was obviously a good one and I am grateful to the hon. Member for Orpington for reminding me of it—and focusing on the curriculum. The White Paper says that we need an adult curriculum in bite-size chunks, and we are now starting to talk about a modular curriculum.

I know that the chief executive of the Qualifications and Curriculum Authority, Ken Boston, feels passionately about that issue and I would urge the Minister to read his article published in *The Daily Telegraph* on 8 October. I realise that that newspaper is not often in the vanguard of progressive educational thinking, but on this occasion it provided Mr. Boston with a platform to make a telling point. In the article, he said that, in Australia—where he comes from—

"the schools most successful in attracting students into vocational education are those that shape their curriculum, according to the age of the students, on the basis of the national training packages. These are unitised, credit-based, industry-derived training programmes that specify knowledge, skill and competencies at successive levels of qualification within each vocation."

He went on to say:

"My experience has been that the presence of teachers with similar inspirational qualities is critical to the attraction and retention of young people to vocational education in schools."

[Mr. Chaytor]

It is a matter of curriculum, of quality teachers and inspirational teaching. The real point is that we cannot afford to leave that to the post-19 phase. That is why I am excited by the proposals for 14 to 19-year-olds in the work of Tomlinson and others. If we are going to bridge the academic-vocational divide, we have to get a unitised, credit-based curriculum in our schools.

It is an enormous irony of our education system that the elite and those who find it easiest to learn—undergraduates and, increasingly, postgraduates in universities—are completely used to a unitised, credit-based system. It is accepted as an effective form of motivation. Yet those who are less well motivated and find it more difficult to learn are expected—and have always been expected—to follow courses that continue for one or two full years. It is hard for certain young people and adults to maintain a strong level of commitment over that period of time.

I conclude with a plea to the Minister. Yes, we have to get the bureaucracy right and streamline the organisation, but let us not be obsessed by organisational matters. Let us focus on the quality of teaching and on the curriculum. Let us ensure that we have a seamless policy, starting at 14, with a unitised, credit-based curriculum. I believe that that is the single most important factor that will encourage more of our young people to continue their education and training beyond the age of 16, beyond 19 and throughout their lives.

6.38 pm

Mr. Andrew Lansley (South Cambridgeshire): I shall endeavour to be brief, although perhaps I shall not be able to match the hon. Member for St. Albans (Mr. Pollard).

The hon. Member for Bury, North (Mr. Chaytor) suggested that his constituency was the further education capital of the United Kingdom without contradiction, but I am sure that South Cambridgeshire can compete, not least with the presence of Hills Road sixth-form college, which has the highest academic standards of any FE college in the country, and Long Road sixth-form college. Homerton college also makes an important contribution to teacher education, so South Cambridgeshire is certainly up there and bidding against the claims of Bury, North.

I do not want to dwell on higher education, not because I do not have anything to say on the subject, but because I suspect that there will be other and better opportunities to discuss it at greater length. There is a risk of losing sight of some of the particular issues that could usefully be discussed this evening. I shall touch on a few.

My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) mentioned the important issue of productivity, and the Trade and Industry Committee has considered with great care how productivity can be stimulated. It is not enough to say simply that the composition of skills between this country and others differs, and that that explains the productivity gap. That is part of the explanation, but the differences between this and other countries are complex. Nor is it true to say that if we spend more money on education, we will automatically see an improvement in productivity. The hon. Member for Harrogate and Knaresborough (Mr. Willis) misrepresented the Conservative party's approach, as the key point is not simply that we have too few people with intermediate skills—with the implication that we have too many people with degrees. The point is that we have far too many people with a lower level of skills.

The Minister said, rightly, that we should consider whether qualifications are fit for purpose, but quality education—vocational or academic—is all about fitness for purpose. It is about ensuring that students, of whatever age, pursue courses and qualifications that are fit for their purposes. The Minister reminded us—as if we had forgotten, and I do not think we had—that people can progress to degree level by a vocational route. That is true and, therefore, it ill becomes the Government to set an arbitrary 50 per cent. target for participation in higher education, when people reach different levels of education through various mechanisms. In many instances, they take a more vocational route that is based substantially in further education or work in the early days. It is the nature of the Government's problem that they have directed people into university courses, when the further education route might have been better for them.

Modern apprenticeships are at the heart of the vocational route. As the Minister suggested, I shall look at the entry to employment scheme and how well it bridges the gap that otherwise might force people into foundation modern apprenticeships. The hon. Member for Harrogate and Knaresborough mentioned the external assessment of key skills and the desirability of the incorporation of that into the NVQ structure. Many employers certainly find that the bureaucracy and the time lost from work when those on modern apprenticeships go off for external assessment is a deterrent.

However, at the same time, we should compare our system with the German apprenticeship system—as the Engineering Employers Federation did in its helpful document, "Bridging the Continental Divide". In Germany, the general and technical competencies are the subject of external testing and examination. That is important, because we need to make a distinction between those occupational aspects that are practical and can be examined and assessed as people do their work in their workplace, and technical competencies that should be assessed independently to boost the value of the qualification if the young person moves to other employers. Not all examination and assessment should be brought into the workplace.

The EEF document also referred to research produced for the National Institute Economic Review in 2001 by H. Steedman, which shows that the comparison between Germany and this country is still a testing one. It states that

"overall, a young person who completes an apprenticeship in the German system would be able to meet the standard for a British NVQ3 in the same occupation. However, a young person with a British apprenticeship and NVQ3 would not be able to reach the standard required for the German system's general and technical education requirements."

We must bear that in mind when we talk about NVQ3, because we tend to believe that it is of a comparable standard to apprenticeships in other countries. If it is not comparable, we have to make sure that it becomes so, as that is what employers are looking for.

I listened with interest to Irena Grugulis of Bradford university on a radio programme the other night. I confess that I had seen no reference to her report previously, although I understand that it was published in the *British Journal of Industrial Relations* in September. It deals with the contribution of NVQs to the growth of skills in the UK. Her analysis suggests that NVQs do not attract the support from employers that they should. I do not know whether that is true, but I subscribe heartily to her prescription that there should be a much stronger industry and employer-led element in the structure of NVQs.

I end with a final, short point. I mentioned the structure of the relationship between LSCs and RDAs, but the matter goes much wider. There is a vast range of business support structures in the skills and training arena. The skills strategy has tried to resolve the question of how businesses relate to all the many organisations and opportunities by saying that the principle should be that there are no wrong doors. The implication is that skills and training are located in a world of virtual reality, where every door opens out on the right location.

However, I do not think that the real world works like that. If there are too many doors, brands, initiatives and structures, employers will simply walk away. We must ensure that the path is clearer and better organised, so that businesses can have confidence in the structures and the qualifications that are provided. Matters must also be kept simple, so that businesses can know how to proceed. For example, they must know that Business Link will get them to the training opportunities that they need for people entering employment through apprenticeships and the like. That is also important for raising the skills level in employment in places such as South Cambridgeshire, where there are relatively few people without jobs who want, and are able, to enter employment.

Raising the overall level of skills, principally among people who are in employment, is critical to our long-term economic performance. To make that happen, we must work primarily through the business community.

6.47 pm

Andrew Selous (South-West Bedfordshire): I want to start by referring to a document published by the EU social fund, which I came across in my work as a member of the Select Committee on Work and Pensions. It assesses the labour market skills of the different countries in the UK, as they affect economic performance.

Two comments stick out. According to the report, the UK has

"Poor basic skills amongst a significant proportion of the workforce"

and

"Low educational attainment levels and participation rates in lifelong learning."

Just about every speaker in the debate has acknowledged that that is the position of the UK in relation to our European counterparts. There is no doubt that the solution to those problems lies in our schools first of all, where a proper basic level of education must be provided. The next step is to ensure that there is effective and relevant vocational and technical training.

I want to pay tribute to the excellent Dunstable college in my constituency, and especially to its new director, Chris Vesey, who recently took over. That FE college runs highly innovative courses at a number of sites around my constituency, and it works extremely well with schools and the nearby Luton university. It has also been instrumental in helping to establish the new learning warehouse that is to open in Leighton Buzzard. That innovative and exciting venture will enable people in full-time work to access vocational training in the evenings or at weekends.

I also pay tribute to my local university, which is pioneering vocational higher education in a number of fields, with a large number of students coming into it much later in life. It is definitely aiding the economic development of my area.

Over the past few years, in certain respects we have gone slightly backwards in relation to vocational education. There have been 190,000 fewer enrolments in adult and community learning courses since 1996, and the vocational proportion of GCSE-equivalent courses has fallen since 1997—worrying factors about which the Government should not be complacent.

It seems to me that the challenge is to try to maintain the enthusiasm that children have when they start school, and to try to keep that throughout their education. It often starts to tail off at around the age of 13, when a large number of children perhaps find that the curriculum is not meeting their interests and aspirations, which is why my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) is going in the right direction with his proposals to make technical and vocational education open to people from the age of 13 and to set up new types of schools that focus on those areas. I also hope that those schools and colleges will look at what are often called the "soft skills", which are important in terms of getting people into work. When the Select Committee has looked at employment matters, as the hon. Member for Wolverhampton, South-West (Rob Marris), who also serves on the Committee, seems to agree, we have found that those skills are particularly important in terms of getting people into work. People's ability to go through their daily routine and to get on with others is often critical to moving them nearer to the labour force, getting them into work and helping them to stay there.

If we are to help people later in life and to help people to work to a later stage in their lives than many people who retire in their late fifties and early sixties, vocational education has a great role to play, particularly for people who have been in stressful manual occupations. A great role exists for FE and vocational training to help those who want to continue working and supplement their retirement income to move into less stressful work, rather than continue in work that they find physically demanding and extremely draining.

I know from meeting my local FE providers that the different funding streams are a great source of concern, and I know about the difficulties between the Higher Education Funding Council for England, the Learning

[Andrew Selous]

and Skills Council and the skills alliance. The hon. Member for Harrogate and Knaresborough (Mr. Willis) summed up the problem well when he said that there is a difference of approach, whether it is a local, sectoral or regional one. We must sort out which one we use. My preference would not be the regional route, because time and again I have seen that areas such as mine, which do not have major towns, lose out. I would like the local and sectoral route to be used.

It is worrying too that so many FE colleges do not feel that the LSC offers them good value for money. As we heard earlier in the debate, if only 3 per cent. of colleges believe that they are receiving good value for money, that is indeed a problem. A quote comes to mind that I heard yesterday from Sir John Bourn, the Comptroller and Auditor General, in respect of the Government's approach to the private finance initiative and the complexity of vocational funding in this country:

"Out of complexity comes confusion and out of confusion comes chaos".

Sadly, that refrain applies to a number of the Government's different programmes.

Finally, I want to mention the question of foreign languages, about which I am concerned. Recent Government announcements will reduce the amount and extent of foreign language training. Before I became a Member of the House, I worked for a company that had its headquarters in Germany, and it was noticeable that almost everyone whom I dealt with in the German headquarters spoke fluent English. In a world in which we need to trade abroad to survive, we neglect foreign language skills at our peril. I urge the Government to consider the consequences of that for Britain as a trading nation.

6.55 pm

Mr. Ivan Lewis: With the leave of the House, may I first say gently to the hon. Member for Orpington (Mr. Horam) that people are sensitive to the use of the term "schizophrenic"? I understand that he has been a Labour Member of Parliament, a Social Democrat MP and now a Conservative MP. I am not sure that he should label me in that way in that context.

I agree with my hon. Friend the Member for Bury, North (Mr. Chaytor) that Bury college of further education is a centre of excellence. It may be in Bury, North, but many of the students and staff live in Bury, South. I urge Mike Tomlinson to take seriously my hon. Friend's points about curriculum and qualifications when he considers the future of 14 to 19 education.

On a personal note, I hope that the hon. Members for Altrincham and Sale, West (Mr. Brady) and for Daventry (Mr. Boswell) are still in their posts next week. I genuinely mean that. I hope that they will still be able to participate in these debates. There is much consensus on vocational education, but the sheep and goats model emanating from the Conservatives is clear. It is clearer than ever before that their higher education policy is driven by political opportunism and not the needs of the country or the needs of young people.

Mr. Brady *rose—*

Mr. Lewis: I agree entirely with the comments of the hon. Member for South Cambridgeshire (Mr. Lansley) about productivity. Yes, we need skills, but innovation, capital investment and leadership are among several other factors. Although it is right for us to create as simple a system as possible for employers to access, the idea that they would go through one door is simply not true. That is why we must ensure that, whichever door employers choose to walk through, they receive the same advice and information and get the training when they need it.

The hon. Member for Harrogate and Knaresborough (Mr. Willis) raised a number of important issues. He expressed concerns about the relationship between regional and national, but he obviously has not heard what we have said about the regional skills alliance. He seemed to dismiss the importance of the national delivery partners coming together, which is important. We must remember that employers choose to network in very different ways. Some identify with their region, sub-region and local high street and some clearly identify with the sector of which they are members. When influencing demand, we have to have an approach that is sensible nationally and that takes account of regional and sub-regional issues.

I am glad that my hon. Friend the Member for St. Albans (Mr. Pollard) mentioned the importance of prison education. He will be glad to know that, over the next three years, we will make a record level of both revenue and capital investment. We are going through a new contracting process to ensure quality provision in prison education and we are creating new positions of heads of learning and skills councils in every institution. We are also bringing together vocational training and education in prisons.

The hon. Member for South-West Bedfordshire (Andrew Selous) paid tribute to his local colleges and talked about modern foreign languages. Forcing young people who do not want to do modern foreign languages to study them is not the answer to the problem of our country genuinely needing people with those skills for our economy and place in the world. That is why we are determined to drive the teaching of modern foreign languages down to primary level so that children enjoy learning them. That will become a natural part of their early-years development and they will be positively keen and enthusiastic to develop those language skills as they get older.

The Tories are fond of citing figures for adult and community learning. Let us be clear that there has been a reduction in enrolment in adult and community education, but the greatest single reduction was between 1996 and 1997 when 170,000 fewer people enrolled in adult education colleges. *[Interruption.]* Some 170,000 fewer people enrolled in adult education courses under the Tories. Although there has not been an improvement in the position, the number has stabilised in recent years. The Tories should not quote distorted and disingenuous facts if they want us to believe that they are somehow a changed political party.

I believe that vocational education is central to the future of our economy and our society. If we want a socially just and economically successful society that competes internationally—

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

DELEGATED LEGISLATION

Mr. Speaker: We now come to motions Nos. 5 to 7. If it is convenient to the House, I shall take them together.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Northern Ireland Assembly (Elections) (Amendment) Order 2003, which was laid before this House on 22nd October, be approved.

That the Northern Ireland Assembly (Elections and Periods of Suspension) Act 2003 (Consequential Modifications) Order 2003 (S.I., 2003, No. 2696), dated 21st October 2003, a copy of which was laid before this House on 22nd October, be approved.

That the Northern Ireland (Date of Next Assembly Poll) Order 2003 (S.I., 2003, No. 2697), dated 21st October 2003, a copy of which was laid before this House on 22nd October, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

PETITION

Restricted Growth

7 pm

Mrs. Patsy Calton (Cheadle): May I present a petition signed by 6,776 people and collected by members of the Restricted Growth Association?

The petition states:

To the House of Commons

The Petition of the Restricted Growth Association

Declares that there is stereotyping of and discrimination towards people of Restricted Growth.

The Petitioners therefore request that the House of Commons support members of the Restricted Growth Association in their efforts to end the general stereotyping and discrimination directed towards them.

And the Petitioners remain etc.

To lie upon the Table.

Post Office Network (Isle of Wight)

Motion made, and Question proposed, That this House do now adjourn.—*[Ms Bridget Prentice.]*

7.1 pm

Mr. Andrew Turner (Isle of Wight): I thank you, Mr. Speaker, for giving me the chance to speak about the post office network on the Isle of Wight. I am glad that the Minister for Energy, E-Commerce and Postal Services is in the Chamber. I was pleased to welcome him to my constituency last Friday and I am sure that he saw a little of it, although it was not at its best, given the weather. I assure him that it hardly ever rains on the Isle of Wight—he picked the one out of 365 days when it does.

I want to cover three issues and make one suggestion. First, I do not believe that the Post Office has clear criteria for distinguishing between urban and rural post offices, and neither has it clear criteria for closing post offices under the urban network reinvention scheme. It merely seems to ask, "Who wants the money," and puts forward a post office for closure. I shall illustrate that by reference to Gurnard post office.

Secondly, there has been a continual diversion of business from sub-post offices, which is shown by the difficulty that people have obtaining Post Office card accounts. I shall illustrate that by reference to Wroxall post office. Thirdly, there is no clear joined-up thinking among different Department of Trade and Industry sponsored businesses, which I shall illustrate with reference to Pan post office. My suggestion, in case I do not have time to come back to it, is that the Minister should implement recommendation 18 of the document "Counter Revolution" as quickly as possible to make post offices government—and perhaps even local government—general practitioners.

Recently, Parkhurst, Haylands and Tennyson road, Cowes, post offices have been closed. A second round of consultation has begun on the closure of Gurnard, Oakfield, Avenue road, Sandown, and Pan post offices. The clerk to Gurnard parish council, Mr. Rusty Adams, wrote to me saying:

"Gurnard has been lumped together by the Government's Countryside Agency into what is known as the Cowes Sprawl and so the Post Office has been classified as Urban, when it is quite obviously in a Rural area. This is totally unacceptable and a nonsense to anyone who knows the Isle of Wight, as Gurnard is the Government's ideal example of a close-knit Community in its own right and happens to be geographically totally separated from Cowes."

Gurnard has a population of 3,500 and its nearest available alternative post office is 1.2 miles away along hilly terrain. I contacted the local rural community council, which told me:

"By no means is Gurnard an urban area. It is most definitely rural".

It said that a rural community is defined as one with a population fewer than 3,000. The clerk to the parish council tells me that Gurnard's population is about 3,500. According to the 2001 census, however, the population is 1,696. It depends on what boundaries of the village are adopted, whether it is an enumeration district or the whole parish.

The South East England Development Agency tells me that it recognises communities of 10,000 and under

[Mr. Andrew Turner]

as rural. The Government's rural White Paper gives the figure of 20,000. The Minister advised me, I think in a parliamentary answer, that the appropriate figure was 10,000. Why is Gurnard being considered for closure, especially when the nearest alternative is 1.2 miles away? Why is Oakfield being considered when the nearest alternatives are half a mile away and 0.7 miles away, again along hilly terrain? Both post offices that are proposed for closure have parking facilities. Those that are to remain open as an alternative to Oakfield, which are only about 300 yd apart in Ryde, have no adjoining parking facilities. Can we have clarity of criteria?

I am also concerned about the diversion of business. Customers and post office employees are confused about the introduction of Post Office accounts and the payment of pensions and benefits into building societies. The chairman of the Isle of Wight County Federation of Women's Institutes, Joan Finch, told the *Isle of Wight County Press* that she feared the flow of business to the post office had been reduced due to people getting their pensions paid into their bank accounts or building societies.

If it were as easy as Ministers appear to think it is to open a Post Office card account, there would be no problem, but the Wroxall post office has given me no fewer than 10 examples of people who have encountered difficulties. It tells me that they are a mere snapshot so there could be many more. I will not read them all out. A lady with a daughter who has learning difficulties contacted the freephone hotline two months ago to find out about the Post Office account and to explain her daughter's difficulties, but she still has not received a reply. A lady in receipt of one benefit was sent a letter by the Department for Work and Pensions saying she was entitled to another benefit. When she phoned to tell it there was an error, the DWP said that there was not. Later, having given her the second benefit, it told her she was not eligible for the benefit and was in arrears with the DWP.

An 84-year-old woman who applied for a Post Office account was sent a letter from Jobcentre Plus about changing to direct payment. One person was told she could not be an agent for both her husband, who is a pensioner, and a parent, because no one could be of pensionable age and still have a living parent. Someone else who used all three of her Christian names was told that she could have only one name on the card. When she rang the helpline and said that she could have as many names as she wanted at a bank, she was told that she should go to a bank.

I do not expect the Minister to respond to those examples specifically, but they illustrate repeated complaints that I get from sub-postmasters about the difficulties they encounter in helping people to open Post Office card accounts. Someone told me that one post office has lost 230 transactions a week as a result of people not claiming their pension or child allowance and 200 transactions a week because of the loss of the key meter service. For a different post office, that amounts to a gross loss of £700 a week.

One problem is that child benefit appears quietly to have been removed from the Post Office. People are getting letters that tell them in small print in the third paragraph to

"give us the details of the account you'd like your"

child benefit to be paid into. It goes on:

"You can use an existing account at a bank or building society if you have one, or if you are claiming tax credits and have already chosen an account for that, you may wish to use the same account. If you don't have an account, or want to keep your Child Benefit separate, the leaflet sent with this letter gives you details of the accounts you could open—including new types of accounts at a bank, building society or at the Post Office".

It does not say that one can open a Post Office account even if one has a bank or building society account. I think that that letter is misleading. For the Minister's information, it is from Jim Harra, the director of the Child Benefit Office, is dated 28 October last year, and was sent to a lady in another constituency.

I raised with the Minister's predecessor, the hon. Member for Cunninghame, North (Mr. Wilson), the removal of key meter accounts from post offices, which is a means, albeit unintentional, of diverting business from post offices. I did so after visiting Chale Green post office. The hon. Gentleman responded:

"It appears in this case that Scottish and Southern Energy believes it can cut costs by choosing Paypoint, which competes with the Post Office in providing services such as bill payment. As Mr. Turner"—

he means Mr. Whitney, who is the postmaster—

"says, it appears that the Post Office will not allow Paypoint to site equipment in its outlets. In these circumstances, the charging facilities will have to be sited elsewhere."

Other than the post office, there is no shop in Chale Green. The nearest commercial outlet is Chale filling station, about a mile away. The White Mouse is a wonderful pub, but it does not have a post office in it and is not used to having a key meter site.

Last year, when I was undertaking my mobile summer surgery, I drew up outside Pan post office on a Tuesday morning and was amazed to find 40 or so local people, led by David Boulton and his daughter Trudy Boulton, who are users of Pan post office and were concerned that the key meter was being withdrawn from it. According to the ACORN—a classification of residential neighbourhoods—system, Pan's residents are

"Type 45 . . . Likely characteristics . . . low income council neighbourhoods . . . concentrated mainly in Merseyside. 34% of the population of Liverpool is in this ACORN Type."

Well, quite a lot of the population of Pan is, too. The description continues:

"They are also found to a lesser extent in the major conurbations, central Scotland and parts of Wales."

For some reason, the classification does not add, "and in Pan", but there we are. Tony Cockburn, one of only three Labour councillors in my constituency, represents Pan; he is an excellent local councillor. The census figures show that 40 per cent. of Pan's population have health that is only fairly good or not good; 26 per cent. suffer limiting long-term illnesses; 47 per cent. are economically inactive, of which 9 per cent. are permanently sick or disabled and 9 per cent. look after a home or family; 44 per cent. of the population have no qualifications; 9 per cent. of households are headed by a lone parent with children; and 35 per cent. do not have access to a car.

An elderly couple on the estate—Mr. and Mrs. Crutcher of 114 Furrlongs—write:

"Regarding the proposal to close PAN ESTATE POST OFFICE, are you and the powers that be fully aware of what this will mean to partly handicapped 85-year-old people who rely on the P.O. for pensions and paying Council Tax, Rent, Water Rates. Many people like my husband and I have not got a Bank account so we rely on the P.O. I have lived on the estate for 40 years, without these problems.

The Council are talking of building more houses in this area; without a P.O. young and old are going to realise a P.O. is essential. Each time we get the Bus to Newport, it costs 80p return each. I cannot go to the Newport G.P.O. as I can only walk a few steps on crutches. My husband is unable to drive owing to a heart problem."

That letter illustrates the concern on the Pan estate about the closure of the post office, which is run very effectively by Jean Sampson. We believe that the closure has been advanced by the withdrawal of the key meter scheme. Pan post office is located within the Costcutter store on Royal Exchange—the name of a street in Pan. The store is run by Mr. Paul Brett, who has done all in his power to keep the post office open.

Following the reply that I received from the hon. Gentleman, I received letters from Dave Barnes of Ofgem, from the Post Office and from Energywatch, about the withdrawal of the key meter scheme. Ofgem wrote:

"The decision on which payment outlets are used is a commercial one for companies. Outlets are operated through post offices, newsagents, convenience stores and garages. Many of these local outlets operate as agents for PayPoint or Pay Zone, which compete with post offices for this business. However, some existing agents could not or did not want to provide the PayPoint service, among these being the post office at Chayle Green, Isle of Wight."

It was not that they did not want to; it was that they were not allowed to do so.

Mr. Jim Green, the head of Consignia Utilities Markets, told me that

"Being aware of the arguments behind our current policy you will understand that we have to consider the viability of the network as a whole, so that occasionally difficult decisions have to be made in relation to a single Post Office branch in order that Post Office Ltd. may continue to offer integrity of service across all our branches nationwide. I am therefore afraid that we have no room for manoeuvre in this case."—

that is, to allow the post office to run PayPoint instead of key meter. Mr. Stephen Reid, chief executive of Energywatch, tells me that Scottish and Southern Energy

"advise us that it has already withdrawn the above services having tried to get the PowerPoint facility into the exact same premises—at Costcutter—which houses the post office . . . However, we have noted that Consignia Royal Mail, which is in direct competition with PowerPoint, has objected to this facility and thus 'blocked' this initiative."

Those are two businesses sponsored by the Minister's Department with a panoply of regulatory and watchdog organisations, such as Ofgem, Postwatch and Energywatch, which seem incapable of realising the damage that they are doing to the Post Office network.

I will not go on at great further length, but I thank the Minister for writing to me on 24 March as follows:

"Post Office Limited agents can install unbranded PayPoint terminal in their private businesses but cannot use these for products or services that compete with those offered by Post Office Ltd. Electricity Key recharging falls into this category. This restriction is an essential element in protecting the viability of the Post Office branch network as a whole."

That does not wash with residents on the Pan estate. Mr. Alan Young, director of corporate communications of Scottish and Southern Energy, writes that SSE discussed providing an unbranded service at Pan post office with Post Office Counters Ltd. to try to take this forward

"but regrettably they declined to co-operate with this option."

As late as 5 June, April Groombridge of the network development, a department of PayPoint, offered a PayPoint terminal to Paul Brett at Pan's Costcutter store, but as far as he knows he is still not able to have one. He says:

"The post office at Pan is profitable at the present time because my wife and I have always kept the office's costs very low (never increasing them), never taking on anything that would be to the financial detriment of the Post Office (refusing Pay Point, cash machines, etc, advertising and promoting the Office every three weeks for the last three years and investing heavily in our business."

He feels let down. He writes:

"The Post Office and Labour Government should realise that of any Office in the Newport area, including the General Post Office, Pan Sub-office has the potential to remain profitable, in what we know are difficult times for the Post Office."

My concern is that the post office network is not being properly exploited. It would benefit from the Government's general practitioner scheme. It would certainly benefit if local government used it more, as it would benefit if utilities used the network more. The utilities went to PayPoint from key meter because the promoters of PayPoint were able to invest in the replacement of electricity meters in people's homes, and the Post Office did not have the capital available to do so. That has led to the danger faced by Pan post office and a number of the rural post offices on the island that are not covered by the urban network reinvention scheme.

I am concerned that the Post Office is promoting the closure of post offices at random in urban areas depending not on need and not on geography but on the willingness of the sub-postmaster or sub-postmistress concerned to retire. That is a wholly arbitrary and unreasonable basis on which to hand out Government money— taxpayers' money, money from the people—in the very communities that are being affected by these closures.

7.20 pm

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I congratulate the hon. Member for Isle of Wight (Mr. Turner) on securing this debate. I thoroughly enjoyed my visit to his constituency last Friday, the weather notwithstanding—it was sunny for a fair part of the day, but wet for the rest. I welcome the opportunity to respond to the issues that he has raised this evening. I fear that I may not be able to cover all of them, but if I cannot respond fully now, I shall write to him.

I can give the hon. Gentleman an assurance that we are firmly committed to maintaining a viable nationwide network of post offices, which are an extremely important focal point for the local community, particularly for people who do not find it easy to get

[Mr. Stephen Timms]

around. I can also give him an assurance that everybody who wishes to continue to receive their benefits in cash from their local post office can do so. That has been a given in the introduction of direct payment, which is currently under way.

Recommendations in the widely welcomed report of the performance and innovation unit in 2000 formed the basis of our policy on the post office network. The Government accepted all the PIU recommendations, including the recommendation that, should the Post Office decide that fewer post offices were needed in some areas, the Government should consider providing funding to ensure that the sub-postmasters affected could be compensated adequately for the loss of their business. I think that that is fair. The hon. Gentleman suggested that it was a misuse of public funding, but I do not think that it is. The value of post office businesses has declined in recent years for a variety of reasons that I shall come on to. Many people who have run those businesses have worked hard for a long time, and we took the view that it was appropriate for them to be compensated fairly if their business closed under the programme. Last November, following parliamentary approval for the funding, Post Office Ltd. initiated its programme for urban post offices.

There are nearly 17,000 post offices around the UK—more than all the banks and building societies in the country put together. Tellingly, there are more than 1,000 urban sub-post offices with at least 10 other post offices within a mile. There is simply not the business to sustain so dense an urban network, and sub-postmasters have been finding it increasingly difficult to earn a reasonable income from their business. The great danger facing the Isle of Wight and elsewhere if nothing had been done was an unmanaged decline in the network, with urban post offices closing haphazardly and serious gaps in the service opening up. However, there is a properly managed process for the Post Office to configure its network to meet the needs of the communities that it serves and fit the level of business going through the network. Two thirds of the urban population live within half a mile of two or more post offices, many of which are struggling. The National Federation of Sub-Postmasters has supported the process because everyone accepts that we need a properly managed reduction in the number of urban post offices so that the network can have the viable and successful future that we all want.

There are many reasons for the decline in post office business, but I remind the hon. Gentleman that the trends that have led to those problems are long-standing in nature. For example, more than 43 per cent. of benefit recipients already choose to access their benefit payments via bank accounts, compared with 26 per cent. in 1996. The traditional business on which post offices have depended in the past has been declining. That is why it is so important that we have been able to invest an enormous amount—£500 million—to equip every single post office in the country, including all those on the Isle of Wight, with technology to support banking services. That opens up a new market for post offices that can give them the prospect of a successful future. I am very encouraged by some of the changes that we have seen as a result of that investment, and I think that they augur well for the future.

The hon. Gentleman was especially concerned about the criteria for including particular offices in the urban reinvention programme, as opposed to rural post offices, which are outside it. Post Office Ltd. analyses an area as either urban or rural on the basis of whether the branch in question is located in a community of more or fewer than 10,000 inhabitants—the figure that he correctly quoted from my letter to him. The Post Office adopted that broad definition in autumn 2000, when the Government placed on it a formal requirement to maintain services and prevent avoidable closures in the rural network. We have seen a dramatic reduction in the number of closures in the rural network as a result.

The Post Office has carried out detailed planning to establish which branches are classified as rural and which are classified as urban. It has developed a sophisticated geographical mapping computer model that measures population in terms of contiguous or very close agglomeration. Where a number of villages or small communities adjoin one another or a larger town and the aggregate population exceeds 10,000, the model reflects that fact and classifies the area as urban. I can well understand that customers using the Gurnard branch think of themselves as a distinct and separate community, but given the concerns expressed about that branch, the Post Office has rechecked its analysis and confirmed its classification of the office as urban on the ground that it is located within the contiguous population area of Cowes. That is consistent with the approach adopted nationally to classify the entire network. In arguing against at least some aspects of the proposals that have been made for urban offices on the Isle of Wight, I do not think that the hon. Gentleman is on strong ground on that particular point. However, he was on stronger ground in making another point, which he may want to take further. I shall return to that point in a moment.

Initially, closure proposals under the Post Office Ltd. programme were focused on single offices known to be most at risk of closure because of poor viability, in order to minimise the possibility of unplanned and unmanaged closures occurring and gaps opening up. However, the company accepted that there was a lot of uncertainty about the future shape of the network and it has now undertaken to produce its proposals on an area-by-area basis using parliamentary constituencies or groupings of constituencies. Postcomm has commended Post Office Ltd. for that response, as has the Select Committee on Trade and Industry. Producing proposals on an area-by-area basis, as has now been done for the Isle of Wight, means that everyone can see what the end point will be and gives a clear view of the level and location of service provision at the end of the programme. I understand that, in order further to minimise uncertainty, Post Office Ltd. will bring the whole programme forward by a year, so it will all be over by December 2004.

Every proposal is subject to public consultation, and the consumer watchdog Postwatch has a very important role. The hon. Gentleman did not mention Postwatch, but it is consulted on every proposal and is monitoring the programme as a whole. I met Postwatch representatives recently to discuss how that is going, and it is working diligently on the matter. Given the new area basis to which I have referred, Post Office Ltd. has agreed with Postwatch to extend the period of public consultation. which was formerly a month for each closure, to six weeks for the area as a whole. It is important that those who are concerned about certain elements of the proposals for the hon. Gentleman's constituency should take them up with Postwatch, which will want to satisfy itself about them. As he knows, the closing date for representations is 2 December, so there is still time to do so.

The hon. Gentleman may have an alternative proposal—perhaps that one of the offices should be retained, while another that is not in the frame for closure should be closed instead. If so, I encourage him to draw it to the attention of Postwatch.

My time is rapidly running out, but I want to make one last point. The hon. Gentleman said that one of the offices proposed for closure is 1.2 miles from the nearest post office. The objective of the programme is to ensure that at least 95 per cent. of the urban population will be within a mile of their nearest post office.

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes to Eight o'clock.

House of Commons

Thursday 6 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Fireworks

1. **Mrs. Joan Humble** (Blackpool, North and Fleetwood): What action her Department is taking to enforce safety legislation associated with fireworks. [136674]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): The safety of fireworks is governed by the Fireworks (Safety) Regulations 1997. Enforcement is the responsibility of the trading standards service. Display and storage of fireworks are controlled by local authorities under the Health and Safety Executive's Explosives Act 1875.

Mrs. Humble: I thank my hon. Friend for that long list of measures, but is not the best way of enforcing the safety regulations to tackle the antisocial behaviour that is all too often associated with fireworks? Will he ensure that those regulations, and the new regulations announced by the Secretary of State, will be strictly enforced to ensure the safety of both people and pets?

Mr. Sutcliffe: I wholeheartedly agree. I think that the House owes a debt to my hon. Friend the Member for Hamilton, South (Mr. Tynan), who introduced the Fireworks Bill as a private Member's Bill. It is important to tackle antisocial behaviour, which is why we are pleased that the regulations will ban under-18s from having fireworks in public places and double the penalties imposed on those throwing fireworks. I think that those measures accord with our strategy to deal with antisocial behaviour.

Malcolm Bruce (Gordon): Does the Minister acknowledge that nowadays there is widespread ignorance as to who Guy Fawkes was? Apparently, the most popular candidates for the bonfire this year are President George Bush and the about-to-be-crowned leader of the Conservative party.

On a more serious note, on the basis of the introduction of the new Fireworks Act 2003—which he commended—will the Minister ensure that the regulations directly target safety issues and the nuisance and distress caused to people and animals in a way that does not needlessly destroy businesses and jobs, and enables people to carry on enjoying fireworks in a responsible manner?

Mr. Sutcliffe: I accept what the hon. Gentleman says about safety. This year's safety campaign concerned sparklers. At first people did not think that appropriate, but last year 80 children were injured by sparklers, which reach a temperature of 1,000° C, 10 times the boiling point of water. They are in fact very dangerous.

We must make sure that schoolchildren and young people are aware of the dangers of fireworks. We need a balance between regulation and ensuring that we do not affect businesses, but the safety issues are important. I am pleased that many local authorities, police forces and fire authorities have worked together to try to get the safety message across.

Mr. Bob Laxton (Derby, North): I hope that the new regulations prove effective. I suspect that the number of complaints about the effects of fireworks has, if anything, been greater this year than in earlier years. If the regulations prove ineffective, what prospect will there be of a total ban on the sale of fireworks other than for publicly organised events?

Mr. Sutcliffe: My hon. Friend is entitled to his view, but I hope that he will join us in trying to ensure that the regulations do work, because they provide for dramatic improvements in safety and reductions in antisocial behaviour. I hope that he will concentrate on that aspect and work with stakeholders in his constituency. Let us see if the regulations work first; if they do not, we shall have to return to the issue.

Chris Grayling (Epsom and Ewell): While there is much to welcome in the Fireworks Act, can the Minister assure us that the Government will not use the section referring to potential licensing to introduce regulations requiring every local primary school, guides group or scouts group that holds an annual display to engage in a complicated licensing process?

Mr. Sutcliffe: I assure the hon. Gentleman that that will not happen. The licensing regime will concentrate on the sale of fireworks. At present there is a registration scheme for shops. The idea is to establish a licensing scheme to prevent any abuse of the rules on selling fireworks to young people.

Deprived Areas

2. **Andy Burnham** (Leigh): What action she is taking to help enterprise in deprived areas. [136675]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): My Department promotes the development of small enterprises and investment by larger firms, particularly in the assisted areas.

Andy Burnham: Does my right hon. Friend agree that some recent manufacturing losses have involved low-value, high-volume products, often in some of our

most deprived areas? The physical inheritance of those areas from their industrial past—the mills and the pits—means that they are among the hardest to regenerate. I welcome the successful regeneration of northern cities, and I welcome the great northern cities that we now have; but does the Minister think there is a case for commissioning a special study, along with the northern regional development agencies, to investigate what more can be done to regenerate hard-to-reach northern towns?

Ms Hewitt: I share my hon. Friend's concern about the loss of, in particular, traditional manufacturing areas in some of the most disadvantaged towns, including those in his constituency. Let me draw his attention, however, to what we have already been able to do, in his constituency and more generally in the north-west, through regional selective assistance and the grants—which I know he welcomed—to Patak's Foods and, more recently, Corbett Packaging, which is relocating in his constituency. Those are good examples of our commitment to modern manufacturing and to the securing of good jobs, especially in our most disadvantaged communities.

Mr. John Bercow (Buckingham): Given that in his Budget speech on 9 April the Chancellor of the Exchequer talked about adding to the incentives for small business creation, and that, whatever the merits of individual measures, the sea of regulation is now deeper and more hazardous than any with which business has previously had to contend, can the right hon. Lady now tell me and the House what assessment she has made of the merits of the Regulatory Flexibility Act of 1980 and the Small Business Regulatory Enforcement Fairness Act of 1996 in the United States?

Ms Hewitt: I always enjoy the hon. Gentleman's contributions about red tape, but in response to the rather difficult and confused metaphor that he used, I have to say that he is wrong. The number of regulations each year that impose a cost on business has fallen since 1996, and we have taken a number of steps—simplifying the VAT regime, for instance—to make life simpler and easier for small business. The hon. Gentleman referred to some good examples of practice in the United States; we did indeed look at that and learned from it in creating and strengthening the Better Regulation Task Force and our whole system of regulatory scrutiny. That is why the OECD says that we have one of the best regulation and regulatory reform regimes in the world.

Mr. George Stevenson (Stoke-on-Trent, South): Does my right hon. Friend recognise that enterprise in a deprived area such as mine remains heavily dependent on the fortunes of the pottery industry, which in turn heavily depends on exports? In that context, does she share my concern about the 30 per cent. tariff on pottery imports from the United Kingdom to the United States? That swingeing tariff is having a very detrimental effect. Will she look into it with some degree of urgency, and make the necessary representations to her colleagues in the European Union?

Ms Hewitt: Yes, of course I will. My hon. Friend raises an important point, and he will know, as do other hon. Members, of the enormous efforts that we have made to deal with the unlawful tariffs that the United States has imposed on imports of our steel—a matter on which we shall soon have the final ruling from the World Trade Organisation. The tariffs on pottery imports into the United States are a real hindrance to companies in my hon. Friend's constituency and elsewhere, which have quite enough problems to contend with already. I shall certainly see what we can do to help, both bilaterally and within the WTO.

Fireworks

3. **Phil Sawford** (Kettering): What steps she has taken to control the sale and use of fireworks. [136676]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): The Fireworks (Safety) Regulations 1997 prohibit the supply of consumer-type fireworks to those under 18 years of age. They also prohibit the supply of dangerous types of fireworks to the general public—bangers, fireworks of erratic flight and so on. Under the Fireworks Act 2003, we will regulate to make it an offence for under-18s to possess fireworks in a public place, and to prohibit the possession of category 4 fireworks by any person other than a professional. In the new year we will enforce in law the firework industry's current voluntary ban on air bombs.

Phil Sawford: I thank my hon. Friend for that response and for his earlier comments. Last night, London echoed to the sound of fireworks as families and communities came together in their thousands to enjoy the fun and spectacle—but for many, the misuse of fireworks blights their lives, threatens their homes, terrifies their pets and destroys their quality of life. I welcome the new proposals and, although no one wants to be a killjoy, I ask my hon. Friend to do everything he can to ensure that the police and local authorities enforce any new legislation to stop the misuse of fireworks and stamp out that menace in our communities.

Mr. Sutcliffe: I congratulate my hon. Friend, who over the years has campaigned vigorously to ensure that people do not suffer injury from fireworks. I pay tribute to his work. I was pleased to see that last year's figures showed a 25 per cent. reduction over the previous year, so the safety message is, I hope, getting through. I assure him that we shall do everything we can to ensure that people use fireworks safely.

Sir Patrick Cormack (South Staffordshire): May I take it that the extremely sensible decision to prevent under-18s from possessing fireworks indicates that the Government will take a similarly robust and sensible line on votes at 16?

Mr. Sutcliffe: I am happy to say that that is not a matter for me.

Mr. Adrian Bailey (West Bromwich, West): I thank the Minister for his comments, and I want to emphasise that the number of complaints about fireworks has been growing year by year. Indeed, I have received from a

constituent of mine—Mr. Bill Woodward, who is 80 today—a newspaper cutting from the *Tipton Herald* of 1963, the year in which he started his campaign for legislation on fireworks. I seek an assurance that the Minister will introduce those elements of the Fireworks Act 2003 that can be introduced as soon as possible, preferably before Christmas, so that I can reassure Mr. Woodward that the fruits of his labour will be achieved in his lifetime.

Mr. Sutcliffe: I would be pleased if my hon. Friend would give my congratulations to Mr. Woodward on achieving his 80th birthday, and on his work on firework campaigning. We will include in regulation as soon as possible—before the new year—those elements of the 2003 Act that we can include. Hopefully, all the regulations will be in place by July of next year in readiness for the subsequent firework celebrations.

Mr. Bill Tynan (Hamilton, South): Does my hon. Friend agree that one current major problem—the British Fireworks Association is on board in this regard—is that the simplicity of the application form for an import licence is allowing unscrupulous firms to import hundreds of tonnes of fireworks and distribute them indiscriminately, which is causing many of the problems with antisocial behaviour? Will he consider changing the terms of the import licence application to make it more difficult for such companies to import fireworks?

Mr. Sutcliffe: I am happy to address that issue with my hon. Friend, to whom I earlier paid tribute for his work on fireworks; indeed, it is his work that has got us where we are today. I know that he has raised this issue with my ministerial colleagues. I am happy to discuss it with him, and I am sure that we can come to an arrangement. He is right—illegal fireworks are part of the problem and we need to work with the industry and to have proper regulation.

Employers' Liability Insurance

4. **Mr. Alistair Carmichael** (Orkney and Shetland): What assessment her Department has made of the impact of the recent changes in the cost of employers' liability compulsory insurance cover on UK businesses. [136677]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): The Department of Trade and Industry is working closely with the Department for Work and Pensions, which oversees this insurance, and with the Treasury, which oversees insurance markets.

I have encouraged the Association of British Insurers and the Federation of Small Businesses to adopt a code of good practice, ensuring 21 days' notice of renewals. We have produced guidance to help insurers better distinguish between good and bad safety management and I am pleased to see it reported that this year's rises are more modest than previously.

Mr. Carmichael: I am grateful to the Minister for that reply and I welcome his announcement, although the situation in my constituency, which is heavily dependent on small and medium-sized enterprises, indicates that that will not be enough. Some 25 per cent. of businesses in my constituency have reported an increase of 100 per cent. or more in the cost of employers' liability compulsory insurance premiums in the past 12 months. Can meaningful regulation be introduced to ensure that the insurance industry operates in a transparent manner and does not discriminate against SMEs in that way?

Nigel Griffiths: I am concerned about reports that the insurance industry has been using employers' liability compulsory insurance as a loss leader, writing premiums well below underwriting losses and making subsequent adjustments. Of course, small businesses find that very difficult to cope with. The Office of Fair Trading looked at this issue in the light of factors such as competitiveness and transparency and decided not to take action at this stage. However, the DTI always keeps such matters under review.

Mr. Eddie McGrady (South Down): Is the Minister aware that SMEs in Northern Ireland are suffering a double jeopardy, in that their premiums are already beyond mainland levels? Does he understand that there has been an average increase of 500 per cent. in the past three years? The premium of one of my constituents, who has a no-claim record, was £500 three years ago; now, it is £8,000. Businesses in Northern Ireland cannot sustain such increases. A fact-finding study in November 2002 reported in March 2003, but no action was taken. A further study commenced last month. SMEs in Northern Ireland cannot wait any longer—they are going out of business as I speak. Will the Minister expedite his resolution of this serious problem?

Nigel Griffiths: I am aware of the problems in Northern Ireland, because I discussed them on my last visit to see representatives of the Federation of Small Businesses there. The hon. Member for South Down (Mr. McGrady) highlights what appear to be unacceptable escalations in premiums. We have been working with and on the Association of British Insurers to try to ensure that proper risk assessments of companies are made. I visited several small businesses that, without experiencing circumstances that might adversely affect their claims, have seen their premiums rise to unacceptable levels. I have made it clear to the insurance industry that such rises are indeed unacceptable.

Mr. Henry Bellingham (North-West Norfolk): The Minister referred to the Federation of Small Businesses, but has he seen the latest "Financial Statement and Budget Report", which pointed out that 6 per cent. of its members have faced reductions in profits as a direct result of soaring insurance premiums? Furthermore, 19 per cent. are having to lay off staff, and a worrying 8 per cent. reported that they were trading without proper insurance. A year ago, the Minister said that he took that issue very seriously. We have had several reports and heard many platitudes, but when is the small firms Minister really going to listen to small firms?

Nigel Griffiths: I deplore any company that is trading without proper insurance, which is illegal. I advise the hon. Gentleman to supply any information on failures to hold valid insurance to the Health and Safety

Executive. Since the matter was raised last year and before, the latest survey, which was last month—the Bank of Scotland has commented on it—showed that, whatever the hon. Gentleman says about returns and profits, a third of small businesses intend to recruit staff and 20 per cent. are to increase net investment. That tells me that small businesses have, in their customary way, coped with great fortitude and are not being deflected from making the necessary investment to grow. That is what I want to see.

Mr. Martin O'Neill (Ochil): Does my hon. Friend understand that it is not just small and medium-sized enterprises that are affected by the problem? There are several construction companies in my constituency, and in the past they prudently entered into two or three-year deals to cover insurance premiums—but when they reached the renewal date, they found that those premiums were doubling or trebling. Those companies require employers liability insurance for health and safety reasons, because the construction industry is one of the most dangerous. If they have either to cut corners or to reduce staff, it is not good for the industry as a whole. Big businesses are being hit as well as small, and who will pay for that? It will be the safety of the workers.

Nigel Griffiths: As the Minister responsible for construction, I know that that sector has one of the best safety records in the world, and I do not want anything to jeopardise it. I hope that my hon. Friend and the House will be pleased to learn that the DTI construction directorate has engaged an insurance industry specialist to liaise more closely with the industry to ensure that it is properly covered. The necessary steps must also be taken to ensure that building and construction sites meet the highest safety standards, which will also help to reduce their insurance premiums. I want to see them rewarded for taking such action.

Mr. Andrew Stunell (Hazel Grove): May I draw the Minister's attention to a small construction company in my constituency, which, after decades of claim-free operation, has had an eightfold increase in premiums in five years? That is clearly a serious problem for companies that have taken account of the safety factors, but are still being penalised by an insurance industry that seems deaf to the claims records and the needs of small businesses.

Nigel Griffiths: The hon. Gentleman highlights a matter that we all find unacceptable. I am sure that he has made direct representations on behalf of his constituents to the insurance company concerned, and I am happy to add my voice as the Minister and write to the company myself.

Stamp Duty Land Tax

5. **Mr. Mark Prisk** (Hertford and Stortford): What recent representations her Department has made to HM Treasury concerning the impact of stamp duty land tax on small businesses. [136678]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): My right hon. Friend the Secretary of State for Trade and Industry made representations to the Treasury concerning the potential impact of the proposed changes on businesses. She was pleased that the change announced on 20 October will assist small and medium-sized enterprises and business start-ups, and she welcomed the Chancellor's decision to more than double exemption for businesses with a net present value of less than £150,000.

Mr. Prisk: The Minister knows that businesses small and large remain bitterly opposed to the fourfold increase in tax on their leases. Is he also aware that business feels strongly that that will distort the leasehold market and restrain small business investment? Would he, as the Minister for Small Business and Enterprise, agree to meet a small delegation of businesses so that they can express their concerns on a matter that may well distort the leasehold market for small business right across the country?

Nigel Griffiths: I do not accept that. Almost two thirds of commercial leases signed by small businesses will be exempt. Previously, in most cases, stamp duty was paid, if at all, on 2 per cent. of one year's rent. Now the first £150,000 is exempt, and thereafter the rate is 1 per cent. The entire House should welcome this measure to close a tax loophole. I regularly meet the key federations and organisations representing small businesses, and I shall be happy to discuss the matter with them.

Mr. Tam Dalyell (Linlithgow): Is my hon. Friend aware of the sheer difficulty experienced by those who apply for grants? Would he contact the Association of Marine Scientific Industries, which is particularly concerned about Natural Environment Research Council applications?

Nigel Griffiths: I am happy to respond in writing to my hon. Friend.

Workplace Consultation

6. **Mr. Wayne David** (Caerphilly): What action she is taking to ensure greater rights to consultation in the workplace. [136679]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): The information and consultation directive which comes into force in March 2005 will give new rights to employees to consultation about matters that affect them in the workplace.

Mr. David: Does my right hon. Friend agree that it would make a great deal of sense if companies did not wait for the deadline of 2005, and if companies and trade unions co-operated—like Tesco and Asda, for example—to ensure that there is effective consultation long before 2005?

Ms Hewitt: I entirely agree with my hon. Friend and I am delighted to say that we have already been working closely with both the CBI and the TUC. I pay tribute to Digby Jones and Brendan Barber for the work that they have done in agreeing a framework for implementation. Now that that is in place, well in advance of the directive coming into effect, I hope that many more businesses

will take advantage of the opportunity to create an effective partnership with their work force and its representatives.

Mr. Tim Yeo (South Suffolk): Given that Britain faces more acute competition—*[Interruption.]* I shall take three minutes over this question. Given that Britain faces more acute competition internationally for both investment and jobs, will the Secretary of State undertake, whenever additional obligations are placed on British employers, to carry out an assessment of the likely impact of those obligations, regardless of how desirable or well-intended they may be, on the job prospects over the next 10 years of less-skilled workers?

Ms Hewitt: I am delighted that the hon. Gentleman is in favour of competition, if not for the leadership of his own party. He raises a serious matter—the impact upon the least-skilled workers in our community of the enormous process of restructuring that is taking place not just in the United Kingdom and Europe, but right across the world. It is therefore central to our skills strategy, to the work that we are doing in the regional development agencies—which I think the Opposition intend to abolish—and to the work that we are doing in the most disadvantaged areas that we help those low-skilled workers, who are most vulnerable to displacement in the global economy, to get the skills and the jobs that they need. I remind the hon. Gentleman that despite all those global changes, we have 1.5 million more people in work than we had six years ago.

Fireworks

7. **Mr. Andy Reed** (Loughborough): What action her Department is taking to tackle antisocial behaviour and nuisance caused by fireworks. [136680]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): My Department has had discussions with a range of stakeholders, including the fireworks industry, the police and environmental health officers to formulate proposals for regulations under the Fireworks Act 2003 on antisocial behaviour and nuisance matters. Areas covered include the prohibition of air bombs and a curfew.

Mr. Reed: I thank my hon. Friend for that reply. Does he agree that ensuring that we enforce those regulations will be crucial to deciding the future of the firework industry? Constituents continually complain about the noise of fireworks. If we cannot get the issue right in the next 24 months, our constituents will come back time and again to ask for further regulations or even an outright ban on fireworks. Many of us who enjoy peaceful fireworks would not want that to happen. We are not killjoys, but we recognise the real concerns felt by our constituents.

Mr. Sutcliffe: I welcome my hon. Friend's remarks. The firework industry has been very responsible in the work that it undertook alongside my hon. Friend the Member for Hamilton, South (Mr. Tynan). A balance has to be struck between the industry, operating responsibly, and the safety of consumers. The regulations will work and will provide the balance that we need so that people can enjoy the firework season. The regulations will ensure that antisocial behaviour is not accepted.

Mr. Kevin Hughes (Doncaster, North): I welcome what the Secretary of State and the Minister have done so far, but will they go further? We must face the fact that all fireworks are dangerous. In the wrong hands, some are dangerous weapons. Is it time to introduce a licensing system, so that only responsible organisations would have a licence to use fireworks because they would do so properly?

Mr. Sutcliffe: The licensing regime is important and that is why it is included in the regulations to be made under the Fireworks Act 2003. However, people must make sound judgments. Fireworks are explosives and are dangerous. We need a balance between what people enjoy—safe firework displays around bonfires or for Diwali—and ensuring that people know how to use fireworks. That is why the regulations will say that people must be trained in the safe use of particular fireworks. It is a question of balance and the regulations are appropriate. I hope that they will work and that my hon. Friend will welcome them.

Mr. Eric Illsley (Barnsley, Central): Is my hon. Friend aware that in some situations antisocial behaviour with fireworks borders on acts of terrorism? In an incident in my constituency, a powerful firework, packed with nuts and bolts and other shrapnel, was detonated in a telephone box, parts of which blew into a housing estate. Such fireworks need to be banned before serious injury is caused by those people, not necessarily under-18s, who use them to cause criminal damage.

Mr. Sutcliffe: My hon. Friend really does point to a serious issue and the dilemma that we face. If we ban fireworks completely, we will be faced with illegal and home-made fireworks. They could cause all sorts of damage to the individual using them and to others in the community. It is a question of balance, but we hope that the antisocial behaviour orders will stop youngsters under 18—who are the main culprits—misusing fireworks.

Post Office Network

8. **Mr. Andrew Turner** (Isle of Wight): How many urban post offices have been (a) proposed and (b) approved for closure since the inception of the network reinvention scheme. [136683]

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I am understand from Post Office Ltd. that to the end of September, it had entered into public consultation on 886 closure proposals and that 540 branches had closed under the programme.

Mr. Turner: I thank the Minister for his reply and the attention that he has paid to the concerns of my constituents about post office closures in recent days. He told the House yesterday that

"there is a properly managed process for the Post Office to configure its network to meet the needs of the communities that it serves".—[*Official Report*, 5 November 2003; Vol. 412, c. 909.]

Does that mean that the Post Office does not simply wait for requests from postmasters and postmistresses to retire, but proactively approaches some of them with the suggestion that they might take advantage of the urban network reinvention scheme? In other words, does the Post Office take a strategic view of where sub-post offices should be?

Mr. Timms: It is vital that such a strategic view is taken. Indeed, that is one of the benefits of the new arrangements being put in place, about which the hon. Gentleman knows well. The Post Office will consult on the ultimate configuration of the post office network in a constituency or group of constituencies, instead of consulting on individual closures.

We want to ensure that we have a configuration for the network that is viable and sustainable. Everyone knows that a lot of the traditional business of post offices has been declining. For example, 43 per cent. of benefits recipients now have their money paid into a bank account, compared with 26 per cent. in 1996, before direct payments started. Investment by the Government means that there is now an attractive future based on banking but, to prosper, the urban network needs an appropriate configuration and size, given current demands. It is important to take that strategic view.

Mr. Harry Barnes (North-East Derbyshire): Is the Minister aware of the sheer inadequacy of the Post Office's consultation process? When people make representations, they are likely to receive a letter 80 per cent. of which is devoted to the argument about why massive changes must take place, which pre-empts the decision to be made. That happened in Coal Aston in my constituency, where the branch is to close on 6 December. I hope that the matter will be looked at closely before that date, with a view to reconsideration. The considerable number of representations that were made had various unique characteristics, and they must be taken seriously. In that way, I hope that we can still stop the closure.

Mr. Timms: It is important that such representations are taken seriously. That is why we have given Postwatch the funding and resources to do an effective job on behalf of the Post Office's customers. Of just over 1,100 proposals submitted to Postwatch by the end of October, 43 were withdrawn and 60 were modified before public consultation. Of those that went to consultation, 48 were modified and 13 were withdrawn for further consideration. That shows that there is effective protection of the interests of Post Office customers. The role of Postwatch is key in that.

Mr. Tim Yeo (South Suffolk): Will the Minister confirm that Labour's policy of ending the cash payment of pensions and social security benefits at post offices is cutting the income of many sub-post offices by as much as 40 per cent? Will he also confirm that Labour approves of the policy of paying bonuses to the management of Post Office Network for accelerating the programme of post office closures? Will he further confirm that, once Labour has decimated the urban network, it will set about carving up the rural network as well?

Mr. Timms: The hon. Gentleman is quite wrong on all those scores. May I wish him well in the reshuffle that we understand is planned for the Conservative Front Bench this afternoon, and express the hope that he will not be sacked by text message? For far too long, the Post Office has been locked in a declining market. Even now—and persistently under the previous Conservative Government—that market has been based on ration-book technology. Our investment of £500 million has given the network the technology to tackle the much larger, and growing, market for banking services. Those developments open up the prospect of a commercially successful future for the post office network, based on today's needs instead of yesterday's.

Mr. David Lepper (Brighton, Pavilion): Will the Minister acknowledge that residents in my Brighton and Hove constituency—[HON. MEMBERS: "Brighton and Hove?"]—in the Brighton, Pavilion constituency that I represent are now two weeks into a consultation period on six post office closures? Other offices across the city are also to be closed, but none of the evidence underlying the Post Office's closure proposals has yet been published. That severely undermines people's ability to respond meaningfully to a consultation exercise. Will my hon. Friend join me in urging the Post Office to publish in full the evidence that underlies all its proposed closures, in my constituency and elsewhere?

Mr. Timms: I think my hon. Friend will agree that the new procedure that he has described, which allows him to see what the ultimate configuration of post offices in his constituency will be, is better than dealing with proposed closures one by one, as used to be the case. I urge my hon. Friend, and other hon. Members concerned about proposals in their areas, to draw their concerns to the attention of Postwatch, a major part of whose work consists of protecting customer interests, in all constituencies. If my hon. Friend does that, I think he will find a ready ear for the concerns he has expressed.

Small Business (Late Payment)

9. **Andrew George** (St. Ives): If she will make a statement on the late payment of debts to small businesses. [136684]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): As a result of action taken by the Government since 1998, including the Late Payment of Commercial Debts (Interest) Act 1998, the creation of the better payment practice group, the provision for small businesses to claim debt recovery costs and giving small and medium enterprise organisations rights to challenge unfair contract terms on behalf of their members, I am pleased to tell the

House that the average time taken to settle debts in the UK has reduced by more than a week, and is nine days less than the European average.

Andrew George: I am pleased to hear that the Government are taking a robust line on late payers, but what are they doing about one of the worst of all late payers, namely, themselves? Only last week, for example, the Department for Environment, Food and Rural Affairs admitted that £50 million is still owed to contractors who were involved in the clean-up after foot and mouth two years ago. Many of those companies are perilously close to bankruptcy, so when will the matter be cleared up, and will the companies be entitled to a statutory right to charge interest on those late payments?

Nigel Griffiths: Let me tell the hon. Gentleman which companies will not be entitled to claim that statutory right: those who are perpetrating or seeking to perpetrate fraud against DEFRA. The hon. Gentleman and the House will know that my colleagues in DEFRA have paid out many hundreds of millions of pounds, but they are challenging the many fraudulent claims. I am happy to tell the hon. Gentleman that in general the Government's payment record is 94.83 per cent. on time—up 3 per cent. in the past seven years.

David Taylor (North-West Leicestershire): In a far-off life when the working week was only 60 or so hours, I had a good number of clients who were in the construction, textile and haulage industries. In terms of late payment, their main difficulty was that most of their income derived from a single client. Will my hon. Friend tell the House how, in those circumstances, the worthwhile changes that have been made can actually be used to extract faster payment? People are unlikely to bite too quickly the hand that is feeding them with most of their revenue.

Nigel Griffiths: That is a real concern and I am sure that all hon. Members are aware of it. That is why we have taken several specific actions. The first is to allow representative organisations to take what might be considered a class action—I use the term loosely—on behalf of the companies, to overcome the fear factor. Secondly, when hon. Members raise cases with me I have undertaken to write to the large and powerful organisations that appear to be delaying payment. I am pleased to see that, in general, payment times are speeding up. We keep the matter under review, and the better payment practice group meets regularly to advise us on improvements.

Mr. Andrew Mitchell (Sutton Coldfield): But in spite of the Minister's judicious and careful use of statistics, he knows perfectly well that Departments are among the worst offenders. In the interests of open government, will he publish a league table to name and shame those Departments that are the worst offenders in this respect?

Nigel Griffiths: I am not sure where the hon. Gentleman has been: such information is published. It is put in the public domain and in the Library. I completely reject the hon. Gentleman's assertion about Government payment. As I said, the record is 3 per cent. better than under the last Administration, so perhaps the hon. Gentleman can tell the House what he did at that time to make it so bad then.

Internet/Broadband Access

10. **Mr. Michael Connarty** (Falkirk, East): What action she is taking to increase the availability of (a) the internet and (b) broadband services within the UK; and if she will make a statement. [136685]

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I welcome the recent news from Oftel that half of UK households are now connected to the internet. The network of 6,000 UK Online centres was completed last year. The Oxford Internet Institute reports that only 4 per cent. of the population lacks ready access to the internet.

Eighty per cent. of UK households are now within reach of a broadband service—more than in the US. We are confident that the figure will reach 90 per cent. next year. We are approaching a broadband connection figure of 3 million. Wireless broadband and the growth of public sector broadband use will be especially helpful in further extending availability.

Mr. Connarty: I thank my hon. Friend for that answer and commend him and my right hon. Friend the Secretary of State for their continued enthusiasm for the spread of internet and broadband, which are, in a sense, the highway of the 21st century as rail and road were in the 19th century. However, the problem for my constituents—for example, in Grangemouth—is that a number of households or small and medium-sized enterprises are applying but no account is being taken of the fact that, in Grangemouth, we have BP, Syngenta, Avecia, GE Plastics and ENI Chemicals. They are all large users of the internet and broadband, yet they count as only one user. That means that SMEs cannot easily reach BT's targets. Can my hon. Friend take the question up with BT, to ensure that in industrial communities large users count as more than one unit?

Mr. Timms: My hon. Friend makes an interesting point. The Office for National Statistics said that, in July, 48 per cent. of households had access to the internet, but that 56 per cent. of people have used the internet in the past three months, reflecting the fact that a lot of people are using the internet at work, at school and elsewhere. Many big companies will already have made their own arrangements, so they are not dependent on the upgrading of local exchanges. Nevertheless, I will ensure that the interesting point that my hon. Friend makes is drawn to the attention of BT. I will meet the chief executive of BT shortly, and I will put the point to him when I do so.

Michael Fabricant (Lichfield): At the beginning of this year, the Government announced with some fanfare the broadband aggregation scheme—under which, for example, if there is a hospital, school or whatever in a rural area, there might be justification to provide broadband to those points. The Government went on to say—logically, I thought at the time—that that could enable broadband to be given to subscribers, but that has not happened. Nothing has happened; it has been all

talk and no do. Will the Minister prove me wrong and tell me precisely when the first exchange will be enabled under that scheme?

Mr. Timms: The hon. Gentleman is right to suggest that that initiative is very important. A great deal of progress has been made. All the regional aggregation bodies—he will be aware of them—will be established by the end of this month, and procurement through those bodies will start at the beginning of next year. That will be an effective way to change the basis for the service providers to invest in the provision of broadband in rural areas. Aggregation will take place at regional level, so we will be using the market as a powerful lever to improve private sector performance, but in a framework managed in the public interest by the public sector. The procurements will start in January, and I would expect the benefits to be felt very soon after that.

Brian White (Milton Keynes, North-East): Can my hon. Friend give an assurance that there will not be the equivalent of planning blight as people wait for the regional aggregation bodies to come into effect before they make decisions, and that public sector bodies such as local authorities can still honour the existing contracts?

Mr. Timms: Yes, I think I can give that assurance. Of course, we are seeing a very rapid growth in broadband at the moment. Something like 150,000 extra connections are made each month, and there is no sign at all of that tailing off. Indeed, we hope it will accelerate. I think I can give an assurance that there will not be a hiatus as a result of the new arrangements being introduced; indeed, they will contribute to further acceleration and growth.

Working Time Directive

11. **Miss Anne McIntosh** (Vale of York): What assessment she has made of the implications of the working time directive on (a) the service sector and (b) manufacturing industry. [136686]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): The Department of Trade and Industry has commissioned research into the implementation of the working time regulations that considered a range of organisations, including those in the manufacturing and service sectors. The general conclusions drawn were that the regulations had marginal or no impact in 10 of the 20 organisations interviewed and that, where an impact was felt, it acted as an impetus to review work practices and work smarter. A recent follow-up study, published in July 2003, of a subset of those firms concluded that the recent legislative changes have not been problematic for most employers interviewed.

Miss McIntosh: Will the Minister confirm the figure given by the British Chambers of Commerce showing that the total cost to industry of implementing the working time directive is £2.3 billion? Will he give a commitment today that he will meet the 23 November deadline to negotiate an opt-out from the 48-hour limit? Will he stand up for British business and resist the working time directive?

Mr. Sutcliffe: I cannot help but notice that the hon. Lady is the only Back Bencher sitting on the Conservative Benches—perhaps lots of job application forms are going in after the coronation of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard).

Miss McIntosh: Answer the question.

Mr. Sutcliffe: The right hon. and learned Gentleman needs a mention because he refused to accept the working time directive in 1991. The working time directive is important to employees and employers because it gives people four weeks holiday and an appropriate working week. Good employer-employee relations develop from the working time directive. We are happy to ensure that the United Kingdom's position remains as it is.

Hugh Bayley (City of York): Is my hon. Friend aware that for the second time in just a few weeks, the Nestlé Rowntree factory in my constituency announced a large number of redundancies, in three figures? The working time directive is important in the confectionery industry because of the Easter and Christmas production peaks. The factory supplies throughout the EU, in the eurozone as well as the UK. It is essential that we have a level playing field so that we compete fairly with the Nestlé Rowntree factories in Hamburg and Dijon. Does my hon. Friend agree that the regulations must be applied in exactly the same way in all factories?

Mr. Sutcliffe: I wholeheartedly agree with my hon. Friend that it is important to have a level playing field. I am sorry to learn of the situation with Nestlé Rowntree, which has been in his constituency for many years in a variety of guises. I am happy to report that I work with Employment Ministers across the EU and the new accession countries. It is necessary to have a flexible approach to labour markets while ensuring that there are minimum standards for employees.

MINISTER FOR WOMEN

The Minister was asked—

Child Care

18. **Andrew George** (St. Ives): What steps she is taking to improve access to child care for women. [136666]

The Minister for Women and Equality (Ms Patricia Hewitt): The Government are committed to improving access to good-quality child care for all parents seeking places for their children. We are spending record amounts on child care, with a £1.5 billion budget by 2006 for sure start, early years and child care.

Andrew George: I am grateful to the Minister for that reply. Is she aware that child care facilities provided by employers—necessarily larger employers—are tax deductible, whereas those who work for small employers and use child care facilities pay tax? In areas such as mine, people predominantly work for small employers, are on low incomes and pay a disproportionate amount of their income on child care. Do the Government have plans to address that and equalise the mismatch?

Ms Hewitt: The hon. Gentleman makes an important point. I am glad to say that my right hon. Friend the Chancellor and his colleagues in the Treasury are considering the issue of employer-supported child care. I draw to the hon. Gentleman's attention the existence—not widely enough known—of child care vouchers that employers can provide to their employees. Those are particularly suitable for small businesses and relieve the employer of the cost of employers' national insurance contributions.

Mrs. Anne Campbell (Cambridge): Does my right hon. Friend agree that it is important for both parents and employers to have access to good information about child care as well having access to child care itself? Will she commend the work of Opportunity Links in my constituency, of which I am the unpaid chair, and, of course, Childcare Links, the Government's website, which gives information on child care and I understand receives about 7 million hits a month?

Ms Hewitt: I am delighted to have the opportunity to congratulate my hon. Friend on Cambridge Opportunity Links, which she started before 1997. It was so successful that it formed the basis for the national roll-out of Opportunity Links and it provides an invaluable service. I am delighted to congratulate not only my hon. Friend but everyone else associated with it.

Mrs. Caroline Spelman (Meriden): For the benefit of hon. Members, perhaps I should explain that there is meeting of the 1922 committee of the Conservative party, which explains the absence of my Back-Bench colleagues. I think I can, with some confidence, be the first to record officially my congratulations to my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who I assume will be successful.

I commend the Minister for Women for having the courage to admit in her interview with *The Daily Telegraph* that the Government may have given the impression that they want all mothers to go out to work, and that her view was falsely given. I wish such grown-up politics, with the Government admitting their mistakes, would happen more often. However, the loss of 20,000 childminders over the past three years has reduced a mother's choice in relation to child care. Is the right hon. Lady prepared to make another admission that the Government's favouring of institutional child care has also been a mistake?

Ms Hewitt: I wish the hon. Lady well in the coming reshuffle and thank her for her remarks. I am clear—I have been advancing this argument for longer than I care to remember, and certainly for the past 15 years or more—that it is the role of Government to support parents and families in choosing how they can best balance the care of their children and earning a living. That is what we are doing with our investment in child care, with the support that we are giving through child care tax credit and children's tax credit, and with the package of family-friendly measures that we introduced in April—which I hope the new leader of the Conservative party will not seek to abolish, given that he opposed all the social chapter measures when he was a member of the Cabinet.

Given the mix of child care, I think that we are responding to the wishes of parents for good-quality day care and nursery care places that can integrate education, child care and support for families. We are at the forefront with our mix of child care, and what we are doing is being studied with great interest and admiration throughout the world.

Ms Meg Munn (Sheffield, Heeley): I am sure that my right hon. Friend is aware that most parents want local child care. One of the problems for women in some poor areas has been an absence of childminders. What progress has been made in spreading the availability of childminders to all areas?

Ms Hewitt: As we put in place the children centres—we have already announced the first 32 or so—which will be focused on the most disadvantaged communities, we will provide a base for day-care centres and also a base where childminders can come to get support and extra resources to improve the services that they can offer within their own homes or in the homes of the parents for whose children they are caring. That is the approach that will meet the different needs of families, especially in our poorest communities.

Sandra Gidley (Romsey): Despite the increase in child care places, there is still an unmet demand. Does the Minister share my concern that more and more families are having to resort to the use of au pair agencies? Au pairs are untrained, unchecked and often exploited. If the right hon. Lady shares my concern, will she tell the House what she plans to do?

Ms Hewitt: There have been situations where au pairs have found themselves expected to take on far too much responsibility within the home, particularly for the care of a very small child, and where they have been exploited by their employers. I share the hon. Lady's concern about the position of some au pairs, although others do an outstanding job. I know that that is a matter that my right hon. Friend the Minister for Children is considering.

Employment Rights (Parents)

19. **Brian White** (Milton Keynes, North-East): What action has been taken to (a) monitor and (b) increase the take up of the Government's measures to help mothers of (i) small children and (ii) disabled children. [136667]

The Deputy Minister for Women and Equality (Jacqui Smith): The package of new laws implemented this April provides parents with more choice and more support in deciding how they balance work and child care in ways

that benefit everyone—employers, employees and children. Monitoring is important and we are working to develop a comprehensive range of information, both qualitative and quantitative. That includes the results of the second work-life balance study of employers which we published on Monday; monitoring changes in the workforce through the labour force survey; monitoring the number of calls to the ACAS helpline; and working with other bodies to survey specific target groups.

To ensure take-up, we have undertaken a national advertising campaign and provided a package of guidance material to increase the take-up and to support employers and employees.

Brian White: I welcome my hon. Friend's reply. Schemes such as sure start have been a tremendous success in my constituency and in others, but may I ask my hon. Friend to look at the public service agreements and cross-departmental and individual departmental targets, which interacting together can sometimes impede some of the objectives that she has set out. Will she consider that and have regard to blockages within individual targets and PSA agreements?

Jacqui Smith: I hope that the targets set by the Government are not impeding the important progress that we have made in promoting the work-life balance both within and outside Government. As my hon. Friend rightly points out, the range of policies to support children, from sure start to improved tax benefits and investment in health and education, are important in ensuring that we have the right policies in place for families and the right choices in place for parents.

Mr. Tom Clarke (Coatbridge and Chryston): Does my right hon. Friend agree that the Government's measures to help mothers of disabled children are as much about addressing problems as about recognising potential? Given that a number of children with disabilities, especially those with autism, have great talents in music and art for example, will she and her colleagues do their utmost on an interdepartmental basis to ensure that those children's potential is fully realised?

Jacqui Smith: My right hon. Friend has a proud record of supporting disabled children, and he has made an important point—the workplace flexibilities that we can offer the parents of disabled children are important if the children are to achieve their potential. My right hon. Friends the Minister for Children and the Secretary of State for Education and Skills put the need to maximise opportunities for disabled children at the centre of their work on the better integration of support services for disabled children. We need to make sure that we design services around disabled children to enable them to maximise their chances, not make them fit into administrative structures.

Business of the House

12.31 pm

Mr. Eric Forth (Bromley and Chislehurst) *rose*—

Hon. Members: Bye bye!

Mr. Forth: Can we have the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 10 NOVEMBER—Remaining stages of the Water Bill *[Lords]*.

TUESDAY 11 NOVEMBER—Remaining stages of the Arms Control and Disarmament (Inspections) Bill *[Lords]*, followed by consideration of Lords amendments to the European Union (Accessions) Bill, followed by a debate on reforming the United Nations on a motion for the Adjournment of the House.

WEDNESDAY 12 NOVEMBER—Consideration of Lords amendments to the Fire Services Bill, followed by motions relating to stamp duty land tax orders.

THURSDAY 13 NOVEMBER—Money resolution relating to the Extradition Bill, followed by consideration of Lords amendments to the Extradition Bill.

FRIDAY 14 NOVEMBER—The House will not be sitting.

The provisional business for the following week will include:

MONDAY 17 NOVEMBER—Commons consideration of Lords amendments, followed by consideration of Lords amendments to the Anti-Social Behaviour Bill, followed if necessary by further Commons consideration of Lords amendments.

TUESDAY 18 NOVEMBER—Commons consideration of Lords amendments, followed by consideration of Lords amendments to the Criminal Justice Bill, followed if necessary by further Commons consideration of Lords amendments.

WEDNESDAY 19 NOVEMBER—Consideration of Lords amendments to the Health and Social Care (Community Health and Standards) Bill, followed by Commons consideration of Lords amendments.

THURSDAY 20 NOVEMBER—Commons consideration of Lords amendments.

The House will be prorogued when Royal Assent to all Acts has been signified.

In respect of prorogation, I hope that it will be possible to prorogue no later than Thursday 20 November. The House will understand that that is subject to the progress of business in both Houses, but that looks like the most likely date at the moment.

The House will wish to be reminded that the next meeting of the Standing Committee on the Intergovernmental Conference is on Monday 10 November at 4.30 pm.

Mr. Forth: We are all very grateful, because at last we are getting a hint of some substantive business. It is significant that their lordships were mentioned so frequently because, sadly, it is they who are doing all the work in Parliament these days. However, we are grateful for the crumbs that we get from their lordships, and they will give us something to do in a couple of weeks' time.

Can I ask the part-time Leader of the House—

Mr. Ken Purchase (Wolverhampton, North-East): What about the part-timers over there?

Mr. Forth: I am sure, Mr. Speaker, that you are as intrigued by the predictability of Government Members' comments as I am. On the state visit of President Bush, when are we going to be told what arrangements are being made for the President of the United States to address, as I hope he will, Parliament or both Houses of Parliament? I can understand that there may be security considerations, but I hope that we will be given proper notice of the event, and I for one hope to get an invitation.

When will the pre-Budget statement be made? Is it being delayed because the Chancellor is ashamed of what it will contain? Will it contain yet more stealth taxes? Will property taxes be sneaked into it? We are already getting a stealth tax on business leases next week. I wonder whether the pre-Budget statement is being somehow covered up, concealed or delayed because the Chancellor does not want to tell us what is in it.

On a similar subject, when will we be given the local government settlement statement? I hope that we can be told that a statement will not be made at the very last minute, that it will be given in ample time and that we will have proper time to debate it. As you know, Mr. Speaker, it is something that affects every Member of this House and all our constituents. The local government settlement is an important annual event, and I hope that the part-time Leader will be able to tell us that it will be delivered in proper time and that we will also have proper time to discuss it and question Ministers about it.

When will we see the Penrose report on Equitable? Some 1 million pensioners—I suspect that they include constituents of all Members—have been very much affected by Equitable. I hope that we can receive a guarantee that the report will be brought to the House soon, and that when it is brought we will be given proper time to debate it. I want to question Ministers on it, as I am sure do other Members from both sides of the House. I hope that there will be no further delay before the Penrose report on Equitable is made available to us.

Does the part-time Leader of the House agree with either the Prime Minister or the Chancellor about the European Union? The other day, the Chancellor told us in *The Daily Telegraph*:

"the IGC must respond without ambiguities that might, if unravelled, undermine even the best of intentions."

He went on:

"Indeed our rejection of a federal European state and support for an outward-looking and flexible European Union is not a British obsession but can become, we believe, the settled view of most of Europe."

I thoroughly applaud what the Chancellor said—*[Interruption.]* The part-time Leader tells us that he, too, applauds it. Perhaps we can find time for a little debate on the subject; it could be entitled, "Who is right on Europe: the Prime Minister or the Chancellor?"

[Mr. Forth]

The Prime Minister could open the debate and the Chancellor could wind up, and between them they could see whether they could get their act together.

Mr. Hain: On behalf of the whole House, may I be the first to congratulate the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) on becoming Conservative party leader in his Saddam Hussein-type election? The Government are delighted that Mr. Poll Tax is now leading Her Majesty's official Opposition. I am also pleased the shadow Leader of the House is still hanging on in there.

Mr. Forth: Just!

Mr. Hain: Like Custer's last stand. My vote goes to him, as one of the most treasured possessions of the Opposition Front Bench.

The right hon. Gentleman asked a series of questions, the first of which was about President Bush's state visit. He will appreciate that a state visit is a matter for the palace and the President's office, and that there are particular security considerations. I shall certainly make it top of my list to ensure that he gets an invitation to whatever events are held—if he is still shadow Leader of the House. If he is no longer shadow Leader, I shall, in my generosity, nevertheless try to get him an invitation, as I have enjoyed my spats with him.

The Chancellor will make a statement on the pre-Budget report soon. That statement will reflect the strength of the British economy under this Government. We have low interest rates, and after the quarter point rise today, we still have lower interest rates than we were used to under the previous Conservative Government, which illustrates the economic stability that exists under our Labour Government. Together with low inflation and record employment, that will be reflected in the Chancellor's statement.

The right hon. Gentleman asked about the local authority settlement. He will appreciate that, under our Government, settlements have been made earlier than usual. That will remain the case, and a statement will be made soon.

I appreciate the points that the right hon. Gentleman made about the Penrose report on Equitable Life. On behalf of our constituents, we all share those concerns, and I shall certainly seriously consider what he said.

Finally, the right hon. Gentleman asked about the Prime Minister's and the Chancellor's views on the European Union. The truth is that the Prime Minister, the Chancellor, other members of the Cabinet and I have exactly the same view. We are for Britain's membership of the European Union, unlike the shadow Leader of the House, who wants Britain to leave, losing nearly 3 million British jobs in all our constituencies in the process.

In respect of the intergovernmental conference negotiations, the Foreign Secretary and the Prime Minister have been fully accountable to the House on numerous occasions. Our objective is to ensure that what we achieved when I represented the Government on behalf of the Cabinet in the Convention on the Future of Europe is a European Union that is a union of nation states, not a federal superstate, with taxation decided at a national level, not harmonised at a Brussels level. That is, and will remain, the position of the British Government, and I am happy to clarify it.

Mr. Paul Tyler (North Cornwall): My colleagues and I share the delight at the appointment of the new leader of the Conservative party, not least because we are taking a close interest in the real election that will take place in his constituency.

Since the right hon. Member for Bromley and Chislehurst (Mr. Forth) is presumably not sure whether this is his last appearance in his current role, I should like to paraphrase Churchill by saying that, if this is his swansong—some swan: some neck.

I have very much enjoyed responding to five Leaders of the House, particularly over the past two and half years in which we have engaged in a sort of threesome on Thursday afternoons. *[Interruption.]* I have played only a bit part in that, but I suggest that all three of us have a close interest in the way in which this House does its business. Will the Leader of the House give some thought, between now and the Queen's speech, to providing an opportunity to debate the way in which this place operates? In particular, it is time we had a debate—perhaps on the Adjournment—on the role of the so-called usual channels. In the past, because of associations with hunting and the Whips, the usual channels have been given rather a bad name, and the public may misunderstand their role. However, that role is essential—it is rather like the mysterious subterranean way in which the sewers support civilisation. Will the Leader of the House give us an opportunity to debate in the Chamber precisely how we handle our business—not least the way in which we try to improve legislation?

Mr. Hain: I am grateful to the hon. Gentleman for drawing to the House's attention the fact that there was a 20 per cent. Labour vote in Folkestone and Hythe at the last election. Now, of course, that Labour vote will be carefully considering the best way of removing the leader of the Conservative party.

I genuinely echo the hon. Gentleman's generous comments about the shadow Leader of the House. He is a proud parliamentarian—the hon. Gentleman and I share that with him. Although we have our differences, that is the key part of his role, and we respect that.

As for the hon. Gentleman's request for a debate on the usual channels, I am afraid that that is typical of the Liberal Democrats, who never expect to be in government—

Bob Russell (Colchester): Is that why you switched?

Mr. Hain: As a result, they do not take the usual channels seriously. Does the hon. Gentleman want his own Chief Whip cut out of the usual channels? The Whips play a valuable role in making sure that the business of the House goes forward: he should seriously reflect on that.

Mr. Purchase: The Leader of the House mentioned today's 0.25 per cent. movement in interest rates. Will he ask the Chancellor of the Exchequer to come to the Dispatch Box next week to give the House his view on the effects that that change might have on manufacturing industry? We all accept that the high street and the housing market may be in need of a small increase in interest charges, but I urge upon my right hon. Friend the importance of ensuring that any fiscal measures at the Chancellor's disposal are used quickly in aid of our manufacturing industry.

Mr. Hain: First, I acknowledge my hon. Friend's considerable expertise and interest in manufacturing. He has long been an advocate of a strong manufacturing sector, as have I and many other Members of the House. He will know and be encouraged to note that a survey published only this week shows that growth in manufacturing is at its strongest for four years. The Government have created the economic stability which underpins manufacturing that has put it in a good position to resist the downturn in international trade and in a better position than many other competitor countries.

The quarter per cent. rate rise will be considered in its broad context. It shows an economy that is strengthening. The raising of the interest rates by the Bank of England shows that what it wanted to do was to ensure that the stability that the Government have locked in remains while the economy continues to grow and grow at a faster rate. That is welcome news for manufacturers, in terms of bigger markets and the growth that underpins them.

Rev. Martin Smyth (Belfast, South): The Leader of the House will be aware that we are looking forward to an election in Northern Ireland. Will he put it on his horizon that it might be wise for legislation that affects the whole nation—for example, disability legislation and issues of that nature—to be kept before this House, particularly if a Government is not formed in Northern Ireland? In that way, the people of Northern Ireland will get the benefits that they should get as part of the United Kingdom.

Mr. Hain: Legislation such as disability legislation will have to be considered in terms of what is devolved and what is properly reserved for Westminster. I will certainly bear the hon. Gentleman's point in mind, and I am sure that the Secretary of State for Northern Ireland will have noted it too.

Julie Morgan (Cardiff, North): I know that my right hon. Friend is aware of the plight of the Allied Steel and Wire workers who came to Westminster earlier this week to meetings arranged by my hon. Friends the Members for Cardiff, West (Kevin Brennan) and for Sittingbourne and Sheppey (Mr. Wyatt). Is there nothing that he can do to get us out of this impasse? It is outrageous that the steelworkers have paid into the pension fund all their life and now are entitled to nothing. Is there no way forward that he can find that will prevent them from having to go to court to try to seek what is rightfully theirs? Can he not implore Ministers to get together to find some way out of this disgraceful situation?

Mr. Hain: I agree that it is a disgraceful situation. Successive Ministers have met delegations from Allied Steel and Wire and I commend my hon. Friend and other Cardiff Members for the way in which they have fought the cause of these workers who have been robbed of their pensions. She will appreciate that the Government have to consider the knock-on effects for other similar situations and the law in this respect. One reason why we are introducing new legislation, following the Green Paper on pensions reform, is precisely to address the plight of such workers who have been so badly treated on their pensions.

Mr. Michael Jack (Fylde): Will the Leader of the House consider asking the Secretary of State for Environment, Food and Rural Affairs to come to the House and make an early statement? This week part of the trial dealing with bovine TB was stopped. Since 1999 the Government have spent £158 million on dealing with this scourge, including £45 million on the culling trial. The cessation of part of this trial has left the world of agriculture in a state of great confusion. The future is unclear and we need a statement on that. Will he bear in mind the fact that, also this week, we have seen the beginning of the end of parts of the agencies that serve DEFRA, under the Haskins review? The House has not heard the details of it and the time is ripe to probe it.

Mr. Hain: The Haskins review has just reported and in due course, following consideration by the Secretary of State, who will want to reflect on it, she will report to the House. I am aware of the problem of bovine TB, as is she, and we are monitoring it closely and intend to keep it under supervision.

Mr. Dennis Skinner (Bolsover): Can the Leader of the House tell us when we will have a further debate on the new deal? Now that it has been a success in providing more stable employment in certain areas, perhaps it could be introduced to political parties as well. Some of us just cannot understand why there is not an agency to which political parties can go, to stop this business of having two-year supply leaders of the Tory party.

Mr. Hain: That is a novel suggestion, and I shall certainly draw it to the attention of the Secretary of State. Obviously, it is of great concern—I am sure that it will be of interest to the whole House—that the official Opposition want to abolish the new deal, and that the new leader of the Conservative party is wedded to that policy. I am sure that, when my hon. Friend's proposal is considered, that issue will also be considered. Nearly 500,000 people have been brought into work and trained for work opportunities under the new deal, and it would be criminal to scrap it. That will be one of the issues to be contested at the next general election.

Hywel Williams (Caernarfon): Will the Leader of the House make time for a debate on the lessons to be learned from the devolved bodies about scrutiny? I ask this in the light of the constitution unit's report, which shows that those bodies are better at keeping in touch with the public, and that pressure from their Opposition parties is more likely to lead to change by the Executive. Would there be lessons to be learned in that regard for

[Hywel Williams]

under-employed Labour Back Benchers who are tempted to brief against their colleagues in Cardiff, and perhaps for the Secretary of State for Wales as well?

Mr. Hain: I am not sure about under-employed Labour Back Benchers, but there are certainly a lot of under-employed Conservative Back Benchers who are presumably celebrating the election of their new leader somewhere upstairs at the moment. One of the advantages of devolution, particularly in regard to the National Assembly for Wales's scrutiny procedures, is that we can learn from one other. That was one of the reasons why I campaigned so hard for a yes vote in the referendum, as the hon. Gentleman and others did. I hope that we will look at the way in which the Scottish Parliament and the National Assembly for Wales have worked, and I hope that they will look at our procedures as well. Perhaps we will learn something from one another.

Mr. Tam Dalyell (Linlithgow): May I raise a point of House of Commons procedure, of which I have given the office of the Leader of the House notice? How are we going to monitor the absolutely burgeoning costs of the commitment in Iraq? The Chief Secretary to the Treasury said recently that,

"For the current financial year, further sums have been drawn down from the special reserve. These are subject to scrutiny by HM Treasury and Parliament through the normal estimates process."—[*Official Report*, 30 October 2003; Vol. 412, c. 21WS.]

Does the Leader of the House think that the normal estimates process, which takes an endless amount of time, is really the way in which the House of Commons should be following this enormous expenditure that we have been landed with?

Mr. Hain: I agree that it is a considerable expenditure. The best assessment of war-fighting and peacekeeping costs over this year will be submitted formally to Parliament in the winter supplementary estimates, and we hope to inform Parliament of those costs shortly. I am sure that my hon. Friend will appreciate that we are involved in stabilising a bad security situation around Baghdad and the Tikrit area, although the south of the country is in much better shape, as is the north. I am sure that he will want to support that, whatever his views on the rights and wrongs of the war, because we want to provide a stable, democratic, peaceful future for the Iraqi people—something that they have not had for generations.

Mr. John Gummer (Suffolk, Coastal): Would the Leader of the House, in a bipartisan spirit, look at an occurrence this morning when the Government announced in a written statement a plan to deal wholly differently with agreements made under section 106 of the Town and Country Planning Act 1990—section 106 agreements? The fact that a Minister did not come to the House means that many people will suspect that this is the beginning of a new form of stealth taxation. I am sure that the Government would not wish that to be believed, and a sensible debate about this would demand that it should not be. Why did no Minister come to the House to make this announcement, so that we could have a discussion about this major significant change in the way in which we handle our planning laws?

Mr. Hain: I appreciate the spirit in which the right hon. Gentleman raised that question, but he will also understand that the purpose of issuing written ministerial statements is to provide the House with more information, so that hon. Members like him can check their policy response. I assure him that there is no attempt to impose a stealth tax of any kind through this procedure. It is an attempt to modernise the planning system, which has been the objective all along.

Mr. David Marshall (Glasgow, Shettleston): Is my right hon. Friend aware that early-day motion 1759 on House of Commons sitting arrangements has attracted 170 signatures from both sides of the House?

[That this House notes that the revised sitting hours and related arrangements have now been in place for 10 months; believes that there is now sufficient experience of the new arrangements to enable the House to judge what adjustments would be appropriate to enable the business of the House to be conducted more effectively; and calls for a review of the reforms.]

Will my right hon. Friend tell us when a review of these reforms will take place?

Mr. Hain: I am well aware of the number of signatures to that early-day motion. Obviously, there are strong feelings on this matter on both sides of the House, and sometimes bitter divisions of view on it. The House took a decision last year for the hours to be changed for the rest of this Parliament. In the consultations that I am having with many Members on both sides of the House, I want to keep continually under review exactly how we can ensure that some of the bottlenecks and teething problems in the new system can be resolved. I hope that we can take these matters forward soon, because there are a number of unsatisfactory aspects to the arrangements—for example, the very early sittings of some Committees, and the fact that the Chamber is locked earlier in the evening, which means that Members cannot bring dinner guests in to have a look when the House is not sitting. We should resolve issues such as those in a commonsense way, but there will have to be a review before the end of this Parliament to satisfy my hon. Friend's concerns and those of others.

Bob Russell: The Leader of the House referred to the strength of the economy. Does he accept, however, that hundreds of thousands of families are not benefiting from that strength? I am referring to the 35,000 households, for example, in the counties in the east of England with children who are living in accommodation that is not suitable for their needs. Will the Leader of the House find time for a debate on this, so that we can discuss the social consequences of 25 years of insufficient investment in new council houses?

Mr. Hain: The social consequences are very serious, as the hon. Gentleman says, and we are seeking to address this issue. It is important, however, that he acknowledge that the hard-won economic stability that we have created through a combination of low inflation, low interest rates and high employment has brought

prosperity to his region and his constituency, along with more jobs—including in the areas that contain those particular dwellings. Building on the back of that economic stability, greater investment in housing—and social housing—can be taken forward. We cannot do that without the economic stability that we have created.

Joan Ruddock (Lewisham, Deptford): Is my right hon. Friend aware that the EU Commission is to put to the Standing Committee on the Food Chain and Animal Health a proposal to approve a BT sweet corn called BT11, ahead of the rigorous regulations that are to be brought into force later this year? Doing that would end the moratorium in Europe on both genetically modified food and crops.

I have pressed my right hon. Friend in the past to have a debate on the Floor of the House on this issue, and I repeat today that things are happening in other places that are determining the possible future commercial planting of GM crops in this country. There is a need for a debate on the Floor of the House—notwithstanding the fact that I am grateful that there is to be a debate on this subject in Westminster Hall next week.

Mr. Hain: I was going to say to my hon. Friend that that debate was going to take place. The Minister will reply to it, and there will be an opportunity for all those issues to be raised and for her very proper concerns to be addressed. In no way should a series of, as it were, cascading developments be allowed to change policy in the way she is concerned about.

Mr. David Cameron (Witney): Thank you, Mr. Speaker, for letting me ask this question. May I raise with the Leader of the House an issue about which I am sure he is concerned, namely, access for disabled people to the House of Commons? Yesterday, three of my constituents from the Marlborough school in Woodstock, all of whom were wheelchair-bound, came to visit the House for Prime Minister's Questions. The Serjeant at Arms, the police and the Admissions Order Office were incredibly helpful; but is the Leader of the House aware that wheelchair users who want to watch Prime Minister's Questions are confined to staying behind the stone façade at the back of the Gallery? Does he agree that we really ought to do more, in 2003, to ensure that disabled constituents can come to the House of Commons and get a proper view of the proceedings and be treated better? Frankly, despite all the best efforts of the authorities of the House—who were magnificent—the current arrangements are not good enough.

Mr. Hain: I am aware of the hon. Gentleman's concern, and that of other Members. The House authorities are trying to deal with it. Access to the House for members of the public is crucial, and we must take a much more reformist approach to it. That applies to people with disabilities, and to other members of the community. I am keen for us to have a visitors' centre and a proper walkway, perhaps leading from the Members' Entrance, so that visitors can queue under cover rather than being stuck out in the rain. They are, after all, citizens of this country. They are the people who vote us into this place. We should treat them with more respect, whether they have disabilities—the hon. Gentleman rightly drew attention to that issue—or not.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): As my right hon. Friend will know, in 2004 the Government will introduce regulations on consultation in the workplace, and are encouraging people to meet those standards as soon as possible. Will he set a really good example in this regard? Will he not just consult all unions, workers and parliamentary staff in the Houses of Parliament, but at least consult MPs again about the unworkable, unhelpful and even rather debilitating changed sitting hours?

Mr. Hain: I am indeed consulting all Members—including my hon. Friend, who has spoken to me about these matters and will, I am sure, continue to do so. I want to secure consensus, because, as I have said, there are strong views on both sides. We want to ensure that this is a modern place reflecting modern life outside.

Mr. Forth: Why?

Mr. Hain: I think that if we are not a House of Commons that reflects life outside, we will cease to command the respect of people outside.

Mr. George Osborne (Tatton): Were this week's articles by the Chancellor of the Exchequer part of the Government's euro roadshow campaign? To allay the fears of some of us who suspect that the roadshow does not exist, will the right hon. Gentleman tell us how many events he has attended since I last asked him this question? He boasted then that he had attended a meeting of the Welsh euro organising committee—a very exciting event. What other exciting events has he attended since?

Mr. Hain: Another meeting.

Mr. James Wray (Glasgow, Baillieston): Will the Leader of the House ask the Chancellor to come to the House as soon as possible? Talk of interest rate increases always gives the jitters to first-time home buyers. We do not want to return to the 1980s under the last Government. I want the Chancellor to give an assurance that we will not see houses being repossessed, people being thrown out of their homes, and double-figure interest rates.

Mr. Hain: My hon. Friend will have an opportunity to question the Chancellor during next week's Treasury questions, but I can reassure him and his constituents that there is no prospect of a return to the sky-high interest rates and mortgage levels that we experienced under the Conservative Government. They dispossessed tens if not hundreds of thousands of people, caused negative equity, and created the economic blight from which we, as a Labour Government, had to recover.

Our present interest rates are historically low for modern times, and the economic stability locked in by this Government will keep them low. Nevertheless, I am sure that my hon. Friend would not want inflation to rise on the back of a strong economy, affecting his constituents and causing pressures on interest rates.

[Mr. Hain]

That is the issue with which the Bank of England has grappled, and I think that it made the right decision today.

John Barrett (Edinburgh, West): The latest figures from the Office for National Statistics show that personal debt has increased by more than 50 per cent. during the Government's lifetime, and, with increasing interest rates expected, the problem is growing at a massive rate. Will the Leader of the House find time for a debate on debt in the United Kingdom in either this or the next Session?

Mr. Hain: The truth is that debt is much more easy to finance with the current low interest rates, and indeed with foreseeable rates. Under the Conservatives' high interest rates, debt levels were difficult to manage and many people were plunged into penury and poverty. The present economic stability, better job opportunities, high employment rates and overall strength of the economy mean that we are unlikely to experience the problem that worries the hon. Gentleman.

Linda Perham (Ilford, North): As my right hon. Friend knows, at the beginning of the year the Central line was closed for three months. Will he raise with our colleagues in the Department of Transport my constituents' concern about the long delays in the handling of compensation claims? Some have been able to obtain satisfaction only by making representations to me, and through my interventions.

Mr. Hain: I understand that £8 million has been paid so far in refunds. The Secretary of State for Transport will address my hon. Friend' s concern about the difficulty of securing compensation, and I thank my hon. Friend for raising the matter.

Mr. Alistair Carmichael (Orkney and Shetland): The Leader of the House commented earlier on the state visit by President Bush. Might it be possible to raise with him the deep concern felt by many Members about the case of my fellow Scot Kenny Richey, currently on death row in Ohio? Those who are concerned include the 75 signatories to early-day motion 1593, which states

That this House notes the recent decision by the Home Office to grant Kenny Richey British citizenship; further notes that Mr Richey has spent 16 years on death row in the State of Ohio for the alleged murder of a two-year-old girl killed in a fire at her mother's apartment; notes that following the case having been heard at the 6th Circuit Court of Appeals on 7th May a final decision is expected before August as to whether he should face execution; notes that important forensic and eye witness evidence has come to light since the original verdict was reached which casts serious doubt on the safety of the conviction; notes, however, that under US law new evidence produced after a certain time does not provide grounds for a reversal; and therefore calls on the Foreign Secretary and the Prime Minister to make direct and robust representation to the state authorities, the Governor of Ohio and the President of the United States on behalf of Kenny Richey at the earliest opportunity, the eventual objective being to secure clemency.

As the right hon. Gentleman may know, there is substantial doubt about the safety of Kenny Richey's conviction. If his execution is allowed to go ahead without that doubt being addressed, there will be an enduring stain on the reputation of the United States for fairness and justice.

Mr. Hain: I am very sympathetic to the hon. Gentleman's point of view and to his request. As he will appreciate, this Government and this country oppose the death penalty, whether imposed within our own boundaries or anywhere else in the world.

Mrs. Anne Campbell (Cambridge): The lives of many of my constituents are being blighted by antisocial behaviour—aggressive begging, drunk and disorderly conduct and noisy neighbours—and also by criminal behaviour. Residential properties are being used for drug dealing and prostitution. I know that the Government have introduced some good legislation, and I find it enormously frustrating when local authorities and the police do not respond properly to it. May we have an early debate on their effectiveness or otherwise in responding to what is already on the statute book?

Mr. Hain: As my hon. Friend says, we have already introduced provisions to tackle antisocial behaviour, which is a scourge throughout the country, not least in constituencies such as mine. I share her frustration at the failure of police forces, local authorities and other agencies to implement those provisions. She will have an opportunity to address the problem when the Anti-Social Behaviour Bill returns from the House of Lords, although we are particularly frustrated at the way in which the House of Lords is itself frustrating the democratic wish of MPs and the elected Government to tackle the problem by trying to amend and disable the Bill. We shall have to do something about that when it comes back to the Commons.

David Burnside (South Antrim): Will the Leader of the House ask the Secretary of State for Northern Ireland to come here and make a statement on why he is refusing to answer a number of sensitive questions? On 20 October I tabled a question asking the Secretary of State to outline the sanctions and powers of the international monitoring body to take action against parties such as Sinn Fein in relation to past terrorist activities. He refused to answer that, and also the question I tabled on 30 October asking him to make a statement on the arms and explosives held by all republican and loyalist paramilitary organisations in Northern Ireland. Yet this House voted to go to war on the basis of public information brought to it on weapons of mass destruction—arms and explosives that threatened us.

Mr. Hain: The Secretary of State for Northern Ireland regularly makes himself accountable to the House. Indeed, as the hon. Gentleman will appreciate, he was at the Dispatch Box only a few weeks ago. He will have noted the hon. Gentleman's intervention, and I must leave it at that.

Mr. Clive Betts (Sheffield, Attercliffe): Will the Leader of the House arrange for a wide-ranging debate on the

Government's success in reducing economic and social divisions? In particular, will he ask Ministers to talk about the significant improvement in local authority funding, compared with the capping, cuts and poll tax that went before? We could also talk about the 1 million jobs that have been created under this Government, the successful introduction of the minimum wage, which it was forecast would lose 2 million jobs, the abolition of the incredibly discriminatory section 28, and the improved workers' rights, compared with the anti-worker attitude of the previous Administration. I am sure that the House could have an interesting and wide-ranging debate on those matters.

Mr. Hain: I am sure that we could, too, especially as the policy that my hon. Friend identified—opposition to a minimum wage—was led by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who projected that introducing it would lead to 2 million job losses. What have we seen instead? Some 1.6 million new jobs have been created while the minimum wage has been in force. On that policy, and on the right hon. and learned Gentleman's record on the poll tax, and of presiding over rising unemployment, we can have a debate.

Mr. David Heath (Somerton and Frome): The right hon. Gentleman will recognise that the council tax is nearly, but not quite, as unpopular as that legacy of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the poll tax. When we hear the local authority settlement and the police authority settlement, will the right hon. Gentleman ensure that there is plenty of time for all Members who wish to do so to express their constituents' anger about having to pay more and more, without any benefit accruing to either local authorities or local services? Better still, will he introduce a debate on the abolition of the council tax and its replacement with a fair alternative?

Mr. Hain: I would be very happy to have a debate on that policy, because the Liberal Democrats' policy of a local income tax could add up to 6p in the pound to income tax. Is the hon. Gentleman seriously suggesting, as the first part of his question implied, that levels of council tax are causing anything like the outcry caused by the poll tax?

Mr. Heath *indicated assent.*

Mr. Hain: In that case, is the hon. Gentleman advocating a return to the poll tax? I think we should be told.

Mr. Heath: I think I clearly said not.

Jim Sheridan (West Renfrewshire): My right hon. Friend will be aware of the possible threat of even further industrial action in the fire service. Will he use his good offices to remind all those concerned of the dangerous and damaging consequences, not only for the general public but for the morale of firefighters themselves, should any action be taken? Will he use his influence to ensure that both parties will have every opportunity to reach a satisfactory conclusion before any ministerial intervention?

Mr. Hain: We are all concerned about the situation affecting the fire service, especially as, although a generous pay settlement was agreed between the union and the authorities, including extra pay increases for modernisation, there now seems to be an impasse in some sections of the Fire Brigades Union, and an unwillingness to accept the quid pro quo of extra pay, over and above the general public sector settlement, in exchange for modernisation. That is the issue that needs to be resolved, round the table rather than on the picket line.

Kevin Brennan (Cardiff, West): May we have a debate about the rules governing the portrayal of parliamentarians in the House of Commons art collection? Is this not a timely moment to examine the way in which the rules governing, for example, the portrayal of former and current Leaders of the Opposition work, and perhaps commission some suitable modern art? Could we not ask Damian Hirst to produce a suitably realistic presentation of both the current and the former Leader of the Opposition?

Mr. Hain: I think that that would be a very good idea.

Mr. Harry Barnes (North-East Derbyshire): Has my right hon. Friend seen early-day motion 1868, about a chlorine emergency at Staveley in my constituency?

[That this House calls for a full investigation by the Department for Environment, Food and Rural Affairs into the escape of chlorine at Staveley in Derbyshire from the chemical works of Rhodia Eco Services which led to workers being taken to hospital, children locked in schools, the blocking of a wide section of the town and residents having to follow emergency procedures for a considerable length of time with many being unable to return to their homes; and requires action to be taken so that nothing similar will occur in the future.]

That took place on Monday at Rhodia Eco Services, and the escape of chlorine gas led to areas of Staveley being blocked off for several hours, with all the disruption that that caused in schools and elsewhere. May we have a written statement from the Secretary of State for Environment, Food and Rural Affairs about the role of the Health and Safety Executive in examining that episode? The statement could also cover the fact that, with the honourable exception of Peak FM, Radio Hallam and today's *Derbyshire Times*, the media carried little about the incident, because we happen to be at the edge of several different media areas. That major crisis should have been given the type of coverage that it was entitled to, which probably adds to the case that I am making for the Health and Safety Executive to take firm action to ensure that nothing like that happens in the town again.

Mr. Hain: I assure my hon. Friend that the Secretary of State shares his concern about that serious incident, which he and my hon. Friend the Member for Bolsover (Mr. Skinner) have brought to the attention of the House. I am sure that she will want to take the matter up and make a written ministerial statement about it at some point.

Paul Flynn (Newport, West): Would not a debate on the unneeded surplus in the national insurance fund help the Government to find a practical solution to help the Allied Steel and Wire workers? At the end of the

[Paul Flynn]

financial year there will be a £30 billion surplus—£20 billion above the necessary contingency fund. The fund has already been used for extraneous purposes, such as compensating industry for green taxes, which cost £2 billion a year. Would it not be reasonable, just and practical to use a tiny part of that huge surplus to compensate the Allied Steel and Wire pensioners?

Mr. Hain: I know that the Secretary of State for Work and Pensions has looked closely at such matters, because he, like the Secretary of State for Trade and Industry, has received a delegation from the ASW workers, along with MPs who have, quite properly, been concerned about the situation. I shall ensure that he is aware of my hon. Friend's proposition.

Mr. Bob Blizzard (Waveney): There has been a good deal of discussion in the House about the European Union constitution, but it has emerged only recently that it is to include an energy chapter. There is a great deal of concern that that could involve ceding competence over this country's oil and gas reserves to the European Union. May we have a debate on that important subject? Most Members are pleased that the Government have made taxation a red line issue, but many would wish to express the view that the licensing and control of our oil and gas reserves, which we have exercised since they were discovered in 1964, should also be a red line issue.

Mr. Hain: Indeed, I tabled an amendment on that matter on behalf of the Government in the proceedings of the Convention on the Future of Europe. It was one of the few unresolved issues on which we still need a proper outcome in the negotiations. I assure my hon. Friend that the Secretary of State for Trade and Industry is proceeding along the lines that he advocates. Licensing must indeed remain a matter to be supervised and directed as it is at present—and other countries, including the Netherlands, share our position, so I think I can reassure him that we shall get an outcome that he will find satisfactory.

Point of Order

1.18 pm

Dr. Julian Lewis (New Forest, East): On a point of order, Mr. Speaker. Can you tell us whether you have received notification either from a Home Office Minister or from a Defence Minister of an intention to make a statement about the implications for homeland security of recent reports of incidents on the high seas that suggest that al-Qaeda-type organisations have it in mind to use large tankers or merchantmen as airliners were used to attack America? This is a very worrying development, and the House should have an opportunity to discuss it.

Mr. Speaker: I have had no notification, but I am sure that the hon. Gentleman's comments will be noted by the appropriate Minister.

Modernisation

[Relevant Document: The First Report from the Select Committee on the Modernisation of the House of Commons, Session 2002–03, HC 1222, relating to Programming of Bills.]

1.20 pm

The Leader of the House of Commons (Mr. Peter Hain): I beg to move,

That Orders A to I relating to the Programming of Bills, made by the House on 28th June 2001, and programme orders of the current session of Parliament relating to bills which are carried over to the next session, shall continue to have effect in the next session of Parliament.

Mr. Speaker: With this it will be convenient to discuss the following motion:

That the Order relating to Deferred Divisions, made by the House on 28th June 2001, shall continue to have effect in the next session Parliament.

Mr. Hain: We have two motions before us this afternoon. The first is a motion to renew for the next Session the Sessional Orders on the programming of Bills, which were first agreed by the House on 28 June 2001 and renewed for the current Session on 29 October last year. The second motion provides for the Sessional Orders on deferred Divisions to continue to have effect in the next Session.

As the Order Paper indicates, the first report of the Modernisation Committee, on the programming of Bills, is relevant to the debate. I am grateful to my colleagues on the Modernisation Committee for the positive way in which they engaged in producing this report. They have produced a constructive and thoughtful report on a complex and sometimes contentious matter. Notwithstanding the minority report submitted by the hon. Member for Aldridge-Brownhills (Mr. Shepherd), whose sincere and principled objections to programming I acknowledge, in the end the Committee adopted the final report unanimously and without division.

The Committee's report sets out the context in which this afternoon's debate will, I hope, proceed. We accept that the programming of parliamentary business does not always work as well as we might wish, but properly enacted, programming is a positive development, allowing more effective scrutiny of legislation. The notion that the scrutiny of Bills should be subject to a parliamentary timetable has been a staple recommendation of parliamentary and independent reports for the past 20 years. In 1985, the Procedure Committee recommended that Bills be timetabled. In 1992, the Jopling Committee reiterated that proposal and in the same year the independent Hansard Society Commission on the Legislative Process regarded it as a central feature of any reforms to improve scrutiny. And in 1997, the Modernisation Committee's first report highlighted the importance of programming legislation, stating that other proposals for improving the legislative process—such as the scrutiny of draft Bills—could not be seen in isolation from the legislative timetable.

It is in this context that I hope we can debate this afternoon's motions. I urge all Members to recognise that, as paragraph 9 of the Modernisation Committee's report points out,

"there was never a 'golden age' of full scrutiny of all clauses of all bills; on the contrary, prior to the introduction of programming, there was deep and widespread dissatisfaction with the haphazard nature of scrutiny, which led to . . . considerable pressure from Members and others, over a number of years, for some form of timetabling of Government bills to be introduced; and . . . the procedures whereby bills might be programmed have been the subject of careful consideration in the past".

Of course, the effectiveness of any such system relies on the way in which it is implemented. The Modernisation Committee's report is candid about the pros and cons of the way in which the current provisions are enacted:

"When it works well, it is of benefit, a) to the Government, which is assured of getting its legislative programme; b) to the Opposition, which is assured of having adequate time to scrutinise those parts of a bill to which it attaches importance; and c) to the country as a whole, which benefits from better legislation."

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The reality is that if the report states boldly that it is important to understand that programming is here to stay, and then proceeds to discuss various reasons why it might not necessarily be the best thing, it is difficult to believe that it is quite as balanced a report as my right hon. Friend suggests.

Mr. Hain: In the end, this is a matter for the House to decide, but my hon. Friend will agree that criticisms of the way in which programming has been handled and suggestions as to how it could be improved will have to be taken into account by the Government in years to come.

In keeping with the point made by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), the report acknowledges that programming has not always worked well in practice. When things do not go according to plan,

"it can result in legislation receiving inadequate scrutiny leading to frustration on all sides as well as the increased danger that the House will pass defective legislation."

The essence of its success lies in the spirit of co-operation between those acting for the Government and those acting for the Opposition on a particular Bill—a point stressed in evidence given to the Committee by the Chairman of Ways and Means. The Government believe that where the main parties engage positively in discussions on the programme, programming can, and does, work well.

The Government will consider carefully how they can respond to the Modernisation Committee's recommendations; we look to the Opposition to do likewise. For these reasons, the Modernisation Committee endorses the continued use of programme motions governed by the existing Sessional Orders. It recommends no change to the motions before us, reflecting the belief that any existing problems lie not with the Sessional Orders themselves, but with the way in which they are sometimes operated.

[Mr. Hain]

The second motion before us relates to the provisions for deferred Divisions. I am aware that when deferred Divisions were introduced, some Members had objections in principle to the separation of decision from debate, and were concerned that they would impact on attendance and the vigour of debate. I do not believe that those concerns have been borne out in practice; most Members find the deferral of Divisions in certain well-defined circumstances to be of great convenience.

I hope that this afternoon's debate can be conducted not in a spirit of partisanship, but with a wider concern for the quality of parliamentary scrutiny. Both motions should be debated in the context of the wider package of reforms implemented in the past few years—including pre-legislative scrutiny—which is designed to make the Commons more effective and efficient. For example, the massive increase in the number of draft Bills produced by Government in the past few years has undoubtedly enhanced the Commons' ability to scrutinise and shape legislation. I reaffirm our commitment to continuing to produce more Bills for pre-legislative scrutiny.

We could all point to individual events, taken in isolation, in which practice has not lived up to theory, and the Modernisation Committee's report highlights such concerns frankly and openly. However, solutions lie not in petty point-scoring, but in grown-up politics, and I urge Members to take a broader view, so that this debate can be conducted in that spirit. For my part, I will continue to listen to all proposals for reform that will strengthen and enhance parliamentary scrutiny. I commend the motions to the House.

1.26 pm

Mr. Eric Forth (Bromley and Chislehurst): I disagree with almost everything that the Leader of the House has just said, but I want to make it clear from the start—lest anyone listening to today's debate or reading the subsequent *Hansard* account be under any illusion—that this ghastly, so-called Modernisation Committee is, and has been, simply a vehicle through which a Government with a very large majority can reduce the role of the House of Commons in properly scrutinising legislation. That is what it has been and has become. The Modernisation Committee is not some misty-eyed, impartial philosophical guardian of the rights of the House of Commons; it is a Committee of the House with a very large Government majority, chaired by a Cabinet Minister. Although it is deemed to be a Select Committee, it is a vehicle for the wish of the Government. It saddens me that this Government, to whom the electorate gave an enormous majority in 1997 and 2001, have seen fit to abuse that majority by effectively reducing the House of Commons' role in a number of ways.

Because we are considering two specific motions and a Modernisation Committee report, we are examining only two ways in which the role of the House of Commons has been altered—not irrevocably but for the time being, a point to which I shall return. For my modest contribution to today's debate, I thought that I could do no better than to pick out some items in the report with which I agree, and some with which I disagree. To my surprise, there are one or two items with which I do indeed agree, but I disagree with most of them.

Let us start with paragraph 11(a), which states:

"The Government of the day must be assured of getting its legislation through in reasonable time (provided that it can obtain the approval of the House)."

In a sense, that sums up rather well this Government's attitude. They begin by stating that the relationship between the Government of the day and the House of Commons should be such that the former must get their legislation through "in reasonable time". By way of a footnote, one has to ask the interesting question of whether they mean through Parliament, or through the House of Commons. Of course, there is a very important distinction to be made here. Although the Government have reduced to a rather pathetic shadow of its former self the House of Commons' role in holding them to account, happily, the House of Lords is still very much alive and kicking. These days, the House of Lords does most of the work in holding the Government to account. It sits longer and more often—

Mr. Hain: Could I ask the right hon. Gentleman to read the next sub-paragraph? He read out paragraph 11(a)—that the

"Government of the day must be assured of getting its legislation"—

but not the next sub-paragraph, which states:

"The Opposition in particular, and Members in general must have a full opportunity to discuss and seek to change provisions to which they attach importance."

Furthermore, paragraph 12(c) states:

"All parts of a bill must be properly considered."

The truth is that, as a result of the reforms that we have introduced, scrutiny in the House is now more effective than ever before.

Mr. Forth: I am grateful to the Leader of the House for that, which is the crux of the debate. What he has just said is an absurd proposition, to which we shall return in more detail in a few moments.

I want to focus the House's attention on the central proposition. What worries me is the Government's assumption that, having been given a large majority by the electorate, they have the right to legislate to an unlimited extent, at will, regardless of the wishes of the House of Commons. The Government believe that their role is to alter our procedures so that they can get their legislation through with the minimum of inconvenience and fuss. That is the central proposition, to which I take great exception.

I have spent 20 years in this place, first through the 1980s as a Government Back Bencher and subsequently as a Minister. Even with the large majority that we enjoyed in 1983, we did not fiddle with the procedures of the House in order to make life easier or reduce the opportunities available to the Opposition. As a Back Bencher and then a Minister, I spent many hours in Committee allowing the Opposition to determine the amount of time a Committee devoted to a particular Bill. We brought in a guillotine or timetable motion only when the Government viewed the time period as excessive—a point to which I shall return in a few moments. The key point is the presumption that Ministers alone decide how much time the House and

Standing Committees will take to consider legislation. That is what has undermined the role that Members of Parliament, particularly the Opposition, can play.

The Deputy Leader of the House of Commons (Mr. Phil Woolas): Would the right hon. Gentleman prefer the old practice of guillotining, which he and other Conservative Ministers exercised and which was exclusively at the discretion of the Executive, to timetabling, which the House, through its Programming Sub-Committee, is allowed under the current arrangements?

Mr. Forth: The answer is yes. An informative table is appended to the excellent minority report of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I was hoping that someone would allow me to raise this matter and the Deputy Leader of the House has provided me with an opportunity to do so.

I draw the House's attention to page 31 of the report, which highlights the Education Bill of the 1992–93 Session. It had 255 clauses and 17 schedules, and the date of the allocation of time motion was 15 December 1992. The time allowed under that motion required the Standing Committee to report by 9 February 1993, but 18 subsequent sittings were allowed after the motion had been introduced. That is important for several reasons—not only because of the dedication and excellence of the Minister in charge of the Bill at the time, whose name for the moment escapes me. If pressed, I am sure that I could remember it. I was told at the time that it was the biggest Education Bill that had ever been brought before the House.

In the 1980s and on to the 1990s, it was standard practice to allow up to 150 hours in Committee—occasionally, at the discretion of the Opposition, even up to 200—before the Government took the view that it was necessary to introduce a guillotine. That is why my reply to the Deputy Leader of the House is that I prefer the earlier approach. What often happened was that the then Opposition, now the Government, would expend considerable time—sometimes two or three days—debating the sittings motion. Hon. Members who had the privilege of being in the House at the time will recall that that was the Opposition's choice; that was how they chose to spend their time in Committee—I have no complaints about that. We then allowed them to spend weeks and months in Committee—again at their discretion—to debate the legislation. Only after a very long lapse of time would the Government, with some reluctance, introduce a guillotine motion.

Yes, I preferred that approach. Under the current system, even before a Committee has embarked on its work, the Government decide how much time it will take and then often introduce what we call "knives".

Mr. David Marshall (Glasgow, Shettleston): The right hon. Gentleman is being selective in his choice of Bills. Does he recall, for example, the Transport Bill 1985? Because of the guillotine imposed by Conservative Ministers at the time, many important clauses and schedules—particularly on pensions—were never debated at all. Is not the present timetabling method much better and fairer than the guillotine?

Mr. Forth: The short answer to the hon. Gentleman is no. He and I could wander together down memory lane, and I would be happy to do so. However, if we were to examine the entrails of that Bill and look into the amount of time taken by the then Opposition in the Standing Committee and what particular issues were discussed, I suspect that it would considerably weaken the hon. Gentleman's point. At the moment I cannot remember the Bill in detail, but I would not mind betting that he and his hon. Friends probably spent the first sitting or two debating the timetable motion—no doubt with reference to grandmothers, tea cakes, holidays, the weather and all the other subjects so much beloved by the Opposition at the time.

Mr. Marshall: I have to agree in part with the right hon. Gentleman's point. That may have been true of some hon. Members, but others on our side of the House did not like that method of operation because it prevented us from getting to the meat of the Bill. The present timetabling process is, I believe, fairer.

Mr. Forth: That should have been a matter for the hon. Gentleman to sort out with his hon. Friends. I shall leave it to my hon. Friend the Member for Aldridge-Brownhills—his work has brought this problem out—to make the point more forcibly than I could that any attempt to argue that we are getting more effective scrutiny of Bills under the present system of arbitrary timetabling before a Committee even embarks on its work than under the old system cannot be sustained. The truth is that, under the current system, very substantial parts of large and important Bills are not being addressed by the Standing Committees at all because of the arbitrary nature of the guillotining that takes place, as I have said, before the Committee starts its work. I cannot make the point often enough that under the old system the Committee was allowed to start its deliberations and it was the Opposition—back then, as now, Government Back Benchers said very little—who were allowed to decide which clauses were debated and at what rate of progress. I cannot help it if the hon. Member for Glasgow, Shettleston (Mr. Marshall) and his hon. Friends fell out over it. I cannot help it if the hon. Gentleman sat there mute, waiting for his favourite clause to come up, while his hon. Friends were occupying endless time talking about irrelevancies. That is the hon. Gentleman's problem. If he and his hon. Friends wasted time, that is not for me to explain.

Mr. Richard Shepherd (Aldridge-Brownhills): One crucial difference is that under the old arrangements to which my right hon. Friend refers, the Opposition had at least an opportunity to present arguments as to why a guillotine might have been inappropriate. We had a three-hour debate on the guillotine. If my right hon. Friend looks through the list in the report, he will see that the guillotine was often not applied until a breakdown of business in the Committee took place.

Mr. Forth: That is indeed the case and I am grateful to my hon. Friend for pointing it out. A subsidiary but important matter is how far one had the opportunity to debate the guillotining in itself—an opportunity that the Government have all but done away with. That was an important part of the procedure at the time, which is sadly no longer the case.

[Mr. Forth]

Let us move on to paragraph 13 of the report, which states:

"The Government will inevitably get its legislation"—

and then generously adds,

"subject to the agreement of the House."

I do not believe that there should be any inevitability about the Government getting its legislation at all. Funnily enough, although we now find ourselves at the end of the Session, much legislation is still being dealt with in another place. We in the House of Commons are marking time. Sadly, it is becoming embarrassingly obvious that there is very little substantive business for us to do, while the House of Lords is doing the real business of holding the Government to account.

For the Government or the Committee—they are the same thing, effectively—to have the gall and the impudence to say that the Government will inevitably get their legislation gives the game away and shows the Government's attitude to the parliamentary process. I hope that the Government will not inevitably get their legislation, if only because they are trying to stuff too much legislation through the parliamentary process. They can easily get their legislation through the House of Commons because of the mechanism that we are discussing—the programming of Bills—but happily still in the House of Lords, where the Government do not have a majority and cannot control the timetable, they will not inevitably get their legislation. Indeed, they may have to give up some of it—parts of Bills or Bills in their entirety. So even that statement, which gives the lie to the Government's attitude to the parliamentary process, happily is not true.

Mr. Woolas: The picture painted by the right hon. Gentleman suggests to the public and to the House that the Government are not allowing time. Will he consider two comparative statistics? In the 1991–92 Session, the House considered 17 Bills, to which 295 hours were devoted in Standing Committee. Ten years later, in the 2000–01 Session, again the House considered 17 Bills, which took up 301 hours in Standing Committee. Do those statistics not show that what the right hon. Gentleman is arguing is simply not true?

Mr. Forth: No, of course not. That shows the superficial nature of the Minister's understanding of the way the House works. Without looking at the Bills in great detail—their size, complexity and how controversial or otherwise they are—one cannot make a judgment. The raw figures tell us nothing, but my hon. Friend the Member for Aldridge-Brownhills will tell us something.

Mr. Shepherd: Yes. We must remember that the first period cited by the Minister was the run-up to the 1992 general election, and in the arrangements between the Whips Offices—the "usual channels", as they were called—a huge number of deals were done to expedite business to clear the decks for the general election that was to follow.

Mr. Forth: Which I personally regret. I would much rather the Opposition of the day had prevented that process from happening, regardless who was in government. It is true that when we were in government, we were allowed to get away with murder by slack opposition, which I hope will not happen again.

I move on to paragraph 19, in which there is something that I agree with. There is not much that I agree with in the report, but in fairness I thought I had better identify one or two paragraphs with which I could agree. Paragraph 19 states:

"There is a danger that, where programme orders specify unnecessarily short timetables, or where time is badly allocated within the overall limits set out in the original programme order, programming will be seen as only a convenience for the Government, allowing it to get legislation through the House in a hurry."

I agree. That is the case. When I comment on the deferred Divisions issue, I shall repeat the word that the Leader of the House let slip: convenience. That is so much the hallmark of the attitude of the Government and Ministers to the House. We are now all about convenience—convenience for the Government, convenience for Members of Parliament—and it has become the present Government's watchword. Nothing must be done that is inconvenient to the Government or to Members of Parliament. Hence the programming of Standing Committees, the change of hours and so many other measures that the Government have introduced, all of which are, in my view, detrimental to the effective role of the House and the Opposition in dealing with the Government and their proposed legislation.

Paragraph 25 goes on to state:

"The purpose of programming is to enhance the House's scrutiny of bills, not to curtail legitimate debate."

How on earth a Committee, even one with a Government majority and even one chaired by a Cabinet Minister, can have the impertinence to say that escapes me. The entire purpose of programming is precisely to curtail debate and to facilitate the Government's legislation.

I say that with some confidence because it is half hinted at, or half admitted, in the report that the Government believe that at the time of Second Reading—the in-principle debate on a Bill—they can foretell how much time a Standing Committee will require to consider a Bill. That indicates that they have no wish to allow the Committee to deliberate properly or even to decide how much time it should take. Before the process even starts, the Government say, "We think the Bill should take three weeks." How can they possibly know that about Bills with a large number of clauses and schedules and many complexities?

Until the Standing Committee is constituted and the legitimate outside interest groups make their input to the process, the Government cannot know how long proper scrutiny or consideration of a Bill will take. Yet the whole philosophy of programming set out in the report and in the motions before us rest on that very assumption. It is that to which I take such exception.

Paragraph 25 goes on to claim that the process is of benefit

"to the Opposition, which is assured of having adequate time".

The Opposition are not assured of anything of the kind, for the reasons that I have just given. Quite the opposite—the Opposition are denied the time that they may wish to have to scrutinise a Bill.

Then we come to the phrase in paragraph 28 that the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) picked up in her intervention:

"It is important for all sides to recognise that programming is here to stay".

What arrogance. What impertinence on the part of the Government. How can they say that or know that? I do not believe that programming is here to stay. They might have said, "We believe that programming is here for as long as we are in government and prepared to hold the House of Commons under our jackboot." That might have been accurate, but as soon as we are in government, I hope that programming will not be here to stay.

I hope I can give an undertaking from the Dispatch Box that we would seek to reverse that. In any case, in a strict parliamentary sense, that statement is not and cannot be true, because each Parliament, happily, decides its own arrangements for procedures and Standing Orders. The assertion in paragraph 28 is invalid and untrue.

In paragraph 30 the report deals with timing and makes the valid comment that

"points raised during the second reading debate may be taken into account when decisions are taken about how to allocate time to each part of the bill."

In that respect, I acknowledge that a small concession and a little progress has been made. *[Interruption.]* My hon. Friend the Member for Witney (Mr. Cameron) tells me that it was his amendment. I congratulate him on persuading the Committee at least of that. I remain to be convinced. I should like to think that that will happen, I hope it will, but I shall believe it when I see it. If the Government are prepared to make that small concession, I hope that they will wait a decent interval after the Second Reading debate to get some sense of what the House, various Members and outside interest groups feel, and make some adjustment to the time that a Bill spends in Standing Committee. I should like to think that that would be a small step in the right direction, but I am not sure that it will happen.

I shall leave it to my hon. Friend the Member for Aldridge-Brownhills to tell the House the thrust of his excellent minority report. Suffice to say that I agree with the point that he made and the direction in which he wanted to take the Committee, and I regret that the Committee did not feel that it could support his minority report.

It should be obvious by now that I shall not vote for the motions. They seek to apply to future Sessions of Parliament arrangements that have turned out to be completely unsatisfactory. I regret that that is the attitude of Ministers and the Government to our parliamentary proceedings. If one wanted to see any proof of how easy life has been made for the Government, one has only to look at the fact that the Leader of the House can now predict the calendar for an entire year ahead.

One has only to look at the reduced number of sittings. The Leader of the House keeps telling us, because it is what his script tells him, that the House is not sitting fewer days or hours than it did. That is not so. We used to sit on Fridays, regularly and routinely. Fridays have all gone except, happily, for the 13 private Member's Bill Fridays, to which I look forward so much and in which I seek to participate as much as possible. Sadly, the other Fridays during which the House used to sit have all disappeared. Where did they go? They have all gone, to be replaced by nothing at all, as far as I can tell.

Mr. Hain: As the right hon. Gentleman knows, we have introduced debates in Westminster Hall, which— *[Interruption.]* He shrugs in scorn, but there is greater opportunity for Members to raise issues and subject Ministers to scrutiny and accountability in Westminster Hall, and many of his Back Benchers take advantage of that. We must consider the changes on Friday and in other respects as part of a rounded whole. On scrutiny, the Liaison Committee now periodically holds the Prime Minister to account. That never happened before, and is another move forward in parliamentary scrutiny under this Government. With regard to Fridays, would Conservative Back Benchers and some of his Front Benchers prefer to give up their constituency Fridays and come back to the House on Friday mornings at his request?

Mr. Forth: I would hope that all hon. Members would rather be doing their duties at Westminster if that opportunity were given to them. It is a matter for individual decision, but I would always give priority to my duties at Westminster and I hope that that would be the case for all other Members of Parliament.

Mrs. Dunwoody: We used to have on Fridays debates that were not simply the equivalent of Adjournment debates. We had the power to table proposals on which a vote could be held. It was because of that power that the Abortion Act 1967 went ahead and the law on homosexual behaviour changed. Back Benchers could decide whether they approved or disapproved of various controversial matters, but they do not have that power today and it is important that we make that clear.

Mr. Forth: I am grateful to the hon. Lady. Yes, we did have legislative Fridays—if I may put it like that—and to talk about the silly sideshow that is Westminster Hall is not good enough. Fortunately, we cannot legislate in Westminster Hall and, given the gold-plated undertaking by a former Leader of the House that we will never legislate in Westminster Hall, it can be no substitute for proper sittings of the House in this Chamber on a Friday. I do not accept that argument.

As for the claim that the Prime Minister now appears before the Liaison Committee, that is all very well for the great and the grand of the House, but what about us ordinary punters who might want to have a chance to question the Prime Minister occasionally? I shall have a further point to make about the Prime Minister when I discuss deferred Divisions, which are one of the biggest insults to the House that we have seen in my memory. It was always thought, certainly by those outside the House, that there was a direct link between a debate taking place and a vote taking place. It was assumed that Members of Parliament would be in the Chamber, or at least would have the opportunity to be in the Chamber, to listen to a debate and then to vote on it. If there were consequential Divisions, that would certainly have to be the case. Now we have the insult of deferred Divisions. If a debate comes on inconveniently late, which may now

[Mr. Forth]

mean after 7 pm, it appears that it would be an imposition on Members to expect them to tarry in the House to cast their vote. Therefore, the debate may take place, but everyone except those taking part may leave the premises to return several days later and cast their vote on the issue on a ballot paper. That is not what I thought the House of Commons was about when I first arrived here.

The position is even worse than I have described so far. The deferred votes take place—surprise, surprise—just at the time when the Prime Minister makes one of his rare, once-a-week visits to the House of Commons, so that he may take part in the balloted Divisions and slightly boost his voting record, which is dismal at best. We have the double whammy of Members being able to vote on a debate that they did not attend and for which they were not even in the building, and the Prime Minister coming along to vote on something of which he was blissfully unaware. That is the height of absurdity and the essence of the Government's attitude to the House of Commons and its proceedings. Debates are an irrelevance—apparently—and now so are votes.

I hope that the business of deferred decisions turns out to be an anomaly that we get rid of as soon as we are in a position to do so. I hope that it does not fall into the category of changes that the report described as here for ever. Nothing in this House—at least so far—is for ever, and successive Parliaments review such matters. I hope that that turns out to be the case in this instance. I deprecate the appearance of these matters on the Order Paper today. I shall oppose them and I urge my right hon. and hon. Friends to do so, too.

1.54 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Parliaments are only as effective as their Members, and how they organise their affairs is fundamental to the way in which they present themselves to the general public. At present, there is much debate about the inability of parliamentarians to engender support in the population and to attract young people to vote and take part in political life. There is a direct connection between that and the way in which Parliaments behave.

The Leader of the House was kind enough to suggest that we view the changes that we are debating today in terms of the overall package. He suggested that we should look not only at this report, but at all the other changes that have been made. That is what I intend to do, from the strong belief that we are taking the wrong direction. The report contains many bland and unexceptional comments. It says that the Opposition should have the right to have their views heard, that the Government should have enough time for their business, that we should have sufficient time to scrutinise Bills and that, under no circumstances, should the Government table hundreds of amendments at a late stage in a Bill's progress. It is not difficult to agree with all those sentiments. We all want a Parliament that has sufficient time to scrutinise Bills. It also needs to understand the implications of legislation but, increasingly, that is not the case.

We must consider the effect of the changes that have taken place. The hours of sitting have changed massively and that directly affects the times at which we see our constituents, the amount of work that we can do, the work of Select Committees and access to the House for those outside. For example, school parties from my constituency, which is not close to the House of Commons, cannot go round the House as they once could. The work of Select Committees has been affected. Because everything is concentrated into two days in the middle of the week, Select Committees are constantly interrupted by Divisions. A Select Committee may be questioning someone on issues of considerable importance to the general public, such as railway or air services, but it must constantly suspend its sitting for Divisions.

Barbara Follett (Stevenage): My hon. Friend has much experience in the House—far more than I have—but I disagree with her. Our work is not concentrated into two days. We sit Mondays, Tuesdays, Wednesdays and Thursdays. People choose to concentrate Committee sittings into Tuesdays and Wednesdays, but Select Committees are free to meet on Mondays or Thursdays.

Mrs. Dunwoody: I am happy to meet on any day of the week that my Committee members choose, but we have already altered the times of our Committee sittings more than once and it has no effect because the Government choose to concentrate the work of the House into two days, leaving a large amount of space at either end of the week.

The reality is that we have not improved scrutiny. Time after time, the Government table amendments on Third Reading—and even after a Bill has been to the other place and returned. We are frequently told that an issue raised in a Bill is important but that it was not discussed in Committee because of the timetable motion. It is fashionable to claim—as the report does—that there was never a golden age in which legislation was properly scrutinised. That was the line taken by the previous Leader of the House, who of course did not himself take a great part in any of the boring chores of looking carefully at legislation.

The way we work has changed, and for the worse. I do not say that the House of Commons should never alter its procedures. It has done so consistently ever since I came here and it has done so for 300 to 400 years without any obvious inability to adjust to the problems of the time. However, the reality is that changes such as deferred voting, timetabling for pieces of legislation or concentrating debates within controlled hours do not improve the quality of Bills or debates. That is a matter of considerable concern. Back Benchers have lost, by a salami-slicing technique, a number of their original powers to bring forward important political matters, and to get them voted on.

It is increasingly clear that people outside the House have no respect for Members of Parliament. Why should they? We do not have time to deal with those aspects of life that concern them.

I am easy to dismiss, as I am very old in relation to this modernising Government and can be regarded as a sort of female Methuselah. However, I have learned one thing since I came to the House—that democracy works only when electors feel that they can identify with what

is being done in their name in writing laws or reflecting their views about political problems. They do not want Parliament to be a sort of factory that creates many pages of legislation that they neither see nor understand. They want Parliament to deal with matters that are important to them.

The Government do much that is good. Why are they so insecure that they have to rubbish parliamentary procedures that developed out of people's needs and understanding over a long period? The Government have all the right instincts, so why are they so insecure in their relationship with the House that they cannot give us the procedures that would allow debate to be as open, lengthy—and, yes, boring—as it used to be?

For some people, modernisation equals streamlining, the curtailment of debate and of the powers of the awkward squad, and the restriction of the general role of Back Benchers. Long live the role of the awkward squad! The Labour party was created by, and takes its sustenance from, those who constitute the awkward squad. In some areas, they are called democrats, in others Labour Members of Parliament. We must not imagine that the bland clichés of the report are a true reflection of the dangers that we face. The report does not even debate those dangers.

I am depressed, upset and frightened that the Government constantly want to change the way that Parliament works. If they believe that the changes improve matters, they are mistaken and incompetently ignorant. I do not want to accept that of my Government. Somehow or other, we have lost sight of what Parliaments do. Parliaments discuss, legislate and debate. They often cause the Executive considerable difficulty. Heaven help us if we lose sight of that.

2.4 pm

Mr. Paul Tyler (North Cornwall): It is always difficult to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), but I am at one with her eloquent and heartfelt plea for a more effective House of Commons.

I am a permanent member of the awkward squad. Some say that Liberal Democrats always will be, but that may not be true. However, the central proposition of the speech by the hon. Member for Crewe and Nantwich—that what is before us this afternoon is bland and unexceptional—is true. Some of the Modernisation Committee's members, from all parties, tried to make the report much less bland. We wanted to amend it to make it more robust and to change the Sessional Orders to make the present provisions work better. Unfortunately, we found ourselves up against a brick wall.

The hon. Lady knows how Select Committees work and has encountered the same wall many times. It is betraying no secrets to say that that brick wall is the Government Whips Office. I wanted to make some practical proposals to improve matters, as I do not think that the present provisions are practical or sustainable in the long run.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) made one very important statement—that the previous Conservative Government, of whom he was a member, were allowed to get away with murder. I am grateful to him for putting that statement on the record. If he is reappointed to his current role, I wonder whether he will be allowed to live that down.

I have great regard for the right hon. Gentleman, and enjoy what he says about how this place works. I have some sympathy with some of the concerns that he has expressed, both in government and in opposition. However, he has called the Modernisation Committee "ghastly", but he is totally ignorant of the Committee's work. Some Conservative Members in the Chamber now have made a positive contribution to the discussions in that Committee, and in the last Parliament, Sir Peter Emery was a driving force in trying to improve the workings of the House. It is absurd for the right hon. Gentleman to describe everyone as ghastly, just because he is in one of his gothic moods. If he intends to follow the example of the former leader of the Conservative party and write novels, I hope that he will write something that has its feet on the ground, and not the horror stories to frighten the children that he always tries on in the House.

Mr. Andrew Mitchell (Sutton Coldfield): I am nervous about the distinction made by the hon. Gentleman between Modernisation Committee members and the excellent, barnstorming speech made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). Conservative Members have more in common with my right hon. Friend than with what the hon. Gentleman has said. I do not want the hon. Gentleman to dissociate the views of Conservative members of the Committee from much of what my right hon. Friend set out in his speech.

Mr. Tyler: The hon. Gentleman is a welcome addition to the Committee, but he did not have the opportunity, as I did, to listen to the right hon. Member for North-West Hampshire (Sir George Young) in the previous Parliament, when he made an important contribution to the Committee's work. That contribution can be seen in several reports. Nor has the hon. Gentleman yet had a full opportunity to hear the hon. Member for Macclesfield (Sir Nicholas Winterton), who has made a positive contribution to our discussions over a long period. The hon. Gentleman will recognise that we are not all ghastly, as claimed by the right hon. Member for Bromley and Chislehurst.

I hope that everyone who has witnessed how the changes have operated in recent years will accept two truths—that programming does not work, even in the eyes of people who, like me, have some sympathy with the objectives, and that the previous arrangements of a so-called golden age are a complete will o'the wisp. They never worked particularly well, for a variety of reasons but not least because different parties have different interests. That is why it is important to ensure that the terms of trade—an expression that the right hon. Member for North-West Hampshire used to use in the Committee—are reasonably well balanced, so that we all can make an intelligent contribution to improving legislation.

I hope that all hon. Members participating in this debate have read the full report of the Select Committee, including the contribution that comes in the form of an alternative report by the hon. Member for Aldridge-

[Mr. Tyler]

Brownhills (Mr. Shepherd). I pay tribute to him, and we are indebted to him for extracting the data about how this business has been handled in the past.

When people read the report, I hope that they will not assume that we are satisfied with the present arrangements, as the hon. Member for Crewe and Nantwich said, or that the Committee does not have a real wish to improve matters. We are currently frustrated, but the issue will not go away.

Paragraph 11, to which reference has been made from both the other Front Benches, describes a modest objective: ensuring that different interests in the House are met by the way in which we operate. However, paragraph 25 is the most important one and, if hon. Members have a copy of the report, perhaps they could take this opportunity quickly to read it. It notes that we should be looking for a way of operating that gives the Government a reasonable chance to get their legislative programme through. "Reasonable" is the important word. Some years ago when a colleague and I found ourselves in the relevant Lobby, we counted up the inches of statute that the House had passed from the beginning of the 16th century to 1950. At that moment, it was the same length as the section showing the statutes passed by the House since 1950.

In this place, we try to consume a huge amount of extremely detailed legislation and we frequently give ourselves legislative indigestion. A previous Modernisation Committee report recommended that other Select Committees should play a larger role in pre-legislative scrutiny. In due course, I hope that that would improve the situation but hon. Members will agree that such work would not be the first choice for Members of Select Committees; they enjoy paying fact-finding visits to other parts of the world much more than scrutinising proposed legislation. I fear that we all tend to have that fault.

Paragraph 25 also states that Opposition parties have a prime responsibility to identify which parts of a Bill require particular scrutiny. That lays a great responsibility on us. Under the previous arrangements, a great deal of time was taken up in discussion of sittings motions, which neither did justice to the importance of the issues that were to follow nor gave Parliament a good reputation. The most important thing is that we try to ensure that the product of this place is better. We should be in a win-win-win situation. Clearly, we are not at present, but that should be our objective. The Government should be more confident that legislation will be reasonably assessed and scrutinised and that it will be done in time, and the Opposition should have much more influence over the way in which that detailed work is undertaken. At the end of the day, however, it is vital that we pass better legislation.

I share the concern expressed by the right hon. Member for Bromley and Chislehurst that we are trying to do far too much. If devolution does nothing else, I hope that eventually it will take away from this place some of the issues that do not need to be dealt with here. The previous Prime Minister, Mr. John Major, had the misfortune to invent a rather ugly word—subsidiarity—but the principle was right: decisions should be taken as closely as possible to the people whom they affect. The House still has to find a mechanism for achieving that.

Mr. Forth: Does the hon. Gentleman concede that the Government's desire hitherto to set an end date for a Standing Committee before it has even started puts an artificial onus on all the Committee's members, individually and collectively, and on all the legitimate outside interest groups to compromise their work to fit into the artificiality of those time constraints? Does he agree that it should be the other way around? Before that end date is even thought about, the members of the Committee and the interest groups should wait until they are well into their deliberations so that they can see how much time is reasonably required for them to carry out their work.

Mr. Tyler: The right hon. Gentleman has leapt ahead of my argument. I shall come back to his point, with which I have some sympathy, as I have some practical suggestions that may assist the process. May I modestly suggest that he read the short memorandum that I sent to the Committee, which is in the appendix? To some extent, it meets his point.

I want to refer to another item in the appendix—the memorandum from the Chairman of Ways and Means. He is in a unique position because he can sense how things are operating. As Chairman of the Chairmen's Panel, he receives feedback from the Committees, he regularly takes the Chair in this place and, of course, he has long experience as a Member. I quote in full one of the statements in his memorandum:

> "In summary I suggested that the more comprehensive introduction of programming had not led to bills being scrutinised more thoroughly or completely than hitherto; that programming was capable of being used constructively; that, short of any more fundamental approach, detailed programming should not be left in the hands of the usual channels; and that in effect all that had been achieved thus far was legislation in a hurry."

That is a formidable critique from a uniquely informed and objective standpoint. All members of the Committee, whatever their party, took seriously that important set of views. The Chairman of Ways and Means spelled out—as he has done on previous occasions—several practical suggestions for the Committee.

The more fundamental approach to which the right hon. Gentleman referred in his memorandum would obviously involve some form of independent legislative business committee, answerable to the whole House. That will not be easy to achieve—there is so much history to deal with in this place—but we should not ignore the fact that most deliberative assemblies that are similar to ours, including the Holyrood Parliament, which serves the Scottish people, are much more open and transparent, enabling all Members of all parties to make their contribution.

This afternoon, we should give notice that the report is not the end of the story. The Whips—the usual channels—are, in effect, on probation; unless they can help us to improve the situation the reform will have to be much more radical than is currently being suggested. The report and the debate are putting down a marker that if the system does not improve and we do not achieve better results all round for everybody, especially

in the quality of the legislation that we pass, the Whips' present decisive role in organising the legislative business of the House will have to be modified.

The Chairman of Ways and Means has repeatedly emphasised, in his evidence to the Committee and on previous occasions, that all parties have responsibility for finding ways to make that process work better, for the benefit of our constituents, for the better delivery of a better-quality product and for the reputation of Parliament. The hon. Member for Crewe and Nantwich is right. The general public do not merely feel that we are rather irrelevant; people who come up against the detail of legislation—whether in business, trade unions or whatever—often see only too clearly the inadequacy of the consideration that we give in this place. Whether the legislation is on dangerous dogs or the Child Support Agency, the inadequacy of our work in this place is, all too often, only too apparent to the people who are directly affected by it.

A steamrolling Executive may occasionally be faced by an Opposition that is wholly obsessed with oppositionitis, but the two feed off each other; they are not completely independent. They create equal and opposite alternatives.

Taking a lead from the comments of the Chairman of Ways and Means, I want to make some constructive suggestions. In that context, I have served on a Standing Committee in this Parliament and have frequently done so in the past, but I am not sure how recently the right hon. Member for Bromley and Chislehurst has served on a Committee considering a Bill. Has he been involved in a Bill that has been the subject of a programme carefully decided by the Programming Sub-Committee? That brings me back to my memorandum, in which I pointed out that it is critical that the Members who are to do the job of scrutinising Bills should take a primary role in deciding how the job should be done. It is absurd that we used to hold three-hour debates in the Chamber on how to split up the time for a Bill. The Members who contributed to such debates were, almost invariably, not going to be members of the Committee. They set the terms of reference but they were not going to do the job.

Surely a basic and sensible approach is to try to ensure that the people who are most concerned should be the ones who decide about the job. Similarly, at present, the Whips discuss how to carve up the programme before the Committee is even appointed. As my unanimously agreed amendment to the report suggests, the operative moment for deciding when such discussions should start is when the Committee is appointed, when the names come before the House for notification—rather than approval, in normal circumstances. That is the moment and those are the people who should be involved in the discussions, not least because that is the moment when Back Benchers can exert some influence. Up to then, only the Front Benchers will know which are the important issues. I find it extraordinary that anyone should hanker after those three-hour debates during which, by their very nature, the non-participants in the detailed work used to make all the running.

Similarly, it is critical that, when debating a Bill on Report in the Chamber, those hon. Members who have served on the Committee should have the first right to discuss, decide and influence the total amount of time used and how it should be used. No doubt, those hon. Members will be influenced by other hon. Members who may feel that the Committee has ignored an issue, but at least those who have served on the Committee will be fully acquainted with the important issues and which issues were not properly discussed.

The hon. Member for Witney (Mr. Cameron) and I also agree that, when the Chairman of a Standing Committee, who is independent and above the partisan views of the members of the Committee, feels that whole chunks of the Bill—perhaps new clauses, new schedules and completely new issues—have not been discussed properly, the very basic requirement of the House should be that we have a report on Report. We tried to promote that suggestion in the Modernisation Committee. It is an absurd anomaly that Report includes no report whatsoever from the Committee.

Mrs. Dunwoody: How would the hon. Gentleman deal with the situation where the Government themselves table 300 or 400 amendments that totally change not only the context, but frequently the content of a Bill?

Mr. Tyler: I am grateful to the hon. Lady for asking that—it was almost a planted question—because I addressed the issue in a suggestion that I made to the Modernisation Committee. In those circumstances, the responsibility lies with the Chairman, who is independent, to tell that Standing Committee that such work cannot be undertaken in the current framework. If the Programming Sub-Committee could not agree on a change to the programme motion and it were patently impossible to allow appropriate time, even with additional sittings, it would be the responsibility of that Chairman to return to the House to seek an amendment of the out date. I do not see any other way—any other safety valve—for a Committee to try to do the job properly if it is constrained in such a way.

Mrs. Dunwoody: Does the hon. Gentleman realise that that would put enormous and unacceptable pressure on those on the Chairmen's Panel, who are there to carry out the correct conduct of the proceedings on Bills, not to take a strong political position? That would put not only enormous pressure on them, but demand that the Speaker's role changed because their logical line of information would be the Speaker, who would then be required to take what, in effect, would be a clearly political position.

Mr. Tyler: I understand the hon. Lady's concern, but some members of the Chairmen's Panel who have addressed this issue feel that, if they had the support of their Committee in thinking that its job was impossible, they could undertake precisely that role in reporting back to the House. If the Committee were simply divided on party lines and Government Back Benchers simply went along with their party line, well, more fool they, because they would be falling into precisely the trap that the hon. Lady referred to a few minutes ago.

Mr. David Cameron (Witney): The hon. Gentleman knows that I share his view that we should try to make Report involve a proper report back from the Committee. Does he think that that would be helpful because those hon. Members who are interested in the

[Mr. David Cameron]

Bill but did not serve on the Committee would benefit from such a report? An element of the report—this relates to what the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said—would cover what Government amendments were introduced and what weight they had. Is it not the case that, with Bills such as the Criminal Justice Bill, very important amendments are made in Committee of which other hon. Members are not fully aware?

Mr. Tyler: I endorse what the hon. Gentleman says. More transparency is needed. For example, a report about the fact that issues arose late in Committee, were not debated and went though virtually on the nod would be extremely helpful. I am grateful to him for his support on that issue.

Mr. David Kidney (Stafford): On the daring suggestion that Report should actually involve a report, will the hon. Gentleman acknowledge that I have suggested in this and the previous Parliament that, just as we have explanatory notes for Bills on Second Reading, such a report should be available in the Vote Office on Report?

Mr. Tyler: I am grateful to the hon. Gentleman for that intervention. I should have paid tribute to him for the fact that he has promoted that idea. I put it to the Deputy Leader of the House that, on a tripartite basis, we feel that there is an absurdity and that the House should address the anomaly.

Two other points come out in the evidence put to the Modernisation Committee, and we have not yet been able to find the right way to develop them and incorporate them in our process. First, it surely must be important that the process that decides how best to slice up Committee time cannot logically begin until those Members who will serve on that Committee are agreed upon—I mentioned that just now—but then there must be proper time before the Committee sits. It is written into the report that we think that the Government should allow at least two weekends between the agreement on the Floor of the House about who will serve on a Committee before that Committee sits. That time is the minimum to allow not just those hon. Members who will serve on the Committee but other hon. Members who may be interested to feed into the process of determining how best to divide up the time. There must be greater flexibility to cope with unforeseen issues such as the extra material that comes forward.

Secondly, the final decisions on the allocation of time on Report surely cannot logically take account of the discussions in Committee, let alone tabled amendments, until we know what they will be. There is a current case: the Water Bill will be considered in the House on Monday. Substantial amendments may well be tabled today—or, indeed, at least in theory, on Monday—that could be selected for debate. How can it be decided days previously how to divide up the proceedings on Report, especially when time is relatively limited, without full knowledge of the issues to be raised? We have to pace that process more intelligently than we have done.

I regret that we will have to let the existing Sessional Orders stand—I assume that we will do so—because the report is, frankly, a non-progress report. A great deal of work remains to be done. I hope that the Leader of the House and, indeed, other hon. Members will give a firm undertaking that this is not the last word on the issue. I regret that, for reasons not unconnected with the changes in the Modernisation Committee's chairmanship this year, we have not made as much progress on the issue as I should have liked, but let me re-emphasise that we were unable to make better progress in the end because there was a degree of complacent lethargy in the usual channels.

All too often, the main Opposition Whips Office has taken the view that, "Oh, one day we may be over there again, so we don't want to improve the situation, open up, make things more transparent, let Back Benchers in and have a legislative business committee." I regret that very much. My hon. Friend the Liberal Democrat Chief Whip was here just now, but perhaps it is just as well if I say in his absence that we do not want to be dragged into the sort of lethargy that, I am afraid, the usual channels have undertaken all too often in the pursuit of the old Buggins's turn approach: "We'll get there one day, and in the meantime, it's too bad."

Mr. Shepherd: After that demolition of the existing process, I wish to ask about the proposals for improvement—the motion—because it involves the continuance of the existing Sessional Orders. I have not heard how one reconciles support for the continuance of the Sessional Orders with the burden of the argument that the hon. Gentleman has just made. Perhaps he could crisply tell us.

Mr. Tyler: The hon. Gentleman has heard me often in Committee; I shall be as brief as I can. I want to change the Sessional Orders, but it is clear that we have to try to develop a cross-party consensus. Just to throw out the Sessional Orders this afternoon would not be a constructive way forward, but I hope that he will give me his support in the Modernisation Committee so that we do not let this bone of contention lie. I hope that he will persuade his colleagues, too, that oppositionitis—rejecting any attempt to improve the situation—is equally foolish, negative and does nothing for Parliament's reputation. There is work to be done, and somehow or other we have to persuade those in the Whips Offices of the other two main parties that this issue will not go away.

Mrs. Dunwoody: It is illogical to say, "I disagree with all of this. We've looked at it more than once. It is not working. However, I am going to let it go because other people want it." We are here to express a view and to say if we do not want something. Many of us are used to being in minorities that turn into majorities. If the hon. Gentleman is serious, he should vote against the Sessional Orders.

Mr. Tyler: I hope the hon. Lady has read the memorandum—

Mrs. Dunwoody: With care.

Mr. Tyler: I am grateful for that. The memorandum does not suggest reverting back to what was an unsatisfactory situation. I do not accept the implication of the hon. Member for Aldridge-Brownhills that

everything will be wonderful when we go back to the old system. The situation was eloquently described by the Chairman of Ways and Means, whose suggestions have been blocked. I tactfully warn the Whips that that blockage cannot be allowed to continue for ever. The hon. Member for Crewe and Nantwich has much more experience than I have of what happens in the Government Whips Office, but I think that one day the House will revolt against the hegemony of the Whips Office.

We have had fewer deferred Divisions recently, which I welcome. They should not happen every evening. To some extent, they have become a non-issue. It is important to recall that they were accepted on the basis that they were to be on stand-alone subsidiary issues. We should not be in the invidious position of having to make a major decision on a deferred vote.

I do not know where the right hon. Member for Bromley and Chislehurst got the idea that the problem had never arisen before. As a conscientious Member of the House, he is in the Chamber to hear every word that is discussed before he votes, but I have to break it to him—perhaps he has not observed this before—that some hon. Members will not have heard our words of wisdom if we vote today. Quite a few Members come to the House to vote without a completely clear idea of the issues at stake. That is an awful confession and perhaps I should not say it, but as we all know that the best way to keep a secret is to talk about it in the Chamber on a Thursday afternoon, I think that I will escape without encountering the wrath of the gods.

We often vote on an amendment that has either not been debated or been debated the day before. Detaching the debate and the Division is not a dreadful, radical, revolutionary idea. If every time we voted, every Member of Parliament had to put his or her hand on a truthometer or, for those of us who believe, the Bible and say, "I've heard every word of the discussion", there would not be many people in the Division Lobby. The idea that we are breaking a great parliamentary and constitutional convention by detaching a debate from a Division is, frankly, baloney. I hope we can put that to bed.

Mr. Woolas: Does the hon. Gentleman agree that one advantage of a deferred Division is that if a Member has not been present for a debate, there is an opportunity for him or her to be made aware of it before casting the vote?

Mr. Tyler: That may be true. What I have also noticed, which is interesting, is that Members on both sides of the House—no doubt this applies to the right hon. Member for Bromley and Chislehurst as well—sometimes take the advice of others on how to vote when they go through the Division Lobby with their pink bit of paper on a Wednesday afternoon. He is a man of great independence, so I recognise that he will weigh up the advantages of the advice that he is given, perhaps from the usual channels, as he goes through the Division Lobby. Let us not fool ourselves, however. The House could not operate if every time we divided every hon. Member had to weigh up every issue debated in the preceding discussion, as much as I may wish that that were the case.

Mr. Shepherd *rose—*

Mr. Tyler: The hon. Gentleman does his best to be here for every debate but, as I am about to finish, I will not give way again.

Deferred Divisions are not the ideal way to operate, but they are a reasonable way of dealing with a small problem. It is significant that we do not have to vote in that way often. The Modernisation Committee still has a great deal of work to do. I look forward with interest to hearing what other hon. Members think should be our top priority.

2.34 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): It is a genuine pleasure to follow the hon. Member for North Cornwall (Mr. Tyler). As is so often the case when we discuss parliamentary matters and the way in which we discuss our business, I find myself broadly and strongly in agreement with almost everything he says. I shall cover in detail some of the points he made.

I hope that the House listened to what my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said. She put the debate in the right context. What is Parliament all about? What are we doing here? How well do we hold the Executive to account? We are sent here both to support our parties and also, as parliamentarians, to scrutinise the Executive. The proposals, in that they affect the procedures of the House, go to the heart of those issues. The truth, as I think hon. Members on both sides of the House recognise, is that we scrutinise the Government very poorly indeed at the moment, and it is getting worse.

When the former leader of the Conservative party, Sir Edward Heath, gave his final speech to the House—he sat where the hon. Member for North Cornwall is sitting now—he said that in his parliamentary lifetime power had shifted inexorably from Parliament to the Executive, and that if we had any sense we would scrutinise ourselves, resist that move and correct the position. If anything, things have got worse since then, as any fair-minded parliamentarian on either side of the House would recognise. If we cannot see the dangers in that and the warnings to us, we will blindly bear witness to the complete decline of Parliament and parliamentary democracy. It is as serious as that. That is why we have to get the procedures right.

Unlike the shadow Leader of the House, I think that, in principle, there is a lot of good sense in the programming of business, but in practice it is not working, and the ways in which it is not working are serious. Unless Parliament asserts itself and corrects the position along the lines discussed today, we will become a place that simply rubber-stamps the Executive, and that will be to the detriment of everyone.

I am in favour of programming in principle. There is nothing exceptional about trying to have an orderly procedure for our business. The first Standing Committee that I sat on was in 1983 on the Telecommunications Bill, which privatised the telecommunications sector. We prided ourselves in opposing it rigorously. I sat beside, and at the feet of, Mr. John Golding, the former Member of Parliament for Newcastle-under-Lyme, who took me through the procedures. He said, "Our job, my boy, is to oppose."

[Mr. Mark Fisher]

Indeed, he drove me back to north Staffordshire every Thursday night and explained what we had done well and what we had done badly. His idea of opposition was to make life as uncomfortable for the Minister, Mr. Kenneth Baker, now the noble Lord Baker, as we possibly could. His view of how that could be achieved was by prolonging procedures. Colleagues, such as my hon. Friend the Member for Crewe and Nantwich, will remember his famous 11-hour speech when we considered that Bill.

Mrs. Dunwoody: John Golding was a remarkable man. I do not want my hon. Friend to be unfair to him. He went on for more than 11 hours, but because he knew everything there was to know about telecommunications not only did he not repeat himself, but the Chairman did not have to call him to order because, almost unusually, he knew what he was talking about.

Mr. Fisher: I concede to my hon. Friend that nobody knew more about the telecommunications industry and its practices than Mr. John Golding. However, I should explain that he kept in order only by the skin of his teeth. He explained to me what he described as the Swiss roll way of scrutinising amendments in Committee. His method was to roll out an argument against an amendment. Having reached the end of the argument, his practice was to say, "It is just possible that I am mistaken." He would then roll out the entire argument again from a negative point of view, thus scrutinising his own opposition to the amendment.

Everything that Mr. John Golding said was well informed. Perhaps he was much better informed than the rest of the membership of the Committee put together because of his great experience. It is a slightly romantic idea that everything that he said was completely constructive or in order.

I suspect that we were wrong to oppose that Bill in the way that we did. It certainly made consideration of it nonsensical in Committee. It was not really proper scrutiny, not least because when eventually we so irritated the Government that they imposed a guillotine, swathes of the Bill—I think that we reached only clause 30 of an 80-clause Bill—that affected people working in the telecommunications industry enormously were never debated.

From that moment on, I recognised that, exciting and macho though it was to fight the Government in such a way, it was wholly non-productive and did not serve good scrutiny. Ever since, I have recognised that there is much to be said for good programming. However, that is a big proviso. There must be intelligent programming.

Mr. Shepherd: The hon. Gentleman is setting out the grounds of the judgment of opposition parties as to how they treat consideration of a Bill. In consequence of the decisions of the hon. Gentleman and his colleagues the then Government introduced a guillotine, which was a matter that had to be debated on the Floor of the House. We are talking about who has ownership of a Bill in Committee, and that has historically been the Committee itself.

Mr. Fisher: I do not dispute the hon. Gentleman's last statement. A Bill should be the property of a Standing Committee while it is in Committee. However, I dispute his earlier point. The assumption behind it is that time is the only weapon of any interest, and it was not an effective weapon against the then Government.

Mr. Shepherd: The assumption was not that time was the only weapon. It was the judgment of those who were then in Opposition as to how they should conduct themselves.

Mr. Fisher: I accept the distinction.

Mr. Shepherd: It is an important one.

Mr. Fisher: Indeed. I concede that. However, it was the convention that Standing Committees saw time as their only way of putting pressure on the Government, and it was not effective pressure when it came to scrutiny. It was pointless pressure. I do not think that either party can point to a substantive concession being made in Committee or on the Floor of the House because of the pressure of time.

Mr. Forth: One of the points of harassment, nuisance and guerrilla warfare is that occasionally it might elicit information from a Government or even a concession. More important, in the overall sense of the parliamentary Session and the way it works, such an approach may force a Government to prioritise their business in the relationship between this place and the House of Lords. The weapon of time is not necessarily as futile as the hon. Gentleman suggests. It may seem sterile in Committee when considered in isolation, but in the overall context of parliamentary procedure it can have relevance.

Mr. Fisher: I concede that strategically time has a significance. However, specifically, in the scrutiny of a Bill, it is irrelevant and possibly even counterproductive. There is a distinction between strategy and detail.

Mr. Kidney: Would my hon. Friend agree that these recent exchanges overlook an important body of membership of the House? I refer to Back-Bench Members who support the Government of the day. Under the old system they were under great pressure to shut up and do nothing. I can remember a Whip telling me to fill in my Christmas cards rather than even follow the debate. Under programming, Back-Bench Members get an equal share of the time if they want to participate in debate. I would argue that the quality of debates in Committee has increased greatly.

Mr. Fisher: I am sure that my hon. Friend is right and that there can be a proper and even-handed debate in Committee, though that reduces the time available to the Opposition. However, I accept that it improves scrutiny. Important and valuable contributions can be made by Government Back Benchers on behalf of constituents or as a result of previous knowledge, as my hon. Friend the Member for Crewe and Nantwich said. My hon. Friend makes a good and fair point. That is another reason why I think that in principle programming is a good idea, if it can be made to work.

The House is enormously in debt to the hon. Member for Aldridge-Brownhills (Mr. Shepherd) for the 20 pages worth of detail in the report, showing that the

constriction of time has changed considerably. His comments have not been read into the record. Perhaps I should wait for the hon. Gentleman's speech and not anticipate it.

By my estimate, between 1881 and 1975 debate was curtailed on Bills on 80 occasions. During 1997—the Government's first year—consideration of Bills was curtailed on only three occasions. Since 1998, time has been curtailed and circumscribed on 93 occasions. Something is going badly wrong. As has been said, it is happening not as a last resort, as it was when the guillotine was imposed up until 1997, about 120 years, but as a first resort. It is happening even before we can see the shape and flow of debate or argument on a Bill. The hon. Member for North Cornwall was absolutely right in saying that until the Bill goes into Committee we cannot hear fully what representations outside bodies will make. I am referring to those that will have to put the proposed legislation into effect in their industries, in the public sector or wherever. Until we can hear the Government defending their Bill and deploying their arguments, we cannot test whether it is good or bad legislation. The idea that all the amendments are clear before we go into Committee is a fiction.

In a decent Committee, the process of scrutiny provokes intelligent legislation, intelligent scrutiny and intelligent amendments, possibly from the Government as much as from the Opposition. In recent years the Government, to their credit, have recognised that, as a matter of routine, proposed legislation is nowadays so poorly drafted that their own legislation sometimes needs dozens or even hundreds of Government amendments. That happens in Committee. The idea that as we go into Committee we can have any idea how long consideration should last, or will naturally last, is a fantasy. It is only in Committee that we begin to see the picture.

I move on to possible ways of remedying the situation. The House is in the debt of the Chairman and Ways and Means and the hon. Member for Aldridge-Brownhills for the shape of a more constructive system. We need a more hybrid system, and essentially that is what the Chairman of Ways and Means and the hon. Member for North Cornwall appear to me, as I read their contributions in the report, to be advocating.

We should have programming that gives an out-date. That is sensible. It concentrates everyone's mind if it is known that there are so many hours or so many sittings in which to divide the debate. That ensures that the important parts of the Bill, which depending on the drafting sometimes appear at the beginning of the Bill or at the end of it, can be covered. It is irresponsible of the House to allow legislation to pass from this place to the other place if important areas of a Bill have not been scrutinised. We should be ashamed of ourselves if that ever happens. Having an out-date would concentrate people's minds and ensure full scrutiny takes place. We would know roughly when scrutiny would be complete but, in addition to an out-date, there should be procedures within the programme for that date to be reassessed. I assume that that is what the hon. Member for North Cornwall is proposing—during discussion of the Bill there ought to be an opportunity for both Government and Opposition to review the proposed out-date. The setting of an out-date and a review in Committee should be transparent, public and published, so that everybody can see what is going on and what the arguments of the Government and the Opposition are. It is not acceptable for a date to be smuggled out via the usual channels and produced as a fait accompli. We must have a transparent system with some elasticity and flexibility to allow for injury time when things go wrong.

If the Government think that they will be run ragged by that arrangement in practice, they have the right that Governments have had for the past 100 years—no one has ever objected to it—and can introduce a guillotine if it is clear that the Opposition are playing games and obstructing proceedings. Old guillotine motions had to brought to the Floor of the House, justified and explained. The Government had to have a good case, or at least one for the Leader of the House to make. Most Members, with exceptions such as the right hon. Member for Bromley and Chislehurst (Mr. Forth), would have confidence in a hybrid system that is flexible, transparent, open and is not smuggled away. Such a system would address the question of whether we legislate well, provide enough time, achieve fair scrutiny and are ceasing to rubber-stamp Government legislation. If we can answer those questions we will begin to move towards a way of conducting our business that is more intelligent and more credible to the public.

2.52 pm

Sir George Young (North-West Hampshire): It is a pleasure to follow the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), who is the shop steward of Parliament First, an organisation that draws support from Members on both sides of the House, is seeking to improve the terms of trade between Parliament and the Executive and has sponsored a number of exciting publications and ideas. I agree with the thrust of the hon. Gentleman's remarks.

In the spirit of our debate, I want to subject my speech to a tight programme motion and make a short contribution on two general matters. First, however, I should like to pick up a point made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) about the circularity of the matters under discussion. The front page of the report shows that the Chairman of the Modernisation Committee is the right hon. Member for Neath (Mr. Hain). Paragraph 29 makes recommendations about late amendments, and states:

"The Government should support such proposals."

The recommendations are aimed at the Government, particularly its business managers, and the chief business manager is the Leader of the House, who is also the Chairman of the Committee. We need to repatriate the Modernisation Committee, and perhaps change its name to the "Strengthening of Parliament Committee". The House would then be in charge of setting the agenda, rather than ceding it to the Leader of the House, who is increasingly becoming like the character in "The Mikado" who wore a number of different hats and spent a large chunk of the opera talking to himself in his various roles.

I pay tribute to my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) for his amendment, and we look forward to his speech, as he has been a doughty defender of the rights of the House

[Sir George Young]

in this area. Two factors influence the shape of our proceedings in the House. One is defined and tangible and consists of Standing Orders, rules and Sessional Orders. The other is less defined and consists of the relationships between the usual channels, personalities and the mood of the House. If the second factor is all right, the rules are less important. If it is wrong, the rules become very important. In the last Parliament, relationships became difficult. In my view, a few of my colleagues were too diligent in subjecting the business of the House to detailed scrutiny, and deals were no longer possible. The Government used their majority unilaterally to change the rules and, in my view, overreacted slightly. The rules that we are debating today were therefore introduced, but they are not satisfactory. Indeed, I would go so far as to say that they are obstructing the House in its efforts to deal with its business better.

The mood of the House has changed and is different from what it was at the beginning of the last Parliament. We now have an opportunity to do what the hon. Member for North Cornwall (Mr. Tyler) and others have suggested—look at the advice of the Chairman of Ways and Means at Ev 2 in the report, which states:

"A programme for a standing committee should prescribe an out-date only. It is the experience of Chairmen that the use of internal knives is frequently unhelpful."

I suggest to the Deputy Leader of the House that in the next Session we should try with a number of Bills to go back to a system that can work perfectly well with good will. We should leave to the good sense of the Committee, the usual channels and the Front-Bench spokesmen the decision on how to use the available time, thus avoiding the inflexibility of a programme motion. If we try that and it does not work, fine. However, there is an appetite for making that alternative approach work, and it would be an improvement on current arrangements.

At the heart of the problem, as has been said, is the size of the Government's legislative programme. Peers are on their last legs, and are up all night dealing with the remaining stages of a number of Bills, many of which left the Commons with a large number of clauses unconsidered. The evidence is in the Modernisation Committee report. I served on two Standing Committees in this Session—one considered the Community Care (Delayed Discharges etc.) Act 2003 and the other the Health and Social Care (Community Health and Standards) Bill. In both cases, we did not debate key clauses. We were not fooling around wasting time—we genuinely did not have time to address some of the key issues. No wonder that the other place is having to focus on such provisions. The position on Government amendments has got worse, rather than better in recent years.

Mr. Hain: May I make an observation about the other place? If the right hon. Gentleman makes a detailed comparison of the extent of scrutiny of Bills in the other place and our own experience in the Commons, he will find that the Lords are not scrutinising Bills as effectively as us. In addition, the House of Lords does not have a proper procedure for timetabling business, which is one reason why it is getting into a mess and effectively defying the will of the Commons.

Sir George Young: I would draw a different conclusion from the Leader of the House. If the Lords are to avoid the problems that we have been discussing this afternoon, it is important that the Government do not have the facility to introduce guillotines and programme motions in the upper House, as there would then be a risk of legislation going through both Houses with inadequate consideration.

The root of the problem that we are discussing this afternoon is the fact that we are trying get a quart into a pint pot. Until the Government exercise self-discipline on the volume of Bills that are introduced, we shall continue to have arguments about the way in which we programme legislation. My right hon. Friend the Member for Bromley and Chislehurst was generous about paragraph 11 of the report, in which the Committee outlined four basic criteria that a reformed legislative system should be able to meet. Three of the four criteria have not been met. The Opposition do not have a full opportunity to discuss and seek to change provisions to which they attach importance; all parts of a Bill are not properly considered; and Bills are not prepared properly in many cases and require a mass of new Government amendments. By the Committee's own criteria, the present regime is missing three of the four targets.

I have nothing against draft Bills, but I am slightly worried about paragraph 15, which looks at such Bills. Of the 10 draft Bills introduced in this Session, six were considered by departmental Select Committees whose members, in a sense, are the best folk to do that job. However, there is a risk of their agenda being captured by a hyperactive Government Department, and the Committee's other work being squeezed out. I can therefore see some advantage in establishing more Joint Committees so that the other place can help to deal with the legislative burden.

Finally, there is a risk that deferred Divisions will bring the House into disrepute and encourage cynicism outside about how we conduct our business. I think that there is something almost cynical about voting on a proposal five or six days after it has been debated. The hon. Member for North Cornwall sought to justify such an arrangement by saying that, in debating Bills, there were circumstances in which we voted on an amendment on the day after it had been debated. However, that occurs because of where an amendment falls in considering a Bill and I do not think it is a true parallel with what the Government are now doing. I shall certainly vote against the recommendations on deferred Divisions.

Like the hon. Member for Stoke-on-Trent, Central, I have nothing against programming in principle, as it can represent a good opportunity to make better use of time, but we are certainly not there yet. I shall need persuading before I accept that the current Sessional Orders are the same ones that we should live with in the next Session. I urge the Modernisation Committee to revisit the matter and to see whether it can propose a better remedy for the problems that we have addressed this afternoon.

3.1 pm

Mr. Richard Shepherd (Aldridge-Brownhills): The only matter on the Order Paper that there has been no attempt to amend is whether we should continue with the existing Sessional Orders. I am a member of the Select Committee on Modernisation, which has now deliberated on that question twice. On both occasions, a majority has concluded that the arrangement is not working quite as we would like. We must ask why. I have had enough of this.

We have a history in this House, and rules and regulations called Standing Orders. We can compare the past with the present and look at the one question that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) asked: are our Orders working? My right hon. Friend the Member for North-West Hampshire (Sir George Young) said that the arrangement does not even meet three of the four objectives set by the Select Committee. It certainly does not do so.

The purpose of my minority report—I shall speak to it, if I may—was not to be contentious, but to try to give a history and the background to what we have been through. I regret that tables A and B, which form a crucial document for anyone who wants to examine how programme orders or guillotines have operated in this Session, do not follow my one question: have the Sessional Orders achieved their objective? I sought to list appendices A and B in that part of the report so that the text flowed and so that we could ask ourselves what the effects had been on the basis of a direct comparison. The truth is that, when the information is set out and seen on the page, there is no evidence to support the contention that we are discussing Bills any better than we have in the past. What we have put in the hands of the Government, however, is the means systematically to guillotine every Bill that comes before this place.

One member of the Committee, whom I shall not name, said that they had never read "Erskine May", which records the traditions of this House, how Standing Orders have been used and the practice that has been followed. "Erskine May" refers to guillotine motions. The 1997 edition notes that such motions

"may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business, and the rights of debate."

I maintain that our report—the majority report—does not even address that central proposition of "Erskine May", which reflects the practice, custom and purpose of this House.

The hon. Member for Crewe and Nantwich (Mrs. Dunwoody), the distinguished Chairman of one of our Select Committees, had it in mind that the focus of why we are here—the assemblage of Clerks and the majesty of Parliament—is not about us, but about those whom we represent. Having given the Government this enormous power of majoritarianism in Sessional Orders, there is no weighing process whereby we can criticise them for giving only three minutes to debate the slaughter of a first-born Bill and for insisting on their out-date. Not one Member can say "Hang on, I think that the slaughter of the first-born might require half an hour."

We have so accepted a process that seeps through our understanding of who we are and what we are about. Outside bodies, including the Hansard Society, for which I have great respect, and Clerks have toiled over the years, saying, "Surely, as reasonable people, we can construct a system whereby we can weigh elements of debate, and allow freedom of expression and the rights of opposition." Yet in looking at the history of this place, we see that its origin was to give opposition ownership in Committees, as they were taken from the Floor of the House and put off the premises, so to speak. That was about doing our job for ourselves and it gave opposition the ownership of saying, in one sense, "This is the proposition of us, the majority; we believe this is right—challenge us."

That is familiar to every Briton. We do it in our courts: I make a case, and the defence makes its case. That is essential to our concept of equity and justice. This high court, as it once was, followed that tradition, but, as the figures given by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) showed, it broke with it almost a century and a third ago. The Irish question had brought the Government to despair: three months, no less, were spent on one measure. The effect of the new arrangements were recognised at that time—indeed, some of the comments that were made have been cited. At the will of the majority, a great constitutional measure could, if necessary, be swept through in an afternoon. People were mindful of the fact that that was a very important departure, and that its effect was significant for the well-being of the nation.

When we discuss guillotines in the modern age, it is one of the ironies of life that, as we become less educated, in a sense, about who we are, where we come from and who we represent, we find it tedious that oppositions and minorities should be allowed to rattle on. The truth is that Governments have had the power, and have maintained it over the years, to say "We have had enough of this." However, that power should be used only at the end of the process once it has been ascertained that what is happening is deliberate obstructionism rather than considered argument about whether a Bill is appropriate for the country.

I totted up slightly different figures from those of the hon. Member for Stoke-on-Trent, Central—my hon. Friend—and I put them in the report. Between 1946 and 18 February 1997, 67 Bills were guillotined. It was an accelerating process. I criticised Mrs. Thatcher's Government, whom I supported, for guillotining as many as 43 Bills. I thought that that was terrible. At the time, I was happy to note that so many distinguished figures in the present Government agreed; they, too, thought it was terrible. Between 1946 and 1997, 67 Bills were guillotined: under new Labour's six years, 94 Bills have been guillotined.

The truth is that, historically, most Bills were not opposed. I have sat through debates as the House has supported tranches of such legislation. Committees have undertaken detailed scrutiny quite satisfactorily. This has become a major issue because guillotines represent an instrument of the Government's control over this House. That is why the Government want the Sessional Orders to continue.

I have many beliefs that I want to represent on behalf of my constituents. I profoundly believe that the new constitution for Europe destroys the very essence of

[Mr. Richard Shepherd]

democracy in this country. I want that to be fully debated, but if the Orders are passed there is nothing to stop the Government saying that two days in Committee of the whole House is sufficient—and I cannot even debate whether that is so. Yet when we are denied a referendum, the Prime Minister advances the argument that our custom and usage is for Parliament to consider all such issues and that the will of Parliament will prevail. That is why this is a major constitutional issue. We want to find a way in which rational and decent people can properly discuss legislation, but the Leader of the House, who sits on the Select Committee that makes these proposals, has delivered into the hands of the Government the means by which they render us ineffective.

Other hon. Members touched on the consequences. Power has moved from here to the House of Lords, which is drowning in the examination of legislation that we are not considering. I urge hon. Members, the public, the Hansard Society—anyone who trusts in Parliament or is interested in the fundamentals of our democracy—to look at the detail on the guillotines in tables A and B. When I speak to people outside who question what we are, or are not, doing has no idea that if I want to speak on, say, the fluoridation of water, I am subject to a two-hour guillotine that will not even remotely allow me to express a human rights interest in the autonomy of the individual. They do not understand that the new Labour Government have constructed Sessional Orders that throttle and belittle our purpose.

We talk about connecting with the outside world, but we are not connecting with anyone. Parliament would revive if we were allowed to carry out the task that we were elected to perform—to come here to give assent or acquiescence to the measures proposed by the Government or to reject them if we think them inappropriate. The massive armies of parties locked in debates between themselves have lost the wider purpose of our business. These Sessional Orders should be rejected: we should revert to the practice that has been successful in the past.

3.13 pm

Barbara Follett (Stevenage): I welcome the opportunity to speak, albeit briefly, in the debate. Before I do so, I apologise to the right hon. Member for Bromley and Chislehurst (Mr. Forth) for having come into the Chamber halfway through his passionate speech. I am afraid that I was a victim of programming—the programming of planes from Germany, where last night I attended an awards ceremony: not for me, I hasten to say, but for my husband. I got here as quickly as I could.

As a member of the Modernisation Committee, I am extremely pleased to support the reinstatement of the Sessional Orders and broadly to support the contents of our report. The report is not, as some hon. Members assert, blindly in favour of programming—in fact, it criticises it and says that we need to revisit it constantly. It says that the programming that we have at the moment is imperfect and that we must continue to work on it as a Parliament—not as parties—to make it better.

I welcome the comments of the hon. Member for North Cornwall (Mr. Tyler) and my hon. Friends the Members for Stoke-on-Trent, Central (Mr. Fisher) and for Stafford (Mr. Kidney), because I believe that we have to consider where knives fall in Committees. It is not sensible to set knives—or even, sometimes, an out-date—before the Committee has first met and has looked at what it has to discuss in terms of contentious areas and areas where more time might be needed. We should be able to do that together, as adults, and to arrive at a decent compromise that allows proper scrutiny and debate.

The report says that the purpose of programming is to enhance legitimate debate and scrutiny. Frankly, when I first came into this House in 1997, a great deal of our debate was not legitimate. Had I been present for John Golding's 11-hour speech on telecommunications, riveting and encyclopaedic though it may have been, I am afraid that I would not have felt it to be a legitimate use of the House's time; and, as a taxpayer, I would have been extremely irritated that the only way in which the Opposition—which was my party in those days—could think of opposing the Bill was by delaying it.

Mrs. Dunwoody: I know that my hon. Friend has strong views about another place, but, for her information, two Labour Members once managed completely to derail an inadequate plan for its reorganisation by using the tactics of delay, not only against that legislation, but against every piece of legislation, until the Government of the day abandoned it. They were Lord Joel Barnett, who had been a Treasury Minister, and my most honoured friend, the right hon. Robert Sheldon. It would be difficult to make remarks such as those that she just made if one was not here and did not understand how such procedures worked.

Barbara Follett: I bow to my hon. Friend's greater knowledge of what happened in this place before I entered it, but I was referring to a specific example. What those noble Friends did was useful and good, but I am talking about using 11 hours of delaying tactics. When I came here in 1997, we did not have programming. As my hon. Friend the Member for Stoke-on-Trent, Central said, it was not introduced until 1998, and that was out of necessity. I have served on the Standing Committees on two Bills—the National Minimum Wage Bill, which had no programming, and the Planning and Compulsory Purchase Bill, which had programming, but is specifically mentioned in the report as being an example of bad programming that did not allow enough time.

Mr. Fisher: My hon. Friend says that we were forced into considering programming. Presumably, therefore, she is suggesting that during our first Session in 1997 we were completely stymied by mindless opposition, but there is no evidence for that. Indeed, the details that the hon. Member for Aldridge-Brownhills (Mr. Shepherd) appended to the report show that we needed to use the guillotine only four times during that Session, which is about the average for the previous 10 years.

Barbara Follett: I thank my hon. Friend for that. I did not say that we were being paralysed. Let me underline again what I was saying about legitimate debate. The National Minimum Wage Bill Committee once sat for 36 hours. The Deputy Prime Minister and I listened to

the Opposition discuss almost anything except the minimum wage. That was the longest sitting of any Standing Committee.

Mr. Forth: It sounds to me as if what the hon. Lady is complaining about is the fact that she was inconvenienced. We come back to this time and again: whatever the pros and cons may be of delay or irritation—I am in favour of that being used against any Government, and I experienced it when I was in government and did not complain about it at the time—I am irked that Labour Members seem to be obsessed with having an easy, slick, organised, convenient life, rather than occasionally accepting inconvenience. Is that what the hon. Lady is saying?

Barbara Follett: That is precisely what I am not saying. I came into politics to make things better. I do not care how inconvenienced I am or how long I spend in this House if what we are doing is legitimate and useful. On the National Minimum Wage Bill Committee it was not legitimate or useful. It was wasting time. The right hon. Gentleman seems to think that time wasting is the only way in which we can oppose. It is not.

Mr. Forth: It is one way.

Barbara Follett: It is one way, but it is a fairly useless way. The best way is by persuasion.

Mr. John Hayes (South Holland and The Deepings): The point, surely, is that what is legitimate in the hon. Lady's terms should not be solely in the purview of the governing party. Legitimacy is not for the Government to dictate or define; that is for the House and individual Members. Surely she would acknowledge that.

Barbara Follett: Nor is that just for individual Members to define. Individual Members and the Opposition held members of the National Minimum Wage Bill Committee prisoner. *[Interruption.]* I am not complaining about it. I am saying that it was a waste of time and that we should not be in Parliament wasting our time and taxpayers' time.

Mrs. Dunwoody: Will my hon. Friend give way?

Barbara Follett: No, I should like to make some progress.

The purpose of programming is to enhance debate and scrutiny, so I am glad to support it. We need to revisit exactly how we impose programming on lengthier Bills. This report outlines that and gives a steer towards it. We have to stop harking back to the old days. They were not all that good, nor all that bad. I hope that I will not hark back to my time in the House in quite the same way as some have done today. I am 60 years old and a pensioner. I am not young or particularly keen on modernisation. I am too old for it. However, I am particularly keen on this House being effective and respected. A reason why we are losing respect is not, as some hon. Members say, because we are not working long hours. We all work impossibly long hours either here or in our constituencies. It is because we talk rubbish a lot of the time and we have to admit that.

Mr. David Wilshire (Spelthorne): The hon. Lady should know.

Barbara Follett: The hon. Gentleman knows more than I do about talking rubbish. I have heard him do so in the Planning and Compulsory Purchase Bill Committee. We must stop it if we are to be respected and taken seriously again.

Mr. Shepherd: My only observation, other than congratulating the hon. Lady on being 60, a year which I also celebrate—important as it is to the debate—is that the old days are just seven years ago. They are not some mythical past. I should be grateful if she, too, would explain why she supports these measures when they are clearly not working.

Barbara Follett: I believe that the measures are working—not well, but they are working. We have a duty to make them work better. What we are doing in Parliament is to prevent them from working at all. We resist programming and say that if we go back everything will be all right. We have to look at what we have. It is there because it is necessary to stop us talking rubbish.

We must also stop drawing a comparison between guillotining and programming. Guillotining is cutting off debate, whereas programming is getting together to decide where and when we debate. We need to make sure that we understand that programming is something that we do together. It is the responsibility in particular of Ministers and the usual channels to make sure that it works.

Mr. Cameron: In relation to the Criminal Justice Bill, where 106 clauses were not even debated, will the hon. Lady explain the difference between a programme that allows that and a guillotine that causes it?

Barbara Follett: The Committee had a chance to do something about that, but, as far as I know, it did not so. I was not on that Committee, but I know that there were a massive number of clauses.

We are not taking responsibility for what we are doing. The report tries to get us to do that. I have enormous respect for the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and I respect his minority report. I pledge to work with him to make programming work better. We must understand that guillotining is suppressing debate and programming is trying to work out together how to give the Opposition enough time to discuss contentious areas and not just filibuster contentious areas. I support the report.

3.26 pm

Mr. David Cameron (Witney): It is a pleasure to follow the hon. Member for Stevenage (Barbara Follett). She did not tell us whether her husband won the award in Berlin, but I am sure we are all keen Ken Follett readers and hope that he picked up a globe or whatever last night.

[Mr. David Cameron]

We have had an excellent, albeit short debate. Perhaps in contrast to some contributors I should stress my inexperience. Nevertheless, I can say that I made my maiden speech during a debate on programming. I expressed my scepticism then and I have had little reason to change my view since.

Several hon. Members talked about the Modernisation Committee report. Perhaps it is wrong for me to express a view, having joined the Committee so recently, but I have great sympathy with what my right hon. Friend the Member for North-West Hampshire (Sir George Young) said. I do not think that the Committee works properly. It is neither a Committee of the House, independent of the Government, nor something else. It is half way between. It is ably chaired by the Leader of the House, but it would be better if the Committee looked at the processes and procedures—*[Interruption.]* I would not call it the Modernisation Committee; it should be renamed. It would be better if parliamentary colleagues had a proper look at these issues without the Government being so involved, so I agree with my right hon. Friend that it does not work.

Summing up the debate for my party, I oppose the Sessional Orders for three good reasons. First, the routine programming of Bills is wrong. Hon. Members have expressed differing views. Some favour having an out-date for all Bills, but only that; some, such as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), whose minority report is very good, would go much further. It is interesting that we heard only one contribution from someone—the hon. Member for Stevenage—who believes that the system is working and that there should be routine programming of Bills.

My hon. Friend the Member for Aldridge-Brownhills made an extremely strong speech, and I want to quote the opening line of his minority report, which says it all:

"The working of the House is dependent on a degree of tolerance and forbearance by the majority towards Opposition and minority opinion."

The routine programming of Bills, which we now have, does not allow for that degree of tolerance and forbearance. My hon. Friend quoted some powerful figures. The report says that

"in the 57 years from 1946 to 1997 only 67 bills were guillotined",

but that in the past six years there have in effect been 94 guillotines.

Therefore, my first reason for opposing the Sessional Orders is that routine programming should not be necessary. The Government should look at the point made by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton), among others, and try to give some Bills just an out-date and not a detailed programme motion.

My second reason for opposing the Sessional Orders is that by any stretch of the imagination the current system is simply not working, as the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) and many others said. The figures in the memo at the back of the Public Bill Office report are staggering. There are 27 Bills in the current Session, and knives have come into play 53 times. Two hundred and sixty-four groups of amendments have not been reached because of knives. Last night I added up all the clauses and schedules not reached, and it comes to a staggering 519. Many of those are not discussed at all, not even on Report. The Deputy Leader of the House of Commons asked what the figures were previously, but he must listen to Members in his own party who, after careful consideration, are saying that the system really is not working.

In an intervention on the hon. Member for Stevenage I mentioned the Criminal Justice Bill, on whose Standing Committee I sat. There was no filibustering in that Committee. The hon. Member for Stafford (Mr. Kidney) also served on it and I am sure that he would back me up if he were here. On that Bill, 71 groups of amendments were not reached and 106 clauses and schedules were not discussed at all. Just to give one example, that Bill made the big change in criminal procedure of moving the charging of suspects from the police to the Crown Prosecution Service. It was not debated at all in Committee. It was not reached and therefore went under the knife. If our constituents knew how badly we were doing the vital work of scrutiny, they would rightly be even more concerned.

Barbara Follett: The hon. Gentleman said that I thought that the system was working well, although I may be misquoting him. I think that it needs a great deal of improvement, and he has just given an example of where that is needed. That is why I am glad that he is on the Modernisation Committee. Perhaps we can work on that.

Mr. Cameron: That brings us to some of the points that I have made during my brief time on the Committee. We need to look at those issues. We need some change.

The third reason why the Sessional Orders should not remain as they are is contained in the very powerful evidence that we heard from the Chairman of Ways and Means, which has been mentioned by my right hon. Friend the Member for North-West Hampshire and by the hon. Members for North Cornwall (Mr. Tyler) and for Stoke-on-Trent, Central. That is powerful evidence from someone who really understands how previous systems worked or did not work, and how the current system is not working. We should take that extremely seriously. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody), too, referred in a powerful speech to the contribution of the Chairman of Ways and Means and said that we were going down the wrong track. Why are the Government so scared of having further debate in this place? That is a third reason why the system needs radical surgery.

Any newcomer to this place cannot help but be struck by these simple facts: we pass too much legislation, we do it too quickly and we do not give it enough scrutiny. Many Members have expressed those views this afternoon. The situation is already bad and the evidence seems to suggest that it is getting worse. The Modernisation Committee minority report, drafted by my right hon. Friend the Member for North-West Hampshire, gave some figures for the pages of legislation passing through this place. In 1997–98 there were 1,900; by 1999–2000 that had risen to 2,537. I have figures from the Library, showing that the situation is getting worse still. One could argue that the

introduction of programming has made the Government's life simply too easy because it encourages sloppy legislation. The number of Bills has not risen markedly—there were 39 in 1997–98 and 40 in 2001–02—but programming encourages sloppy legislation because the Government know that they can programme legislation and ram it through the House.

In the remainder of my time I shall point out what I think is wrong with the system and say where we need to make progress. The hon. Member for North Cornwall took a similar approach. Here comes the shopping list. First, it should not be necessary to programme all Bills. There should be flexibility. Why not have an out-date where possible and, if the Government believe it to be necessary, programming where needed? They should consider that, rather than just having routine programming to drive everything through.

Secondly, as a number of hon. Members have said—for instance, the hon. Members for Stevenage and for Stoke-on-Trent, Central—programme motions are dealt with at virtually the same time as Second Reading. There should be time for a Committee to consider points made on Second Reading, and to decide whether to oppose the Bill and which matters need to be discussed in most detail. No account is taken of the number of amendments that may be tabled, not just by the Opposition but by the Government.

Thirdly, nowadays most programme motions are not debated. Surely they should be debated, especially when they relate to big Bills. My hon. Friend the Member for Aldridge-Brownhills gave a good example: will the programme motion on the legislation relating to the European constitution be taken straight through the House, with no proper discussion of how much time should be spent debating that legislation? I would prefer us not to have these wretched programme motions at all, but in that instance it would certainly be wrong for us not to be able to discuss the amount of time to be spent on debate.

Fourthly, the use of knives in Committee is far too inflexible. I know that the Programming Sub-Committee can change the arrangement, but that happens far too rarely. In the case of the Criminal Justice Bill, important measures fell under the knife. The Modernisation Committee report gives a brilliant example relating to the Planning and Compulsory Purchase Bill. All credit should be given to the Leader of the House for allowing us to include it, for it is pretty shocking. The report says:

"The effects of the short timetable were exacerbated to some degree by lengthy speeches . . . In the end, 58 groups of amendments and 73 clauses and schedules were lost to the knife. Clauses which were taken forthwith under the knife included all but four of the 11 clauses in Part 1".

The Leader of the House said that it was good for lobby groups to know when certain parts of a Bill would be debated, but it is just as true that it is dreadful for the lobby groups when the part of a Bill that they care about falls under the knife and is not discussed.

Several hon. Members have mentioned the provision for debating amendments tabled at a late stage. That is mentioned in the report. Will the Leader of the House give us some guarantees regarding the allowing of more time for debate? The hon. Member for Stoke-on-Trent, Central used a good phrase: he said that there should be transparent public and published discussions on that.

The hon. Members for Stafford and for North Cornwall and I would all like a proper Report stage. Members who do not serve on a Standing Committee may be interested in the Bill none the less, and may want to know what has happened to it. They may have spoken and listened to speeches on Second Reading; once the Bill has disappeared into a Standing Committee, they may find it difficult to follow the Committee stage in detail, given all the work we must do here. What is needed is a proper report, perhaps from the Chairman of the Committee, listing amendments that were not debated, clauses that were not reached, schedules that were not discussed and Government amendments that were introduced, and specifying the amount of time spent debating those amendments. That would give hon. Members a sense of the shape of the Bill, how it had changed in Committee, and what work Parliament should still be doing to ensure that we do our job properly.

Third Reading has not been discussed today, but I want to place it on the record that Report stages much too often last only one day, with Third Reading following immediately. Members with an interest in the Bill who were not involved in the Committee stage might want to consider what happened on Report before deciding what to say on Third Reading. Third Readings are becoming a dignified rather than an efficient part of the constitution, which I think is wrong.

Another issue not mentioned today was the subject of a powerful point made to the Modernisation Committee by the Chairman of Ways and Means. I refer to Back-Bench amendments. The hon. Member for Crosby (Mrs. Curtis-Thomas), who has done a huge amount of work on the subject of historical allegations of abuse in children's homes, came up with some serious amendments to the Criminal Justice Bill. A lot of thought had gone into them, but because of the way in which the knives operated on Report, they fell. Obviously, there is little transparency in what is selected and what is not.

The Chairman of Ways and Means makes an excellent suggestion, which is to set up some form of legislative business Committee, to which Back-Bench Members could appeal and explain why their amendments should be selected and debated. I hope that that idea will be considered. Back-Bench amendments are all too often lost, particularly under our present harsh programming regime.

There are some good suggestions in the Modernisation Committee report. Programming Sub-Committees should meet as a matter of routine if the Government table a lot of amendments; I hope that that will happen. I also hope that the Deputy Leader of the House will give us a guarantee about the paragraph that says that more time should be guaranteed between the introduction of a Bill and its Second Reading, and also between the choosing of a Standing Committee and the start of its work.

Like my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), I remain of the view that a great deal more needs to be done. The test should not be whether we are getting home early, or whether the passage of legislation is predictable; it should be whether we are doing our job properly—and as the hon. Member for Crewe and Nantwich and others have said so clearly, we are not doing it right at the moment.

[Mr. Cameron]

We have three things to do in the House. The first is to stand up for our constituents and the second is to hold the Government to account. Those two we do quite well. The third, however, is the business of passing legislation, and in my experience over the past two years, that is something we do very badly. I do not believe that the Sessional Orders will address that problem at all, so I urge my right hon. and hon. Friends to vote them down when we get the chance, and start with a clean sheet of paper.

3.41 pm

The Deputy Leader of the House of Commons (Mr. Phil Woolas): The whole House will agree that this has been an interesting and useful debate, and I thank right hon. and hon. Members, led by the right hon. Member for Bromley and Chislehurst (Mr. Forth), for their contributions. Let me repeat the remarks of the Leader of the House and say that it would be a great shame if this were to be the right hon. Gentleman's last speech as shadow Leader of the House. He is an asset to the House, even if on some occasions—indeed, on many occasions—he is somewhat on his own.

I notice that the right hon. Gentleman has not been reaching for his bleeper this afternoon; indeed, I am not even sure whether he has taken to wearing such a modern device—but if he has one, clearly it has not gone off. I congratulate him. He might wish to point out to the House that his deputy, who also made a good and well-informed speech today, was special adviser to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), so I am sure that he will be watching his progress very closely.

My right hon. Friend the Leader of the House has a duty to the House and to the process of scrutinising the Executive's proposals, but he also, rightly, has a duty to the Government and to their right to achieve their legislative programme. After all, that is what the Government were elected to carry out. I think that most Members believe that the balance between those two pressures is about right. As many people have said in the debate, it could improve, but—contrary to what the shadow Leader of the House said—it is legitimate for the Government to expect that their legislative programme will be reasonably scrutinised and, at the end of the day, they should have the opportunity—

Mr. Tyler: Will the Minister give way?

Mr. Woolas: Let me develop my point before hon. Members start to intervene.

Programming did not originate with this Government; it originated from Committees of the House, particularly in 1985 and 1992, with Conservative majorities. Programming was not, as the Opposition have attempted to suggest today, motivated by the needs of a heavy-handed Government making irresponsible use of a large majority. It was originally motivated by a desire among Back Benchers on both sides of the House—and, indeed, among Front Benchers—for sensible timetabling of Bills.

Mr. Shepherd: The hon. Gentleman is right to refer to the Procedure Committee's 1985 recommendation. The then Conservative Leader of the House, John Biffen, said that the recommendation favoured Governments, and on a free vote, a Conservative majority joined a Labour minority and voted it down.

Mr. Woolas: The hon. Gentleman makes a valid point, but my point is that the motivation for programming has not come about through the desire of the Executive. He is more experienced in, and aware of, the route map of programming, but I should point out that programming evolved; it was not invented by the new Government in 1997. I wanted to make that point because it is an extremely important one.

Sensible timetabling of discussions—I emphasise the word "sensible"—especially when they are controversial, is a good thing for all concerned. It allows Front Benchers on both sides of the House to plan their speeches and interventions, and to plan with outside bodies, as is legitimate. It allows Back Benchers, who have many competing demands on their time, to know in advance with some accuracy when the issues of concern to them and their constituents will be debated. In my opinion, it is wrong to say that timetabling has had a detrimental effect on scrutiny, and the facts back that up. The House should look to the quality, as well as to the quantity, of scrutiny. On both counts, sensible timetabling has improved matters.

I concede—as the report concedes and my right hon. Friend conceded in his opening remarks—that in certain cases, programming has proved detrimental, and it is the business of this report and of this debate to try to improve it. It works well only if there is co-operation. That is part of its purpose: it gives Standing Committees and the usual channels the responsibility to work together to timetable debates in a sensible way.

In answer to a point raised by the hon. Member for Witney (Mr. Cameron), it is not programming that makes bad legislation; it is irresponsible filibustering that takes away from Members not involved in that filibuster the opportunity to debate the clauses and schedules that they consider important. If a commitment to co-operation were made—there have been many examples of co-operation in the current Session—programming would work for all of us.

Indeed, in researching for this debate, I found dozens of examples of Opposition Front-Bench spokesmen congratulating the Government usual channels on the well-ordered manner of the debates. I was going to read all of them out, but some of the Members in question are present and I do not want to embarrass them today. However, I shall offer some examples. In the Standing Committee that considered the Licensing Bill, the following was said:

"We have no criticism of the end date and we are happy to work with it".—[*Official Report, Standing Committee D*, 1 April 2003; c. 4.]

It was said of the programme motion for the Criminal Justice Bill that

"it would be utterly churlish not to thank the hon. Member for Nottingham, East (Mr. Heppell). When he was Government Whip in charge of the Bill in Committee, he showed enormous flexibility."—[*Official Report*, 2 April 2003; Vol. 402, c. 926.]

In the Standing Committee on the Extradition Bill, the Opposition spokesman said that

"there was no contention at the short Programming Sub-Committee . . . The matter was left to be reconsidered at a future meeting".—[*Official Report, Standing Committee D*, 7 January 2003; c. 4.]

There are many examples of programming benefiting the sensible work of the Committee.

Today's debate has been divided between those with an outright opposition, in principle, to the idea of programming, and those on the other side—I admit that they come from a wide spectrum—who accept the principle of programming but want to improve its operation. The Leader of the House and I include ourselves in the latter category: we are committed to making this work. In that context, it is wrong to portray programming as a measure adopted by a heavy-handed Government; it is a genuine attempt to provide sensible, modern timetabling of debates.

I want to consider the alternatives to programming that were described by my hon. Friend the Member for Stevenage (Barbara Follett). The idea that there was a golden age is simply wrong.

Andrew Mackinlay (Thurrock): I do not want to go too deeply into this issue, but I want to consider those rare occasions when a Bill is considered in Committee on the Floor of the House. Two Bills relating to Northern Ireland were so considered in this Session. Both provided for a great deal of subordinate legislation, so they were not simple Bills. On the first occasion, there was no Committee stage. By the time we had dealt with the programme motion and had Second Reading, the whole thing went through like a tablet of stone. I make this plea: can we avoid that in future, because it is an abuse of Parliament?

Secondly, what are the modalities of deciding what time should be made available in those circumstances, bearing in mind that minority parties as well as the official Opposition and some anoraks like myself are interested in these matters? How are we to deal with the occasions when there is a need for expedition, but not abuse?

Mr. Woolas: I thank my hon. Friend for his intervention. He provided some good examples of where sensible flexibility is required. In the first instance, programming was, I concede, undesirable. It is also the case that the House is learning how to use programming in a constructive way. As my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said, like all parliamentary procedures, it is a matter of evolution. However, if Opposition Members set their faces against it and deny it the opportunity to work, scrutiny—together with the reputation of the House—will suffer.

Mr. Tyler *rose—*

Mr. Woolas: I shall give way just one more time, but then I must finish my speech.

Mr. Tyler: As a former member of the Whips Office—I, too, have been a Whip—I would like to ask how the Minister reacts to an extremely important recommendation from the Chairman of Ways and Means, which is recorded in the report. He said that

"detailed programming should not be left in the hands of the usual channels".

What is the Minister's response?

Mr. Woolas: My first response is to say what existed before programming. We have heard examples from pre-1992 Sessions and I understand that I was criticised earlier by the hon. Member for Aldridge-Brownhills (Mr. Shepherd)—I was not present, but I bow to the hon. Gentleman's greater knowledge. What happened in the earlier period was that the usual channels ipso facto agreed the programming and timetabling of Bills. Secondly, if knives are imposed by a majority on a Committee that is unwilling and there is no consensus for that action, the likely outcome—experience on the planning Bill bears this out—is that it will not work well. It will not result in better scrutiny. However, I agree with the hon. Member for North Cornwall (Mr. Tyler), who agrees in principle with timetabling, that if we are committed to making it work and we learn from our experience—the Hunting Bill is one of many examples—we can move forward together. I must now make progress with my speech.

The Modernisation Committee report is helpful in setting out how we can improve programming for our benefit in the House. It is very strong in its support for the principle, but I believe that the core recommendation is in paragraph 10 on page 5, which points out that the principle is fine, but improvements need to be made. That is the basis on which we bring the motion before the House today.

I invite the House, especially hon. Members opposed to today's motion, to consider the consequences of not having programming. We had some examples of that earlier today. As the report says, there was never a "golden age" of full scrutiny of all clauses of all Bills. On the contrary, there was deep and widespread dissatisfaction with the haphazard nature of scrutiny. That frustration was the motivation that led to the introduction of programming.

In any event, the programming and timetabling of Bills is only one part of the jigsaw of modernisation. I know that the word "modernisation" sends the right hon. Member for Bromley and Chislehurst into apoplexy—*[Interruption.]*—so let me use a different turn of phrase. Making House of Commons procedures relevant to the British public is, I believe, the same as modernisation. Opposition Members are kidding themselves if they believe that the antiquated methods of discussion—through-the-night debates, speeches that nobody listened to—will make the average voter in our constituencies respect this place more. People do not come up to me on the streets of Oldham and say, "Phil, that was a great intervention at 2.30 in the morning on the National Minimum Wage Bill". They are more likely to say, "What on earth are you lot doing down there, behaving like that?". Programming and modernisation represent a serious attempt to reconnect Parliament with the people whom we represent, and the programming motion should be seen in that context.

[Mr. Woolas]

The Government have improved scrutiny. In this Session, nine Bills have received pre-legislative scrutiny. Does the right hon. Member for Bromley and Chislehurst commit himself to adopting pre-legislative scrutiny, in the unhappy event that his party were to take power, or would he prefer, as I suspect is the case, to do away with pre-legislative scrutiny because he thinks it is a modern innovation that has no place in our procedures? It would be interesting to hear his reply in future debates.

The Government introduced Westminster Hall, allowing Back Benchers more opportunities for Adjournment debates. From my experience of trying to make programming work in my previous designation in the Whips Office, I can tell Opposition Members that if they think the usual channels are happy with all the new procedures, they misunderstand the position. Those procedures create a greater workload for Ministers. The number of times that Government or Opposition Back Benchers have forced Ministers to come to the House has increased dramatically since the introduction of Westminster Hall. It is a shame that hon. Members do not take it as seriously as they should.

What frustrates the House on all sides is not the sensible timetabling of Bills, but the attitude of those on the Opposition Front Bench who agree, often in private, with a sensible timetable for debate, and who often agree with the measure before the House or the Committee, and then detain the House late at night with pointless votes against programming out of some misguided sense of opposition. If they oppose the measure, that is what they should vote against. They should not delay the House by debating how it should be debated. It is such Opposition antics, not the sensible timetabling of Bills, that bring the House into disrepute.

The shadow Leader of the House gave the game away in his infamous "back of the taxi" memo. He may be coming to the end of his time as shadow Leader of the House, although I genuinely hope not. Let me remind the House what he said at the beginning of his time as shadow Leader of the House, when he wrote the infamous memo to his Chief Whip:

"We should be more discriminating in targeting Bills . . . to ensure that the controversial Bills cannot be completed".

If one sets out with the objective of opposing a Bill come what may, of course one will oppose in principle the sensible timetabling of Bills, but is it not better to adopt the philosophy of my hon. Friend the Member for Stevenage, who has pointed out in the House and elsewhere that strong and sensible argument is the strongest weapon of opposition, not filibustering and delay, which in my opinion bring us all into disrepute?

The hon. Member for Tunbridge Wells (Mr. Norman), who unfortunately could not be present for the debate, has asked:

"Are we just going to get consumed with a rather claustrophobic atmosphere—the in-bred atmosphere of Westminster—and to believe that we are achieving things just by staying up late at night making speeches that nobody ever listens to?"

That is the alternative to timetabling. *[Interruption.]* I hear it rather unkindly suggested that the hon. Member for Tunbridge Wells may know about that, but his point is nevertheless valid.

Do we want to go back to legislating without timetabling, when the House was brought into disrepute by schoolboy antics? I respect, as does my right hon. Friend the Leader of the House, the fact that the Opposition have a duty to oppose. That is the nature of our parliamentary democracy, but it is facile to waste the time of hon. Members. How many hours have been spent not on opposing or scrutinising Government proposals, but on arguing about when hon. Members are to argue about when they are to argue about them? We saw that yesterday, in a wholly false debate about the Water Bill, when we could have spent the time discussing other important matters. Hon. Gentlemen criticise my right hon. Friend for not allocating sufficient time, but it is now two hours before the moment of interruption, and where are the hon. Members who oppose the heavy-handed Government with their large majority? I suggest that some are Upstairs celebrating, and some are Downstairs commiserating. Those are not good opposition tactics; they serve to discredit the House.

My right hon. Friend the Leader of the House said that he wishes to consider measures to help to make programming work and the hon. Member for Witney made some sensible suggestions. He made a valid point about late amendments. Sensible timetabling is contradicted by the introduction of many late amendments, whether by the Government or the Opposition. The report makes that point and says that the situation should be improved, but many of the Bills that we debate do not have knives, even under the programming regime. Although the hon. Gentleman made some sensible points, I reject the central thrust of his argument, which was opposition in principle to the idea of programming.

My hon. Friend the Member for Stevenage made some strong points, but she also said that she was critical of the current operation of timetabling and wanted to improve it. Many other hon. Members agreed. However, I agree with my hon. Friend's central point. I, too, was on the Committee that considered the national minimum wage. It sat for 36 hours, not to improve scrutiny but for filibuster after filibuster.

My hon. Friend the Member for Crewe and Nantwich made her opposition clear and I respect that, given her vast experience of debates in the House. However, I disagree with her strongly on one point. She said that parliamentary procedures evolved out of a concern that they were relevant to the people. I do not believe that that was the case. Parliamentary procedures evolved from the practices of the gentlemen's clubs of the Mall and the courtrooms and restaurants of west London. The reason we started at 2.30 in the afternoon was not to make us relevant to the textile workers of Oldham or the railway workers of Crewe; it was to fit in with a timetable that is wholly alien to a modern democracy. While I respect my hon. Friend's views, I reject that argument.

My hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) agreed in principle with the report—I thank him for that—but pointed out several dangers and problems that might arise. He reminded the House, wisely and with great pertinence, especially for newer Members such as myself, of the dangers of not having programming. I respect him for that argument.

The right hon. Member for North-West Hampshire (Sir George Young) pointed to some improvements that could be made. I disagree with his point about the House of Lords. I shall not delay the House further with long lists of how—[HON. MEMBERS: "Hear, hear."] Well, perhaps I will then. The facts from this Session show that, on average, the House of Commons spends longer on Second Reading than the House of Lords. On average, the House of Commons spends longer in Committee than the House of Lords. On average, time spent on Report is broadly comparable between the two Houses. I concede that it is slightly longer in the House of Lords, but that is because of the way in which the House of Lords takes amendments on Report. On average, the House of Commons spends more time considering Lords' amendments than the House of Lords spends covering Commons' amendments. Line-by-line scrutiny does not exist and never has existed. It is a myth that programming in this House is forcing the other place into spending more time on scrutiny. We know what is happening: it is political opposition. I respect it for that, but let us be honest about it.

The right hon. Member for North-West Hampshire, with the great experience that he brings to this matter, said that he has nothing in principle against the motions. I share his view that all those who favour programming want to see it improved.

The hon. Member for Aldridge-Brownhills, in a strong and passionate speech, said that he did not accept the principle of programming. We must respect him for that, but I hope that I can reassure him by saying that programming is not a heavy-handed, irresponsible use of our majority, but an attempt to improve matters for Back Benchers and Front Benchers on both sides of the House, and—most importantly—to make the House of Commons relevant to, and understood by, the people of this country.

Question put:—

The House divided: Ayes 232, Noes 87.

Division No. 352] **[4:04 pm**

AYES

Ainsworth, Bob *(Cov'try NE)*
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Bell, Stuart
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Byers, rh Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cox, Tom *(Tooting)*
Cranston, Ross
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hinchliffe, David
Hoon, rh Geoffrey
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McGrady, Eddie
McIsaac, Shona
McKechin, Ann
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
O'Neill, Martin
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn

Purchase, Ken
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Starkey, Dr. Phyllis
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dr. Desmond *(Brighton Kemptown)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Nick Ainger and Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Collins, Tim
Cormack, Sir Patrick
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Fabricant, Michael
Field, Mark *(Cities of London & Westminster)*
Forth, rh Eric
Francois, Mark
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hawkins, Nick
Hayes, John *(S Holland)*
Heathcoat-Amory, rh David
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jenkin, Bernard
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shepherd, Richard
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, rh Sir John
Steen, Anthony
Syms, Robert
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Wilshire, David
Young, rh Sir George

Tellers for the Noes:
Mr. George Osborne and Mr. Mark Hoban

Question accordingly agreed to.

Resolved,

That Orders A to I relating to the Programming of Bills, made by the House on 28th June 2001, and programme orders of the current session of Parliament relating to bills which are carried over to the next session, shall continue to have effect in the next session of Parliament.

Motion made, and Question put,

That the Order relating to Deferred Divisions, made by the House on 28th June 2001, shall continue to have effect in the next session Parliament.—*[Jim Fitzpatrick.]*

The House divided: Ayes 242, Noes 80.

Division No. 353] **[4.16 pm**

AYES

Ainsworth, Bob *(Cov'try NE)*
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Beard, Nigel
Beckett, rh Margaret
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Byers, rh Stephen
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cotter, Brian
Cox, Tom *(Tooting)*
Cranston, Ross
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Heath, David
Henderson, Doug *(Newcastle N)*

Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Hinchliffe, David
Hoon, rh Geoffrey
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lammy, David
Laxton, Bob *(Derby N)*
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McGrady, Eddie
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Miller, Andrew
Moffatt, Laura
Mole, Chris
Moran, Margaret
Morgan, Julie
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
O'Neill, Martin
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Starkey, Dr. Phyllis
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dr. Desmond *(Brighton Kemptown)*
Tyler, Paul *(N Cornwall)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Nick Ainger and
Gillian Merron

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Barker, Gregory
Baron, John *(Billericay)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Collins, Tim
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Fabricant, Michael
Field, Mark *(Cities of London & Westminster)*
Forth, rh Eric
Fox, Dr. Liam
Francois, Mark
Garnier, Edward
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Hawkins, Nick
Hayes, John *(S Holland)*
Heathcoat-Amory, rh David
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Jenkin, Bernard
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr. Julian *(New Forest E)*
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Maples, John
Mawhinney, rh Sir Brian
Murrison, Dr. Andrew
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Russell, Bob *(Colchester)*
Selous, Andrew
Shepherd, Richard
Spicer, Sir Michael
Stanley, rh Sir John
Steen, Anthony
Syms, Robert
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Wilshire, David
Young, rh Sir George

Tellers for the Noes:
Mr. George Osborne and
Mr. Mark Hoban

Question accordingly agreed to.

Resolved,

That the Order relating to Deferred Divisions, made by the House on 28th June 2001, shall continue to have effect in the next session Parliament.

DELEGATED LEGISLATION

Immigration (Leave to Remain)

Ordered,

That the Immigration (Leave to Remain) (Fees) Regulations 2003, (S.I., 2003, No. 1711) be referred to a Standing Committee on Delegated Legislation.—*[Jim Fitzpatrick.]*

Bombardier Rail Manufacturing

Motion made, and Question proposed, That this House do now adjourn.—*[Jim Fitzpatrick.]*

4.28 pm

Mr. Bob Laxton (Derby, North): I am grateful for the opportunity to bring before the House a matter of vital importance to my constituents and to others in adjoining constituencies in Derbyshire.

Derby has been at the centre of train manufacturing for 163 years. It is a long and proud tradition. Its economic growth has been due in part to its location in the middle of England and to the strategic importance that that gave it in a country that was building trains as it raced into the age of industrialisation.

According to Brian Radford, a local historian and writer in Derby, from 1839 to the 1960s, most trains had to go through Derby to go from the south to the north-east or Scotland. That served only to convince me as I grew up in Derby that Derby truly was the centre of the universe.

Since the 1960s, when the manufacture of locomotives moved to Crewe, and later, when privatisation saw the growth of intense international competition, Derby has seen a slow decline in its railway fortunes. Following the closure of Alstom's site in Washwood Heath in Birmingham, Bombardier in Derby is now the only train manufacturing company left in the UK.

In July, the Strategic Rail Authority gave the TransPennine franchise to FGK, a consortium consisting of First Group, a British company, and Kelios, a French company. For eight years from 2004, FGK will run trains from Hull, Leeds, Durham and Sheffield to Manchester, Liverpool and Lancaster. Siemens and Bombardier came forward when FGK announced that it was accepting bids to supply the new franchise with 56 new diesel-electric trains. Siemens won the bid, which was a severe blow to Bombardier and train manufacturing in the UK. The bid was worth £200 million—more if a maintenance and logistical contract is included for the full 30-year life of the trains. Although Bombardier won an order worth £3.4 billion from London Underground in April, it will not start working on that 15-year contract until 2008, leaving a gap of about three years in its order book, from the end of 2004 to 2008.

To put that in perspective, when Alstom closed its Birmingham site in the summer, it had an order-book gap of six months. What chance does Bombardier stand with an order-book gap of 36 months? It has already said that it intends to review its European operations, and a gap in its order book could put Derby at the top of the list of sites for closure. It employs 1,800 people at its Litchurch lane plant in Derby. Moreover, it sources 80 per cent. of its manpower and materials in the UK, payment for which amounts to £450 million. A sum of £30 million is spent on its wage bill, while £50 million goes to suppliers within a 30-mile radius of Derby. Ten thousand people in the supply chain could be affected by closure of the site.

By contrast, the winning Siemens bid will result in the shell for British trains being created in the Czech Republic and the fittings being manufactured in Germany. My right hon. Friend the Minister for Industry and the Regions has not yet visited Bombardier, but if she speaks to our hon. Friend the Minister of State, Department for Transport, who visited Derby in September, she would learn about the depth of feeling, both in Derby and well beyond, about a possible closure. I thank my local newspaper, the *Derby Evening Telegraph*, for the excellent and energetic campaign that it ran over the summer against the possible job losses at Bombardier.

That campaign was supported by more than 3,000 individuals, including people across the UK, in Argyll, Cumbria, Newcastle, and all over the world, in Australia, Vancouver in Canada, Michigan in the USA and, closer to home, Brittany in France. This is not just another loss of manufacturing jobs and Bombardier is not just another company manufacturing an obsolete product in an obsolete fashion. It is a high-quality company with highly skilled workers who are manufacturing something that I am certain the Government do not view as an obsolete mode of transport.

Laura Moffatt (Crawley): I am grateful for an opportunity to contribute to this important debate. My hon. Friend knows that I went to Derby as a member of the Industry and Parliament Trust, and that we visited the Bombardier operation with the Go-Ahead Group to look at the way in which trains are manufactured. I was shocked at the excellence and cleanliness of Bombardier's fantastic operation and the way in which it attracted women into a heavy-engineering business. The loss of such an operation will be felt not just in his constituency but much further afield.

Mr. Laxton: I thank my hon. Friend for her intervention. No one could fail to be impressed by Bombardier's operation in the city of Derby. I well remember visiting the old loco and carriage-side works as a young person, and left feeling that I needed a scrub down, given all the oil, swarf and so on. Bombardier is a high-tech company—one feels that one could almost eat one's food off the floor. Manufacturing processes have been completely revolutionised over the years.

I have already mentioned that UK suppliers would be badly hit if Bombardier ceased manufacturing at the Litchurch lane site in Derby. A number of those suppliers are based in Derby. AVE Rail is based at the Bombardier site itself, and rents its building from the company, which seems logical as it sends 50 per cent. of its production to the Bombardier factory next door. AVE employs 160 people, and its work with Bombardier brings in £8 million a year.

Time 24 is a company that won the Derbyshire business of the year award in 2000. It manufactures the heating, lighting and air conditioning parts of Bombardier's trains. It employs just under 200 people, and 75 per cent. of its output goes to Bombardier. The impact of Bombardier's closure would ruin small and medium-sized companies, such as AVE Rail and Time 24, around the UK.

The Government have sought to tackle the chronic lack of investment in the railways dating back to the 1970s. The haphazard manner in which the railways were privatised did not help. However, many

engineering companies that traditionally worked hand in hand with British Rail, and later with the privatised franchises, have survived well.

After the devastating decision by FGK to grant the order to Siemens, I received a letter from a Mr. A. J. Hough, the managing director of Engments, a Derby-based engineering company. He said that his company had "toughed out" the period after privatisation, when

"virtually no orders were placed, secure in the knowledge that the industry was in the position where new trains were desperately needed, and that new orders would be placed once the industry settled down after privatisation and establishment of the new Rail Franchises".

He went on to say that although

"the period of inactivity was extremely painful, we felt reasonably assured of a long term future".

The loss of up to 1,800 jobs at Bombardier is bad enough, but we could also be talking about up to 12,000 additional jobs in the supply chain if we consider the domino effect of the additional closure at Bombardier.

What is even more scandalous is that FGK has won the TransPennine franchise for only seven years. Beyond that, there is no guarantee that it will run the service. However, the Government, using British taxpayers' money, will have to underwrite—that is, guarantee—the purchase of rolling stock. A Department for Transport spokesperson, commenting on the decision by FGK to grant the contract to Siemens, said that the decision was "wholly" that of FGK. Indeed, my hon. Friend the Minister of State, Department for Transport, said in a letter that it is not the Strategic Rail Authority's business

"to influence bidders over the choice of suppliers or sub-contractors".

That position has also been taken publicly by the head of the SRA, Richard Bowker.

If the long-term risk of the venture lies with the Government, should not they have a say in the decision on the bid? Why should the British taxpayer subsidise jobs at a Siemens plant in Germany, for example? That has already begun to happen. Soon after receiving a contract for work with London Underground, Alstom pulled out of the UK. If Bombardier closes its Derby site, all future orders for UK trains and underground trains will be manufactured by companies outside the UK.

Following the Bible of free-market economics and the law of comparative advantage only goes so far in improving the living standards of the British people. What is the true financial cost of Bombardier leaving? It is more than the value of the contract that we are losing and the consequent effects on the balance of payments. How many people will have to depend on benefits after leaving Bombardier? We all know from the Thatcher years that the social cost of unemployment is devastating, and we are still dealing with the effects of long-term unemployment 24 years after Mrs. Thatcher was elected. We need to take a hard look at how we go about allocating our railway franchises, and, subsequently, at how the companies that receive those franchises operate.

Mr. Mark Todd (South Derbyshire): Has my hon. Friend looked at how rail operators on the continent choose to manage their procurements? He may have seen examples of much tighter regulation that ensures that much of the work in replacement vehicles goes to local manufacturers.

Mr. Laxton: I thank my hon. Friend. I shall come to that issue, which has been a particular interest of mine, later in my speech. For sure, some of the comments are anecdotal, but they give a good flavour of the differences between our procurement procedures and those of some other European countries.

It is fair to say that we play by the rules that the European Union has set, but do all countries do the same? Let me give an example. The *Derby Evening Telegraph* sent one of its reporters out to Crespin in France, where Bombardier has a site. A Monsieur Louadoudi, who worked on the site, expressed horror that the UK Government could let trains that were to be used in England be built in another country and expressed fears that something similar to what happened to Bombardier could happen in Crespin. That seems unlikely, however, because France, Germany, Italy and Austria all stipulate that at least 60 per cent. of their trains must be made within their national borders. That explains why Bombardier has sites not only in France, but in Germany, Austria, Switzerland and Sweden. None of the Governments of those countries would consider buying their trains from a company that intended to use foreign suppliers.

My local newspaper, the *Derby Evening Telegraph*, quoted me as saying that the UK plays cricket while our competitors play karate. Admittedly, that was an unfortunate slur on a Japanese art form that has rules as stringent, if not as strange, as those of cricket. What I am saying, though, is that other European Governments do not hesitate to muscle in if they see the need to protect their core infrastructure and industries. I am not advocating that the Government subsidise Bombardier—Bombardier has made it clear that it does not expect a subsidy—and I am certainly not advocating that the Government do as the French have, and buy a share in a company such as Alstom simply to sustain financially its manufacturing in France. I am advocating that the Government take a more active approach in ensuring that the UK maintains an industrial base.

Train operating companies in the UK do not have to think twice if the train that they have commissioned to be used by a UK passenger is manufactured in Derby or in, say, Bruges. Someone who works in the railway industry told me that when train companies made bids in countries such as France and Germany, the Governments of those countries repeatedly stressed to them that they should use local suppliers. I hope that the Government will seriously consider doing the same.

Train manufacturing is not simply a part of Derby's past—it is part of the UK's future. There is little point in investing additional money into raising the standards of vocational engineering courses and encouraging more students to take up this shortage occupation at degree level if we insist on exporting their jobs to other European countries.

It is well recognised that labour laws in the UK are more flexible than those of our continental European cousins. If the Government do not seek to tie the hands of international companies with inflexible labour laws, we should, for the sake of future generations, tie their

[Mr. Laxton]

hands in a different way. An international company that is granted a franchise should be made to carry out at least 50 per cent. or, better, 60 per cent. of its production within the UK. In its time, FGK has given two contracts to UK-based firms and two to overseas firms. As a Bombardier spokesperson said,

"It is now obvious that firms do not have to be based in the UK to win UK orders".

From Bombardier's point of view, there are a number of actions that it could take to save the Derby plant. It could delay the order placed by Govia, part of the south-east franchise, to reduce the gap in its order book—but it would be penalised contractually for doing so, and that would hit it hard financially. It could seek to bring forward its order to start the production of new London Underground trains that is due to start in 2008, but that would mean that completed trains would sit around idle without Bombardier receiving payment for them. Again, that would financially penalise the company; and the question would arise of what work Bombardier would have from 2008 to replace the London Underground slot.

Bombardier could look to its European network to transfer any excess work from a European site to Derby. That was done in the past at its Wakefield site, which had such a tight deadline for meeting an order from Virgin Cross Country that work was moved to Bombardier in Belgium and France. Colin Walton, Bombardier's vice-president of sales, mentioned that possibility. However, in view of a more recent briefing by the company, I understand that it is a remote possibility as there are other Bombardier sites in Europe with gaps in their order books.

Mr. Patrick McLoughlin (West Derbyshire): I congratulate the hon. Gentleman on raising this issue which, as he rightly said, is causing great concern in his constituency and throughout the southern part of the county. Does he agree that as the days go by, uncertainty about when decisions will be taken is causing increasing concern? Members on both sides would like to ask the Minister to say to the company that it should let people know what is going on. The hon. Gentleman made several points that would answer some of the problems that are perceived as a serious threat. I agree with him that we must put pressure on the company to come to a conclusion and show those who have worked loyally for it that there is a bright future.

Mr. Laxton: I thank the hon. Member for West Derbyshire (Mr. McLoughlin). I understand that it is soon to become Derbyshire Dales, and not before time. I agree with him entirely. The situation is not being helped by the fact that the chief operating officer of Bombardier is constantly being quoted about overcapacity in Europe and is actively looking at the closure of sites in Germany and the United Kingdom. All that adds to uncertainty about what will happen, whether the gap will be plugged and whether the work force will have jobs. To be absolutely fair to the work force, from talking to trade unions it seems that they perhaps take the view, "We have been here before and survived." They seem reasonably buoyant, but as time goes by they are bound to get stressed out from all the doubt and indecision.

Can the Minister give us an indication of what help the Government can give Bombardier? Will they help it look for work from Scotland, Ireland and other parts of the world? Bombardier is a world-class company with a world-class work force in Derby. I hope that the Government recognise that and will offer some help, perhaps in the form of export guarantees to assist Bombardier win work from abroad or bringing forward orders to replace the high-speed 125 train.

As the hon. Gentleman said, uncertainty is the real difficulty. It is problematic for the work force. Close to 14,000 jobs are at stake. After 163 years of train manufacturing in Derby, is it going to disappear and will there no longer be a train manufacturing or assembly site anywhere in the United Kingdom? Will all future orders for British Rail and the underground network have to be sourced and built outside the United Kingdom? Surely not.

4.48 pm

The Minister for Industry and the Regions (Jacqui Smith): I congratulate my hon. Friend the Member for Derby, North (Mr. Laxton) on securing this debate, doing a good job representing Bombardier and its work force in this House and working hard to convince us that Derby is the centre of the world. As I am outnumbered in the Chamber, I will concentrate on Bombardier as opposed to the first part of his speech.

I am aware of reports in the media suggesting that Bombardier is looking at closures in Germany and the United Kingdom. I can assure the House that my officials are in regular contact with Bombardier's senior management team in the United Kingdom. Recently, I met my hon. Friend the Minister of State, Department for Transport, who has visited Bombardier. I have not yet had the opportunity to visit it, but I have been fortunate to visit manufacturing companies in Derby, which I consider to be important. In discussions with my hon. Friend, I was able to discuss the situation at Bombardier and wider issues concerning rolling stock procurement—issues that we both take extremely seriously.

The most recent announcement from Bombardier was made on 7 October, and while I fully understand local concerns about the future of the Derby plant—the hon. Member for West Derbyshire (Mr. McLoughlin) made a very fair point in that regard—it might be useful to recap on what the company has actually said, against a background of the general over-capacity in the rolling stock sector in Europe. Paul Tellier, Bombardier's Canadian chief executive, said that the company needed to cut its overheads in Europe to remain competitive. It has started an audit of its sites, and consolidation to remove excess capacity is expected quite soon, possibly starting in the new year. He has mentioned plants in Germany and the UK. However, until that review is completed, there will be no further comment from the company.

I fully appreciate that, as my hon. Friend the Member for Derby, North has said, this will be a cause for some anxiety in Derby, but there has been no suggestion at this stage that the Derby plant will be closed. It would therefore be premature to talk about major job losses in the rail supply chain. I strongly agree with my hon. Friend, however, that the UK needs high-tech, high-

value, high-skill manufacturers such as Bombardier. I very much hope that Bombardier and companies like it will form the backbone of the future of manufacturing industry in this country, not least for some of the reasons outlined by my hon. Friend the Member for Crawley (Laura Moffatt).

My hon. Friend the Member for Derby, North pushes us on the position with regard to train manufacture, and I hope that I can reassure him that the Government want train manufacturing in the UK to have a strong future. I would certainly not wish to see the end of train-making in this country, and, as my hon. Friend has ably pointed out, continued production at the Derby site is hugely important to the locality, the industry and the supply chain. Furthermore, the company is a major inward investor in the UK, with more than 5,000 people employed in its rail business. When it acquired the Adtranz train building operation in 2001, it quickly resolved inherited problems and made an excellent job of turning round the company. It is making a significant contribution to improved efficiency and standards in the UK rail network.

My hon. Friend raised the issue of the TransPennine express order, and I understand that it will have come as a disappointment to Bombardier, and to the work force and unions, that it did not win the order for those trains. There is strong competition for all rolling stock orders, particularly in the light of the over-capacity in Europe at the moment. Procurement decisions are for the train operators, not for Ministers, but I know that the loss of that order has understandably led to a great deal of concern in the Derby area. That is why, at the request of my hon. Friend the Member for Derby, North, my hon. Friend the Minister of State, Department for Transport has reviewed the award of that contract. He was satisfied that fair and open competition had been conducted, and that the decision on manufacture would deliver the desired value for money required by the Strategic Rail Authority. In spite of the setback, Bombardier has an excellent track record and a highly skilled work force, and I look forward to it winning further orders.

The Derby plant is currently embarking on an 18-month period of unprecedented production volumes. It is taking on staff to cope with the increased output needed to deliver a large order of new Electrostar trains next year to replace slam-door trains in London and the south-east. I know that Bombardier has also won contracts for Nottingham trams and large orders for London Underground, to be delivered from 2008 onwards. This is a tribute to Bombardier's management and its work force. As my hon. Friend has pointed out, however, the Derby site has a gap in its order book between 2005 and 2007, and we need to put that into context.

The company is currently doing well. Nevertheless, I fully understand local concerns. I am aware of Bombardier's importance to the Derby area. It is a major employer providing valuable skilled jobs, including, as my hon. Friend said, jobs in the rail supply chain. I also know that Bombardier's management is actively trying to plug the gap, and is investigating the scope for rescheduling existing orders. The company is a major player, highly successful and well managed, and more than capable of winning further contracts.

My hon. Friend mentioned support for exports, and I shall say something about that shortly. He also raised the issue of rescheduling. Although, as he said, considerable difficulties are involved, I am sure that sensible proposals from the company would be considered, although I make no commitments.

It has been suggested, although not, I think, by my hon. Friend today, that the problems of Bombardier and all UK train manufacturers are caused by our failure to invest in the industry. That is not true: rail investment is running at unprecedented levels. Between 2000 and 2010, there will be £33 billion of direct investment. By 2005, the Government will be spending twice as much on rail as we did in 2001. This year we are spending £73 million a week on improving the railways, and bringing in a similar amount from the private sector.

Rolling stock is getting its fair share of that money. We are in the middle of the biggest rolling-stock replacement programme ever seen in this country: some 40 per cent. is being replaced between 2000 and 2005. Since 1997 there have been 41 rolling-stock orders, representing nearly 4,500 vehicles. It is certainly not true that all the business has been going abroad, although I will deal later with some of my hon. Friend's worries in that regard. No fewer than 35 of those 41 orders have been won by UK-based companies, which means that three quarters of all vehicles ordered since 1997 have been built here. Bombardier has been much the most successful single firm, having won 28 orders and built nearly 2,500 vehicles—more than twice as many as its nearest rivals.

My hon. Friend is worried about the scope for ensuring that UK investment benefits UK industry, but the answer cannot be insisting that rolling stock for use in the UK must be built here. Naturally people ask why we should insist that contracts go to UK manufacturers if taxpayers' money is used to buy the trains, whether directly or through the subsidies paid to train operators. The Government have a role in ensuring that there is a full and fair procurement process, but they cannot dictate where orders are placed or where vehicles are manufactured. The placing of orders is a matter for the train operators, and in many cases European Union procurement rules mean that orders cannot simply be directed to UK builders. Of course we want to see UK companies winning UK orders, but we also have a responsibility to taxpayers and fare-paying passengers to ensure that we get the best possible value for money when investing in new rolling stock.

Competitive bids are the best way of guaranteeing that. Artificially restricting the number of firms allowed to bid is a sure way of driving costs up and getting poor value for money. It has been suggested, however, that even if we insist on awarding our own contracts fairly, the procedure may not always be followed so scrupulously elsewhere. That point was made by my hon. Friend the Member for South Derbyshire (Mr. Todd), and the trade unions have raised it as well. We are taking it very seriously. The Department for Transport and the Department of Trade and Industry are to look into the award of rolling-stock contracts in other EU states over the past seven years to establish whether a clear pattern can be identified. It is crucial that there be a level playing field across Europe.

[Jacqui Smith]

As I have already pointed out, most trains bought by British train operating companies in recent years have been built in Britain, but this is an area that warrants further investigation. The Chancellor announced in his recent speech at Bournemouth that the Government would review UK businesses' experiences, good and bad, of competing for public procurement contracts in other EU countries—

Mr. McLoughlin: The Minister has just made an important announcement. Can she give us any idea how long that inquiry will take, and when she expects the inquiry involving both the Department of Trade and Industry and the Department for Transport to report?

Jacqui Smith: I cannot give an undertaking now about how long the inquiry will take because, as hon. Members have already pointed out, part of what we are talking about is people's feelings about the process. We want to try to identify where the evidence is, and decide what that evidence suggests to us.

As I was saying, the Chancellor said that the Government would review UK businesses' experiences, good and bad, of competing for public procurement contracts in other EU countries. That will include their concerns about unfair application of rules, different approaches to the application of the single market and international rules on public procurement, and the impact that those have on contract opportunities for British manufacturers and their workers. The Chancellor will announce details of the review later in the year.

From the success that Bombardier has enjoyed in recent years, I am convinced that its staff and management are well able to secure orders provided that they can compete fairly for them, and I am clear that ensuring that it can do so will prove a more effective way of securing the firm's future than seeking to skew the system artificially in its favour.

My hon. Friend the Member for Derby, North also touched on a broader issue of public procurement. The award of rolling stock contracts is, as I have said, a commercial matter for transport network providers, but the Government have a role in ensuring that an open and competitive procurement process occurs, while not prescribing where orders should be placed or stock manufactured.

We are keen to find ways of improving the way in which public procurement processes operate in this country, so that our manufacturing companies have the best possible opportunity to compete for business while delivering the best possible value for the taxpayer. That is why my right hon. Friend the Secretary of State for Trade and Industry hosted an event on 3 September that brought together representatives of manufacturing business, trade unions and Government to discuss practical steps that we can take to achieve that.

That event, in which Bombardier participated, explored a range of issues that could help business to respond effectively to public procurement needs—for example, through better forward planning, greater transparency and increased professionalism in procurement and innovation. The Department of Trade and Industry is working with the Treasury and the Office of Government Commerce to ensure that the themes that came out of that event are used to inform the work that the OGC is taking forward in formulating an action plan for improving public procurement.

Rail procurement by private sector operators was not a specific focus of the event, but I am sure that the lessons to be learned are equally applicable to private and public sector procurement.

My hon. Friend asked about support for the company with regard to exports. UK trade and investment officials stand ready to provide help and advice, and are already in regular contact with Bombardier UK at the highest level. Indeed, Bombardier serves on UK Trade and Investment's rail sector advisory group, which helps to formulate UK Government export strategy, particularly in delivering Government support where the UK rail industry believes we can add value to its efforts in pursuing international business. I hope that, not only through that contribution but through the support that we can provide, that will help with those important export opportunities that my hon. Friend highlighted.

I welcome my hon. Friend's raising this issue, which, as he and others have pointed out, is clearly of importance to the company and its Derby work force. I have given, I hope, some sign of Government support and action, and some reassurance about the current status of decision making, but that does not mean that there is any room for complacency. I shall certainly monitor the situation closely, and my officials will continue to work with the company on its future strategy.

I must applaud the efforts of my hon. Friend, who is not only acting as a very important ambassador for the company and its work force, but talking to leading figures in the rail industry supply chain to try to help the company win further orders. That is practical and important work, and I can assure my hon. Friend of the Government's support in trying to find a way to achieve what we all want to see, which is the continuing efficient production of trains in his Derby constituency.

Question put and agreed to.

Adjourned accordingly at five minutes past Five o'clock.

Westminster Hall

Tuesday 28 October 2003

[MR. EDWARD O'HARA *in the Chair*]

Pension Provisions (Younger Women)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Ainger.]*

9.30 am

Vera Baird (Redcar): We cannot address the issue of future pensioners—the subject of today's debate—without considering current women pensioners. As the Green Paper, "Simplicity, Security and Choice: Working and Saving for Retirement" says, women pensioners have far less income on average than male pensioners. The average is £153 for a single woman, compared with £194 for a man.

Sadly—but, it appears, soundly—the Green Paper concludes that much of the improvement in the position of future female pensioners will come from labour market improvements, higher employment rates and better pay. It records rightly that there has been progress in both the latter elements. About 70 per cent. of women between 25 and 34 are working, compared with 52 per cent. in 1979. The proportion of women returning to work after having children has risen to almost 70 per cent., and thanks to better child care options and better maternity and paternity provision, the impact of having children on a woman's working life can be less overall.

Since the Labour Party came to power, the employment rate among lone parents, who are predominantly women, has risen above 50 per cent. for the first time—a great achievement for such a hard-to-reach group. That has not only taken many children out of poverty and encouraged a phalanx of women who might well have not done anything at all until much later in life; it has started to make the point for much of the working population that having a child need not be a bar to outside work or learning.

The minimum wage has increased the pay of about 700,000 women, and working tax credit makes work pay for about the same number of women who are main earners. That is progress indeed. However, there is a high rate of female part-time employment—about 45 per cent. according to the Green Paper—and that is at ages that reflect the fact that women still take primary caring responsibilities, which is bound to have an impact on their future pensions. There are other differentials in gender working patterns; there is segregation into poorer paid work, and there is still some sex discrimination.

About 40 per cent. of women have a weekly income of £100 or less. Full-time male earnings are on average twice those of women, and when part timers are included, women's average wages are £200 a week less than those of men. Given the Green Paper's thesis that much improvement in pensions will come from improving the labour market position of women, it accepts, on that clear evidence, that

"the pension position of women will still lag behind that of men for some years to come".

I do not feel very sanguine about that, and I doubt that this progressive Government truly do, either. The Green Paper says "some years to come"; how many years? How much further can rates of participation in employment be increased by better paternity pay and more child care? One may guess that that would, at least for the next few years, be the faster rising curve than pay.

The Fawcett Society, to which I am indebted for much of the information that I will use this morning, has calculated that, at current rates of pay change, it will be another 80 years before there is equal pay for women and men. That means that we should tell our daughters who are coming up to working age that, although they are sugar and spice and all things nice, they are also doomed to poverty in old age. It means also that we should tell them to tell their daughters, who will start work in about 2025—the year that I predict Brooklyn Beckham will sign for Real Madrid—that they, too, will retire poor. Our great-granddaughters will start work in 2045, the year that we—or rather they, by then—celebrate the centenary of Paul McCartney's birth. We should tell them that in retirement they, too, will be poorer than their brothers.

There will be yet another generation after that where women will be poorish, because only women who start work after 2083 will do so on equal pay for the whole of their lives; and they will still have to participate in the labour market for 50 unbroken years on the Beveridge model to get a pension equal to that of men. My great, great-granddaughter might then get what my mother thought she had got in 1970—equal pay, according to the Green Paper. Some 50 years later, women might get an equal pension. That is the miserable prognosis, unless further special measures are taken to improve women's interests.

I want to consider a few possible measures. I make no bones about the importance in my thinking of the campaign, "Make Pensions Work for Women", that is being conducted by the Fawcett Society and Age Concern. I make no apology for the fact that many of my proposals are familiar to the Minister. I want to know whether she can cost them, and make it clear whether they are being favourably received in Government, as they are increasingly supported far and wide as the campaign grows. If they are being received well, what action can we expect? If they are not, what alternatives do the Government have in mind? I do not want my great, great-granddaughter—she might be called Vera the Fifth in a more dynastic family—to be the first Baird after me, with my adequate parliamentary pension, to benefit from a good pension. We cannot leave it to higher employment rates, better pay and labour market factors.

I acknowledge that the entitlement of the younger generation to the basic state pension is set to increase, albeit at a time when the value of that entitlement is falling relative to general living standards. Government projections suggest that by 2025, 99 per cent. of women will have some entitlement with an average amount of about 89 per cent., although the Department for Work and Pensions has made slightly less positive predictions.

The first proposal that would help would be to replace home responsibilities protection with a system of carers credit. HRP is little known about and fairly difficult to understand. It supports women who are off work caring for their children. However, it works to reduce eligibility

[Vera Baird]

requirements rather than actively crediting caring work. It is also inflexible and provides protection on a whole-year basis only. Thus, a woman who has a baby at the end of April does not receive HRP for that year as she has only 11 qualifying months. Further, if a woman combines caring and employment within a particular year, she cannot add HRP to her national insurance contributions to make a full year or to fill up gaps. To add to the confusion, HRP works alongside a system of credits—for example, those for unemployment and for receipt of invalid care—and although a qualifying year for the basic pension can be built up through a combination of credits and earnings, those cannot be combined with part years of HRP. Earnings and credits can never be combined within the second state pension, so that an individual who is in receipt of one type of credit for part of the year and another for the rest does not qualify.

In place of that confusing system, surely there could be a single system, perhaps called the carers credit, although, to distinguish it from our successful tax credits, perhaps it should be called a carers national insurance premium. That would actively recognise and support all forms of caring by providing credits. It would operate in a consistent way across the basic state pension and the second state pension, and reflect today's reality of changing status throughout the year, allowing individuals to combine entitlement based on earnings and caring. Such a system is crazily long overdue. We talk about motherhood and apple pie, as if that defines everything that is desirable and good, and I am not advocating credits for baking, but it is long overdue that we stop penalising women who are off work caring for their children. The rigidity of HRP penalises people for motherhood.

As long ago as 1989, I worked on a case in the judicial side of the House of Lords, which, hon. Members might find hard to believe, is even more conservative than the legislative side. Their lordships accepted the importance to the economy of having proper provisions in labour and benefits law for motherhood and supporting women when they are off work. Even though those depths of conservatism have been penetrated for more than two decades, we do not have a proper way of supporting women while they fulfil that important role.

I cannot imagine that such support would be expensive, because it would be a rationalisation rather than fresh provision, and it would ensure better accrual of pension rights. I would be interested to know what the costs might be. A poll conducted by the Fawcett Society showed that 78 per cent. of people of both sexes thought that those caring for children should qualify as carers for the full pension, which shows clear support from both men and women for such a step change. A further advantage of recognising all forms of caring through a credit is that it would become possible to consider whether a state credit could be used in a non-state pension scheme. I will return to that.

The second potential help to accelerate the process of increasing fairness in pensions would be to reconsider the level of the lower earnings limit and ensure that women fully understand its impact. In 2002–03, about 1.4 million women and 500,000 men were earning less than the £75 a week lower earnings limit. That is a point of concern, as the Government acknowledge, and they have undertaken to continue to consider ways of ensuring that everyone understands that they can earn entitlement to contributory benefits.

Research published by the Equal Opportunities Commission in 1998 found that 63 per cent. of people with earnings below the lower earnings limit have dependent children. If the position is similar now, that means that about two thirds of those with earnings under the LEL are building up entitlements to basic pension, but they will qualify for the second state pension only if they have children under the age of six. Further EOC research concluded, worryingly, that both employees and employers colluded to keep earnings below the LEL. Presumably, employers want cheap labour while those on such poor pay do not want to pay out the national insurance contribution. However, it is clear that they are seriously damaging their future rights by colluding in that way. It is obvious that more information is needed, but structural change would probably be advantageous and, again, not very expensive. At an absolute minimum, those working 16 hours on the minimum wage could and should be building up pension and benefit rights.

We also need to consider those who earn more than the LEL through a combination of part-time jobs. The most practical way of doing that could be a system that gives individual employees the option of declaring earnings from a number of jobs to contribute to their benefits.

I have never truly understood the 25 per cent. or its point. It means that to get any state pension, someone has to qualify for at least 25 per cent. of the full pension. Women with fewer than 10 years of full contributions receive no pension at all. That seems unfair and unnecessary, and there can be little argument against the abolition of the rule as soon as possible.

I have already mentioned the state second pension. It is clearly difficult for many people with low or no earnings to build up a privately funded second pension, so the S2P provides a valuable role in second pension provision. The Government should be congratulated on that good move. However, eligibility criteria mean that S2P does not provide sufficient coverage for those on lowish earnings and those with caring responsibilities or disabilities. The range of options that I have mentioned improves coverage, but additional issues include the rate of accrual of S2P.

S2P was introduced in April 2002, and it seems that it will take about 40 years for someone to build up a full S2P entitlement. It provides income of about £1 a week pension for one year of contribution. Again, I am indebted to the Fawcett Society for that calculation. It will be many years before in its current state S2P has any real impact on women's income levels. Can the date at which S2P would be fully in place be brought forward by introducing greater rates of accrual for those currently contributing?

If the current pension model continues so that the minimum income guarantee and the pension credit remain linked to earnings while S2P and the basic state pension remain, broadly speaking, linked to the retail

prices index there will be issues in the longer term about the relative value of state pensions, on the one hand, and income-tested supplements on the other. It would appear desirable to make a commitment that by that time the combined level of a full basic pension and S2P will be in excess of MIG. Such a commitment would ensure that the contributions that individuals will have to make a great deal of effort to make were rewarded and would offer an incentive to make additional savings.

I have already indirectly alluded to an anomaly that would not be very expensive to change. Again, I should be interested to hear how the Minister sees that. HRP for the basic pension covers caring until a child's 16th or 18th birthday but S2P rules recognise only time spent caring for a child under the age of five.

I return briefly to the possibility of any carers credit or carers national insurance premium being portable. If carers credit were introduced, it would allow for an actuarial calculation of its value and, along the lines of a national insurance rebate, could allow for the possibility of payment of that value into alternative pension vehicles.

Although many women are best advised to remain within the state system, caring has an impact on earnings for all women regardless of the pension system they join. It is particularly important to consider this as recent reforms in maternity leave mean that, while employers will be obliged to continue making pension contributions through the six months of ordinary maternity leave, coverage will be discretionary for the six months of additional maternity leave. Consideration should therefore be given to adopting a carers credit that is portable across schemes and takes the form of a rebate calculated on an actuarially fair basis.

As I understand it, and again I look to the Minister to help me with this, the Government's policy is to try to encourage people to move from S2P into a privately provided pension. The Government as a whole are keen to shift the current financing of pension provisions from 60 per cent. public and 40 per cent. private to the other way round. In that policy context it seems particularly important to look for a way for credit carers to move into a private pension scheme, or they will remain perpetually disadvantaged.

That brings me to the issue of occupational pensions. The Green Paper states that

"well-funded defined benefit schemes are more flexible and suit the career patterns of many women".

There is much to be said about the lack of "well-funded" defined contribution schemes, particularly in the sorts of jobs that many women have. Many women do not have the career progression that enables them to gain most from final salary schemes. More information about the advantages and disadvantages of different types of types of scheme for women with different working patterns would be helpful. How would schemes based on career average revalued earnings compare with the more common type of defined benefit or defined contribution scheme?

The Government have said that they intend to introduce a reform to the current vesting rules. More women than men leave work before two years because of family pressures, and they are then entitled only to what they have paid in and no more. That could and should be changed relatively quickly. Because of different overall life expectancies women get lower annuity rates than men. At today's rates, to receive an annual income of £10,000, a woman retiring at 65 must pot about £156,000, compared with about £139,000 for a man. Despite that obvious inequality, according to the Green Paper,

"The Government is not attracted"

to unisex annuities, saying that

"it would result in lower aggregate retirement incomes . . . and only marginal—if any—benefits for women."

The Green Paper also states that

"it is difficult to impose a single annuity rate for men and women on a disaggregated market"

of pension providers. If more people take out stakeholder pensions, and the move from defined benefit to defined contribution occupational schemes continues, more women will rely on annuities. Will the Minister consider re-examining annuities? Distinctions can be drawn about life expectancy across socio-economic classes and geography, but those factors do not feature; only gender is taken account of in annuities, and that is a major problem.

The Government must try to address the problem, primarily because we must encourage women to provide for themselves. They are much less likely to do that unless the pension system enables them to receive a fair return for their money. It is difficult to make women consider paying into their own pension schemes. The Fawcett Society polling found that women do not invest in pensions, and that, even if they were given an extra £100 a month, only about 10 per cent. of young women would put that into a pension. One in four of them would spend the money on children, or already existing debts, so little is the importance of provision for the future appreciated. That is also testament to how hard up a large number of women who have to consider future provision are.

I have made a raft of requests, with which I hope the Minister will help, at least in terms of information, but perhaps also in terms of movement or progress. However, I could not end without saying that it is clear that, since being in office, the Government have done a great deal for pensioners generally, and female pensioners in particular, and I exhort them to realise that there is still a great deal to do.

9.52 am

Mr. Steve Webb (Northavon): I congratulate the hon. and learned Member for Redcar (Vera Baird) on securing the debate and on the diligence with which she has pursued women's pensions issues. This is not the first debate that she has initiated on the subject, and we all note the authority and rigour with which she puts her case. I hope that the Minister will respond with factual answers on the costs of some of the proposals.

Like the hon. and learned Lady, I congratulate the Fawcett Society, Age Concern, the Equal Opportunities Commission and others on trying to bring women's pensions to the fore. The Liberal Democrats have been involved in that effort, and, until we read the Green Paper, we regarded it as a success that the Government had included a chapter on women's pensions. Then we realised that it was a list of the problems, with no solutions offered. The hon. and learned Lady proposed some detailed responses, and I will discuss those before stepping back and examining the big picture of women's pensions, in particular younger women's pensions.

[Mr. Steve Webb]

Of the detailed proposals that could make a difference in the short term, replacing home responsibilities protection with positive credit is an attractive idea. Home responsibilities protection reduces the number of years in which one has to have contributed, but does not put a year's contribution on the books. A carers credit would have that effect. It seems odd that we reward motherhood by giving a year off of the "sentence"—a year in which it is not necessary to contribute—but we do not think it is good enough to count as a year's worth of work. A year spent stacking shelves in Tesco, for example, would lead to a year's pension entitlement, but a year spent bringing up a young child would not. Those are not the values that we should espouse, so I think that a carers credit is a good proposal.

The hon. and learned Lady pointed out the problem of the lower earnings limit. Sixteen hours work a week on the minimum wage should entitle someone to a year's pension right, although 16 lots of £4 something is not far short of £75, or whatever the lower earnings limit is. Conceptually that has to be right. However, 16 hours' work a week is the definition of full-time work used in various parts of the system. If 16 hours' work at the minimum wage does not get a person pension rights, something somewhere is wrong. I absolutely accept that. The cost of addressing that must be pretty minimal, but it would be interesting to hear that from the Minister.

The hon. and learned Lady makes a good point about multiple part-time jobs that do not reach the lower earnings limit individually, but reach it collectively. If somebody earning enough over the week to reach the lower earnings limit is doing enough hours to be deemed to be working, it is arbitrary that the system does not give that person pension rights because they work in two places instead of one.

What the contributory system tries to determine is whether a person is a worker. As I shall remark more fully in a moment, the arbitrariness is born of the fact that the national insurance system is focused on the model of the male full-time breadwinner; it still has not recovered from that model. The 25 per cent. rule is also arbitrary, as the hon. and learned Lady says. I guess that that is supposed to be a proxy for whether a person was a worker or not. However, why should a person get pension rights for having paid contributions in 26 per cent. of years, but not for having paid contributions in 24 per cent. of years? That seems a pretty arbitrary cut-off.

I agree with the hon. and learned Lady that there are a lot of arbitrary features in the national insurance system in relation to the basic state pension that are hugely detrimental to women relative to men. Many of those features could be addressed relatively straightforwardly, to the benefit of women in particular.

The hon. and learned Lady started to get to the core of the problem when she pointed out that the accrual rate of the state second pension is so excruciatingly slow that it will take 40 years to build up and that, even when it has built up, a full basic pension and a full state second pension will not be enough to lift a woman—or a man—above the pension credit level. She asked quite properly whether the state second pension could not accrue more rapidly. That would be one way around the problem.

The critical point is that even if we could make all those tweaks, those desirable small changes, and get women full entitlement to the basic pension and to the state second pension, that would still be rubbish. A full basic pension and a full state second pension are not worth having if a person still ends up on pension credit. In that case the pension credit, not how much basic pension or state second pension a person has, determines a person's income in retirement. The value of the basic pension and the second state pension entitlement becomes irrelevant—certainly for most women—in a world where two thirds of pensioners are means-tested or income-tested.

The fundamental point that must be addressed is that the state system will always be critical to women, particularly if women continue to take career breaks and have lower post-career break salaries. As the hon. and learned Lady says, regrettably, that may continue to be the case for a long time to come unless effective action is taken. Yet the Government's strategy is to link the basic pension and the state second pension to the prices index and to move to a world in which the contribution of the state to income in retirement falls from 60 per cent. to 40 per cent. So the two bedrocks of income and old age—the state pension and the second state pension—are being devalued every year relative to average earnings, and the state contribution to income in retirement is falling from 60 per cent. to 40 per cent. at a time when the pensioner population is rising.

The tweaks to the system that have been outlined might result in marginal improvements, but unless the big picture is sorted out, women will get gradually better percentage entitlements to pensions that are not worth having. That does not seem a good long-term solution to the problem. The hon. and learned Lady illustrated effectively and cleverly the long-term nature of the problem. Pensions and pension reform have a huge legacy problem. People—women, in particular—are reaching pension age with pathetic pension entitlements of pennies a week because of a system that was designed in the 1940s and the fact that they earned most of their entitlements in the 1970s under rules that treated women as dependants of their husbands. Even though such attitudes no longer prevail, they will probably take two generations to work their way out of the pension system. There are women today—granted, not many—who pay the married woman's stamp. According to the Government Actuary, more than a million women in their fifties have at some point paid the married women's stamp and are heading for inadequate pensions.

My concern, which to an extent echoes the hon. and learned Lady's, is that we must recognise the urgency of addressing the issue. We cannot say that we will let it work its way through the system gradually. When I criticise the state second pension for its poor value and the fact that it takes 40 years to build up, the ministerial reply is always, "Well, new pension schemes take 40 years to bed in. We cannot bring in a pension scheme overnight." However, as the hon. and learned Lady pointed out, we could introduce a pension scheme in less than 40 years, by accelerating the accrual

rate. If we did that, more women in particular—they will be the principal beneficiaries of S2P—would stand a better chance of being able to stand on their own two feet financially in retirement.

I cannot help wondering why, rather than make the detailed, complex tweaks that we have debated so far, we do not simply say that national insurance in its present form has had its day and that national insurance is now about exclusion, not inclusion. The panoply of national insurance contribution rules is about how we can keep people out of pension entitlements. Those rules say, "If you're a man on a decent salary or a woman on a decent salary, you're in; if you're a mother, you're half in or half out; but if you're low paid or you do irregular work, you're out."

I understand that national insurance includes 90 per cent. of the work force and excludes 10 per cent., most of whom are women. Why do we have a complex system of rules and regulations, accounting for pages and pages of legislation and billions of pounds in administrative costs, that are all about excluding a small number of people, predominantly women? Why do we not change to a citizenship-based entitlement to pensions? We could not do that overnight, because we would suddenly end up paying every married woman over pension age a full pension, which would be extremely expensive. However, rather than plugging this gap and that gap, trying to spot one group and changing the rules for another, why not say that from D-day, or from tomorrow, people will build up a year's pension rights each year that they are a citizen? There would be issues about immigration and what we meant by "citizen", but we could sweep away all the questions about how many hours someone worked, how many jobs they had, whether they were above or below a particular earnings limit and whether they had home responsibilities for part of the year. That would constitute a huge simplification. If people accrued a year's pension rights as citizens, that would benefit women hugely. That is the direction in which we should go.

The hon. and learned Lady mentioned annuities, and properly so. I am intrigued by that point. I have been somewhat sceptical about unisex annuities, simply because they involve an actuarial calculation in a market. If the Government want to achieve redistribution, they should do it through the state system, rather than by trying to tweak a market, which only reflects the fact that the same pot of money has to last longer. However, the hon. and learned Lady made the valid point that we allow annuities to discriminate on the basis of gender, when other, arguably much more powerful, differentials affect what should be actuarially fair annuity rates for male manual workers in Glasgow and male executives in the home counties or whoever. Annuities tend not to discriminate much on those grounds, yet we allow them to do so on the ground of gender, which is perhaps on average a smaller distinction. I may return to that issue, and I am grateful to the hon. and learned Lady for making that point.

The Government could tackle another issue about the way in which annuities act to the detriment of women. Many women in defined contribution schemes end up with small pots of money, but pension providers are not interested in small pots of money, because providing annuities based on those pots is not economic for them. Therefore, many women who build up a stakeholder pension or are in a DC occupational scheme find that providers will not offer them an annuity at all, because their small pot of money simply does not offer good value. I understand from the financial pages that some companies that provide pensions do not offer annuities, so such women have to go elsewhere for an annuity and are told, "Sorry. We're not interested in you, because the pot of money is too small."

The Government could offer a sort of National Savings annuity product that is not necessarily a best buy in the league tables, but that offers the guarantee that however small someone's pot of money, they will be sold an annuity, perhaps at a market average rate. The state would not be in unfair competition with the private market. The state would simply say to anyone, but typically a woman, who came along with a £5,000, £15,000 or perhaps £10,000, "We will guarantee that you can buy a pension at a decent rate of return." The rate would not be chart-topping, but it would probably encourage women to feel that it was worth saving, because they would get better value for money for their annuity. The Government could probably deliver that with economies of scale, whereas private providers think that it is not worth the bother to provide such products and do not have to do so anyway. That would be a small change, and the Government could discuss whether National Savings could offer such a product, which would be beneficial to women.

Divorce is another big issue for younger women when it comes to pensions. The historical model was that women did not need pensions because they would rely on their husbands'. That attitude is changing, but it still exists in the system in many respects. A woman who brings up children and separates from their father may have trashed her own pension rights and have no other rights because of divorce.

The antidote to that problem is individualised pension rights—a system based on the individual rather than on inherited rights—but it will take a long time to introduce, as we cannot do away with survivors' benefits in the short to medium term. The system must be structured so that each individual builds up good rights, which is another reason why mothers with caring and other responsibilities should build up a substantial pension in their own right and not have to rely on the pension contributions of their husband, who may become their ex-husband.

The Government have legislated for pension splitting on divorce, but few cases have gone through, although that is not a criticism of the legislation, which had all-party support. In practice, I know what most women with children who split up from their husbands would choose when given the option of taking the house, the car or the pension. It is difficult to rely on derived pension rights from a male partner. More must be done to ensure that women have their own pension rights.

We must act in the short term. Age-related additions to the state pension would be hugely pro-women, because most poor and elderly pensioners are women, and because age additions to the state pension are not contributions-tested. Whereas the level of state pension depends on one's contribution record, and women in

[Mr. Steve Webb]

general have poor contribution records, age additions are paid in full, regardless of the contributions. Admittedly, the amount is only 25p at present and it would be daft to try to scale it down. If it were, say, £10, payable in full regardless of the contribution record, it would do something positive for women that would not take 40 years to sort out. It could be done now.

Joined-up government is needed to tackle the matter of young women's pension rights. While we are having this debate about what women might put into their pensions, another arm of Government is about to introduce top-up tuition fees. That is absolutely central to the discussions about how much women can afford to save. A typical woman student will graduate with a debt of £20,000 and she will not have much disposable cash, if any, to put into a pension. It will take her a generation, until she is well into her 40s, to pay off that debt, especially if she has children, and she might fancy moving out of the parental home before then. However, she will be told that the state will do less and she is expected to do more to provide a pension.

How are those factors to be reconciled? It is beyond the scope of this debate, but in my judgment tuition fees must be tackled. Young people, especially young women, who graduate with huge debts will have no spare cash to save for a pension in a future in which the state provides less—40 not 50 per cent. Who will fill that gap? I am heartened to think that the Minister will tell the Department for Education and Skills that it is undermining her Department's goal of persuading more people to save for a pension, and that the Government will change their thinking on the matter.

The Liberal Democrat approach to these matters is to argue for a simple and substantial state pension system, which will gradually free people from the contributions rules and benefit women, and which will be supplemented by compulsory contributions from those who are in a position to make them. As I said, that will be difficult if people have huge debts, but if that problem can be dealt with, compulsory contributions would pick up women in particular, because many men are already members of occupational schemes by dint of their employment. I am talking not about women on the lowest incomes who have not got the spare cash for pension saving, but about women on higher incomes. If compulsory pension saving was phased in, so that people could get used to the idea, such women would build up pension rights in their own name, so that they were neither dependent on their husband or potential ex-husband, nor wholly dependent on the state. Instead, they would have a foot in both camps, which would bring them greater security.

The big picture is that if the state pulls back from universal pension provision, that will be a problem for women, because private pension provision is, almost by definition, earnings related. It reproduces and carries into retirement the inequalities in earnings that are present in the work force. The heavier our reliance on the private sector, the more detrimental it is to women—for as long as women are at a disadvantage in the labour market. Rather than just plugging the gaps, we need a good across-the-board state system that provides generous levels of benefit and better entitlement for women to a good pension. We need women to build up entitlement in their own right so that they are not dependent on a man in old age, or at any other stage if their life. That is the direction that we must go in. The hon. and learned Member for Redcar has done a huge service by raising these issues. I look forward to hearing the Minister's response.

10.10 am

Mr. Nigel Waterson (Eastbourne): I am delighted to have an opportunity to take part in this debate. I normally declare an interest on these occasions, because I have some private pension provision but, given the title of the debate, perhaps I do not need to do so.

I congratulate the hon. and learned Member for Redcar (Vera Baird) on initiating the debate. It is the second such debate that she has secured this year. I assume that that is because she feels that last time the Government's response was inadequate. As the same Minister is responding today, we might hear a bit more.

Vera Baird: The earlier debate was about women and pensions generally, and principally covered current pension recipients. Nothing was inadequate about the Minister's response on that occasion, and neither will there be today.

Mr. Waterson: That outburst of loyalty is very welcome in an era when loyalty is at a premium. Let us wait and see whether the Minister's response is more adequate this time.

I join the hon. and learned Member and the hon. Member for Northavon (Mr. Webb) in commending Age Concern and the Fawcett Society on their campaign. The problems of women pensioners are familiar to me not only as a constituency MP, but as a Front Bencher and co-chairman—with you, Mr. Deputy Speaker—of the all-party group on ageing and older people.

This issue will not go away. As the hon. and learned Lady graphically pointed out in her excellent speech, single women are among the poorest pensioners in the land, and they make up the majority of the pensioner population. The reasons for that are fairly obvious and boil down to five basic causes. Women have a longer life expectancy than men, although that gap is rapidly closing; they are more likely than men to take on caring responsibilities, and therefore to take time out of the labour market; they are more likely to be low paid or working part time; the welfare system has historically been geared to men's patterns of lifetime earnings; and the welfare system has assumed that women would be able to rely on their husbands' pensions to support them in old age. We live in a fast-changing society, and a lot of those assumptions are no longer valid.

What are the Government doing to address the problem? I assume that one of the main features of the pension credit that is now in operation is that it tackles not only the problem of all poor pensioners, but of women pensioners who—as we have established—are

among the poorest pensioners in the land. It is fair to say that the pension credit has got off to a shaky start—I am sure that even the Minister could not disagree with that.

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): Of course I disagree with what the hon. Gentleman said. The pension credit has got off to a good start.

Mr. Waterson: I was about to explain why it has got off to a shaky start. There are two major criticisms of the pension credit: it is complex and there is a problem with means-testing. We know that the poorest pensioners—women are often to be found in that category—are precisely those who tend not to apply for means-tested benefits. I do not think that anyone can gainsay that. Mervyn Kohler, the head of policy at Help the Aged, has described the byzantine complexity of the new system.

At departmental questions the other day, the Minister, perhaps in a slip of the tongue, described as a target the 1.4 million pensioners who it is assumed will not claim pension credit by 2006, albeit they are entitled to it. Her fellow Minister referred to that 1.4 million as a planning assumption. Either way, the Government are working on the basis that 1.4 million pensioners will not get around to applying for pension credit. A large number of poorer women pensioners must be included in that figure.

Let me deal with the Minister's assertion that pension credit has got off to a good start. The Department announced the other day in a great blaze of glory that 1.9 million pensioner households—around 2 million people—are receiving pension credit. However, the reality is that a large percentage of those people were already on the minimum income guarantee. They have been transferred by a flick of a switch from one to the other. Only about 100,000 households have signed up as new claimants to the new pension credit. The Minister is not in a position to gainsay that. Nevertheless, if she wants to deal with that in her concluding remarks, it would be helpful. I stick by my earlier comment: the pension credit has got off to a shaky start.

Women outnumber men as members of occupational pension schemes and will be even more affected than men by the collapse in the occupational pension system. The Government have been too slow in tackling that problem. Their own measures are likely to be subject to the law of unintended consequences. Some hon. Members may already have seen "No Nest Egg", a recent publication by the National Consumer Council, which describes the chilling results of research into the attitudes of young consumers to pension provision. The high levels of distrust of the financial services industry and of the Government shown by young people, and their disenchantment with the subject of pensions, will come as no surprise to many of us. We are seeing a whole generation of young consumers and workers who are simply not interested in making their own pension provision. However, according to the conclusions in "No Nest Egg", they might be receptive to new saving mechanisms that appear more relevant to their needs and situations.

My party—the official Opposition—is trying to deal with that question as it affects young consumers, and women in particular. The lifetime savings account is designed to be attractive to women. It would give people flexibility in getting their money out when they need it and putting it back again, without being penalised. Would it not be better to have a system of saving for the long term in which people did not have to pledge to leave the funds untouched until they reach retirement? Would it not be good if there were the real incentive of the Government making a contribution alongside that of the individual, which is available on retirement? That would allow everyone, including women, to build up their own personal pot of savings to draw on as they wish.

Mr. Webb: I have always been slightly hazy about how that lifetime savings account would work in one fundamental respect. The hon. Gentleman said that people would be able to take money out if they wish. Could he clarify the position of someone who takes their money out and who ends their lifetime with a lifetime savings account with nothing in it? Would that person be able to claim the full range of benefits because they have no income?

Mr. Waterson: The hon. Gentleman rightly refers to one of the practical questions. That is why we are consulting widely—in the industry and elsewhere—on the proposals. However, the basic concept will form part of our next election manifesto and will have particular relevance to women, whose provision is, after all, the subject of the debate.

The hon. and learned Member for Redcar made the point very well that at present there is an unfairness in the value of annuities for women, although perhaps that is balanced by the fairness of them living longer. We would like to encourage the use of unisex annuities, which would certainly be of benefit to women. We have also said that we would legislate so that there would be no absolute requirement to purchase an annuity, whereas the Government have set their face against that.

Maria Eagle: The hon. Gentleman referred to the law of unintended consequences. Has he thought whether such a law might apply to making annuities unisex? If so, how does he intend to deal with some of the unintended consequences that might follow from unisex annuities?

Mr. Waterson: The pensions world is one of unintended consequences. The Minister is not in a position to quiz us on our proposal unless the Government start to take seriously the genuine unfairness to many people—including a number of my constituents—who feel cheated because, having worked and saved all their lives, they get a miserable return on the annuity that by law they must purchase when they reach a certain age.

The main issue in the debate is that of the state pension. Age Concern and the Fawcett Society have waged a strong and effective campaign on that issue. They are at one with the Conservative party in wanting to eliminate means-testing as far as possible. In their joint report, "Simplicity, security and choice: working and saving for retirement." they state:

> "A non-means-tested state pension, paid at a level that would cover basic costs, remains the simplest way of addressing women's access to a decent income in later life and would provide the clearest incentive for people to build up additional private pensions and savings."

[Mr. Waterson]

That is why my party has recently announced that it wishes to restore the earnings link for the state pension over one Parliament, and to roll back the means-testing and the complexity that often deters people from claiming. We know that the take-up of the state pension is, as near as makes no difference, 100 per cent. However, we know that many pensioners do not claim many other benefits, either because they are put off by the complexity or because they do not wish to go down the demeaning road of means-testing—to go cap in hand to the Government and answer a lot of intrusive questions. I suspect that the pension credit will be no exception—indeed, the Government's figures reflect that assumption.

Our proposals would have two other benefits. As well as significantly increasing the basic state pension over a four-year period—by £7 a week for a single person and £11 a week for couples—they would take 1 million pensioners off means-tested benefits by 2006, thus restoring the dignity of pensioners which the Government are threatening. The proposals will also do much to reverse the disincentive to save that is a result, unintended or otherwise, of the Government's policies.

Maria Eagle: The hon. Gentleman began his remarks by talking about how poor some single female pensioners are. Does he accept the figures produced by the Institute for Fiscal Studies that indicate that the proposals that he has just outlined will cost poorer single pensioners, many of whom are women, £9 a week?

Mr. Waterson: No, I do not accept those figures because they make certain assumptions that I do not think are valid. We want to ensure that all pensioners get a better deal, and we are particularly keen for women pensioners to benefit. I am firmly of the belief that the proposals will do a great deal for the poorest pensioners, a large proportion of whom are women, as the hon. and learned Member for Redcar has rightly made clear.

Vera Baird: Does the hon. Gentleman feel able to list what the Conservative Government did during their lengthy period in office for women pensioners, who were much poorer then than they are now? He has ample time to tell us that list—it will not take him very long.

Mr. Waterson: I do not think that I have ample time, and I might incur your wrath, Mr. Deputy Speaker, if I gave that list.

The single most important thing that the Conservatives did for all pensioners, particularly women, as is shown by the figures—some of which, in fairness, the hon. and learned Member for Redcar quoted—was to encourage the massive expansion of occupational pensions. By the time we left office, our country was the envy of the rest of Europe because of that growth. One reason why women are beginning to catch up in the pension stakes is because of occupational pension funds. The Labour Government are, in effect, dismantling many of those occupational pension schemes. I am sure that the hon. and learned Lady will not deny that great numbers of women in occupational pension schemes are finding their pension rights threatened by the closure of such schemes across the country.

To conclude, it seems that the reason why the hon. and learned Lady had to have another debate on this subject only a few months after the first is, as I said, that the Government's and the Minister's response last time was inadequate. Let us hope that since then the Government have given more thought to the serious issues raised, particularly by Age Concern and the Fawcett Society. Let us also hope that the Government will start to recognise that, as the hon. Member for Northavon said, simplicity in pensions is the ultimate answer to poverty, whether it affects women or male pensioners.

Vera Baird: Will the hon. Gentleman give way?

Mr. Waterson: No, I will conclude my remarks.

At the end of the day, simplicity is the surest way of getting help to the pensioners who need it most.

10.27 am

The Parliamentary Under-Secretary of State for Work and Pensions (Maria Eagle): First, I congratulate my hon. and learned Friend the Member for Redcar (Vera Baird), not only on her success in obtaining the debate, but on the care that she has taken and on her detailed analysis. Even though there is more time than expected in which to conclude this debate, I fear that it might not prove possible for me to deal with every point raised, although, of course, I will do my best.

I cannot promise to satisfy the hon. Member for Eastbourne (Mr. Waterson), who appears to think that we are having this debate because of an inadequate former response. My view is that the Fawcett Society, Age Concern, and those such as my hon. and learned Friend, who have raised the subject on more than one occasion, do so simply because this is a vital issue with many facets and aspects. It cannot be dealt with in 30 minutes or an hour and a half in Westminster Hall. It is absolutely appropriate that the issue is returned to time and again, and it is appropriate that my hon. and learned Friend, who has shown an assiduous and detailed interest in the issue, should have come to this Chamber on more than one occasion to discuss various aspects of it.

Vera Baird: Did it seem to my hon. Friend the Minister that the hon. Member for Eastbourne (Mr. Waterson) talked about pension provision in a general sense, only tacking on women at the end of what he said from time to time as an afterthought? Is that at all typical of the Tory party's attitude to women?

Maria Eagle: I hear what my hon. and learned Friend says, but I do not wish to be particularly ungenerous to the hon. Gentleman, who was not present at the previous debate and is relatively new to his Front Bench duties on this subject. He is walking into an extremely complex set of issues, problems and interrelations that no one can hope to master in a short period. However,

I had the distinct impression once or twice while he was making his remarks that he had forgotten the tradition in this particular Chamber of being ultra polite. Perhaps he got out of the wrong side of the bed this morning—it happens to us all.

I was grateful that my hon. and learned Friend fully accepted the progress that has been made by the Government. It is easy for those who are passionate about advancing the interests of women, in particular with regard to pension provision given the potential problems, to forget to say, "Well done," or "Keep at it." There has been progress, and I was grateful that she took the time to deal with that, and to say, "Well done" where she thought that progress had been made.

My hon. and learned Friend still made several sharp and significant criticisms, and I shall deal with some of them. She would accept—certainly she has done in the past—that pensions policies are time capsules. The hon. Member for Northavon (Mr. Webb) fully accepted that. The current distribution of income in retirement, if we consider today's pensioners, is inevitably a reflection of pension policies past. As much as we, as new Ministers, want to bound into office and sweep everything away to start anew, that is perhaps least possible when it comes to pension policy. What we have at present is a reflection of past social mores and social policy, and past assumptions about society and gender roles. We must bear that in mind as we consider how to deal with the issues raised by my hon. and learned Friend.

My hon. and learned Friend, the Fawcett Society and Age Concern have rightly perceived the unequal position of women in income distribution among today's pensioners. The figures that my hon. and learned Friend quoted from various sources show that the average man earns £194 a week, and the average woman earns £153.

If I had to encapsulate what my hon. and learned Friend said in a couple of sentence, I would say that her main concern is primarily that, without further change to pensions policy, the gender gap in retirement will continue. She said that it will continue until Vera Baird the Fifth—I did not realise that she was of such grand lineage, but I should have done. Those who are of working age—she talked about her daughters, granddaughters and great-granddaughters—might face the same problem that we all perceive in the current distribution of income.

I want to provide hon. Members with some reassurance by detailing in part how some policy changes that we are implementing will help to tackle the problem. I mercifully have a little more time than usual, so I also want to respond to points made by others.

I shall briefly set out what we are doing to help women of working age—those who we are talking about in today's debate—to have better pension provision. I shall take a broad-brush approach, for which I make no apology because it is important first to take a quick look at the framework. Employment is key to ensuring that the private or occupational side of provision can be made more adequate. We are helping women gain employment through the new deal, which makes work possible, and which has so far helped more than 200,000 lone parents overcome the barriers to working life that child care and being alone with children can present.

We have also helped to make work pay through the tax credit, and put additional resources into child care to help remove one of the major barriers to work for lone parents and women who have caring responsibilities for children. That was acknowledged by my hon. and learned Friend and others, although not by the hon. Member for Eastbourne. We have one of the highest levels of female participation in the labour market in Europe: 70 per cent. and growing.

We are helping women improve their future pension provision by use of the state second pension and the introduction of stakeholder pensions. The stakeholder pension is a low-cost, flexible and portable option, which was not previously available. Its introduction plugs a gap that excluded all but full-time working women from a sensible occupational private pension option suitable to their needs. Its impact should not be underestimated.

The state second pension will revolutionise the pensions position of lower-paid workers, many of whom are women, carers or disabled women. About 5 million such people will build a second pension provision, worth at least twice as much as that provided by its predecessor, the state earnings-related pension scheme. Seventy per cent. of the beneficiaries will be women and a further 2.5 million carers will have access to the same pension rights as those who have been earners. That measure is wholly equitable—I was pleased that my hon. and learned Friend recognised that it is particularly good for women—yet the Opposition, the party of the hon. Member for Eastbourne, are pledged to abolish it. That policy, on which he did not concentrate so much, is a particularly pernicious part of a wholly anti-women policy recently announced by the hon. Gentleman's party.

In addition to removing the beneficial impact that S2P represents over time—I realise that there are some points about how long—the Conservative party's policy would affect women in other ways. It would abolish the new deal for lone parents, which is the main, most effective means of helping women who have to look after young children, into the labour market. The new deal policy has seen participation in the labour market by young women with children above 50 per cent. for the first time. It seems to me—I do not lay this at the door of the hon. Member for Eastbourne but at his party's—that Conservatives have decided to restart their war on lone parents, 94 per cent of whom are women, after we thought that they had called a truce. They have spread that war to all women, rather than just lone parents. The hon. Gentleman does not accept the figures from the Institute for Fiscal Studies on how the policies that he outlined would penalise in particular the poorest single pensioners. I would be interested to know what assumptions he thinks have been made that are wrong; no doubt he can write to me on that.

The Government are helping existing pensioners through the pension credit, which provides a reward for having saved, as well as a guaranteed minimum income to top up help to those who need it most. That means an average extra payment of about £400 a year, most of which goes to those who need it most at the poorest end of the income scale, many of them women. Although that policy leaves pensioners £1,250 a year better off on average, the poorest are £1,600 a year better off. That is

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why there are 400,000 fewer pensioners living on a relatively low income against the backdrop of rising prosperity.

Mr. Waterson: The Minister's target is the 1.4 million pensioners who are not claiming pension credit, although they are entitled to it, including about 2,000 of the poorest pensioners in Redcar, for example. How many does she think will be women?

Maria Eagle: The hon. Gentleman has misunderstood. The Government's aim is for all pensioners who are entitled to take up the pension credit to do so. Claiming it is significantly simpler than claiming minimum income guarantee was. All it requires is a 20-minute phone call once every five years. Most pensioners can manage that. To encourage take-up, there is a provision to enable face-to-face interviews, including home visits, for those who cannot make such a phone call. I refute the assumption that the number of people whom we want to ensure as a minimum are entitled to claim pension credit represents some sort of ceiling. Of course, it does not. My hon. Friend the Minister for Pensions has made it clear that he would like to see 100 per cent. take-up; so would we all. If Opposition parties – I do not so much blame the Liberal Democrats for this – would stop characterising a 20-minute phone call once every five years as akin to the Poor Law means test, we might have a better chance of ensuring that people were not put off from claiming. Some of the comments that we received from people who have claimed have been extremely complimentary, and that is as it should be. We want to make claiming easy, and we want people to claim their entitlement and enjoy the full effect of having done so.

Equally importantly, we are also improving pensions information to ensure that individuals are aware of their own pension position, rather than just having a general awareness that saving for the future is good but not knowing what that means to them. It is critical that women have regular access to good information and can make plans about the level of income that they want and need in retirement. My hon. and learned Friend the Member for Redcar quoted a survey that found that only one in 10 young women who had extra income would put it into a pension. I sometimes think that that is a reflection of the selfless nature of many women. My hon. and learned Friend suggested that it might have something to do with being hard up, and I am sure that an element of that is involved. There is no doubt that if women get extra money, they like to spend it on the kids.

The Green Paper consultation indicated strong support for making informed choice a reality. In its response, the Equal Opportunities Commission commented that evidence suggests that women have lower awareness of pensions than men and endorsed the need for greater awareness among women. That backs up the survey evidence that my hon. and learned Friend read out to us in her speech.

As a Government, we are committed to making a success of the balanced approach of both targeting state support on those at the poor end of the income scale and developing the right framework and information for individuals to make informed decisions about further private or occupational provision. We are working with the Association of British Insurers, which has agreed to lead a consortium from across the pensions industry to help us develop a pensions information pack that employers can give to their employees.

We are also working through the employers' taskforce, with human resources and employee benefit specialists, to develop a strategy for encouraging the wider use of communication tools such as the total benefit statement. When women take a break from work, the automatic pension forecast should ensure that they still have the information that they need to plan their retirement. We hope that with the flexibility of measures such as stakeholder pensions, which were designed with women's employment patterns in mind, they can make contributions when not working. That will mean that when women take a break from work, it does not necessarily mean that they take a break from pension contributions.

I shall deal with some of the points that have been raised in the debate. I hope that Members will forgive me if I do not get through them all, but I will do my best to answer the main ones. I will start with the points made by my hon. and learned Friend, whose debate this is.

My hon. and learned Friend referred to home responsibilities protection and the lower earnings limit, but she started by talking about the pay gap. As a woman, it is always difficult to read about the pay gap, because we know that our female colleagues may suffer from it. When the Equal Pay Act 1970 was passed, the gap stood at about 37 per cent. Since then, it has closed to about 18 per cent, and although that is still a major gap, it is significantly less than it was.

The gap is influenced by a range of different factors, many of which are outside Government control. Men and women still make different choices about who cares for children, and we do not want to interfere with that. Families must make such decisions, and we do not want to take action that will end up penalising particular choices. The latest Office for National Statistics figures suggest that the pay gap has narrowed during the past year by a further 1 per cent. to its lowest level since the 1970 Act, so progress is still being made. The figures show that women now earn 82 per cent. of men's earnings, despite the fact that they work on average three and a half hours less a week. Average female wages rose by almost 3.5 per cent. while average male wages rose by just over 2 per cent. The hourly wage—this reflects the minimum wage—of the bottom 50 per cent. of women rose by 3.5 per cent., the comparable male figure being 1 per cent. Progress is still being made.

My hon. and learned Friend also referred to home responsibilities protection and the inflexibility of some of the rules such as the 25 per cent. rule, the fact that it goes from April to April and that it represents a year off the sentence, as the hon. Member for Northavon rather depressingly put it, rather than a more positive year's credit. It was introduced in 1978 to help to protect the basic state pension for people whose opportunities to work were limited because of care and responsibilities at home. It is salutary to realise that it is not until then that caring for children at home was recognised at all in the credit system of national insurance. That shows those of

us who assumed as we were growing up that things would just get better and better that the process can sometimes be slow.

In any event, HRP helps millions of women who receive child benefit for a child under 16 and who are not doing paid work to have their responsibilities at home recognised in some way in the system. It also helps women who are caring for a person getting attendance allowance and disability living allowance—but not carers allowance as there is a different system for that—to get some credit for their work. It works by reducing the number of qualifying years rather than by crediting, but it means that a woman can get a full basic state pension if she has 20 years of qualifying years and 19 years discounted through home responsibilities protection. It can provide significant assistance.

The complexity of the system and the fact that people do not always understand it is not necessarily a bad thing. We do not require people to work out their own entitlement to basic state pension, or we would all be in trouble. That is one of the reasons why I do not take too seriously the comments made about the alleged complexity of pension credit. We do the calculations. We do not require those who benefit from it to do the calculations but simply to phone us. There is no evidence that people are missing out on the chance to protect their pension in this way. I know that my hon. and learned Friend did not so much allege that as suggest that the system could be improved.

Credits are slightly different. They are intended to protect benefit entitlement for people who are unable to work rather than to provide a recognition of those who have some shorter-term care and responsibility at home that might extend over a number of years. Credits are intended to protect benefit entitlement for people who cannot work for short periods due to circumstances outside their control, perhaps illness or disability. There is a difference between the longer-term nature of home responsibilities protection and the shorter-term nature of credit.

My hon. and learned Friend asked whether we could have a carers credit. We take the position of carers seriously. If one looks at the social security system since the war, it is clear that only more latterly has the role of carers been recognised in the welfare system. It was only relatively recently in benefit terms that carers allowance was even introduced. There are improvements through the state second pension, which my hon. and learned Friend recognised in respect of the requirements of pensioners. I will come on to the accrual rate in due course. There is certainly more recognition of the needs of carers in state pension provision in the state second pension.

We have also extended home responsibilities protection to foster carers for the first time. While that is a small issue, it is particularly important to foster carers. That builds on the existing help that is available through home responsibilities protection.

Mr. Webb: Is there not an issue of principle about how much value society places on different activities? After a week of shelf stacking at Tesco, someone has built up a full pension right. If someone spends a week caring for an elderly relative, they build up a year's full pension right. However, if someone spends a week with a new-born child over the course of a year, they do not build up pension rights. Why is that a second-class activity, compared with the other two?

Maria Eagle: It is not. The hon. Gentleman is assuming that the system was established at one time and in a coherent way, but he knows that it has not been. Things have grown up for different purposes over different periods, and consequently there can be incompatibilities and differences between them that do not necessarily reflect a conscious decision to take one thing more seriously than something else. I think that the hon. Gentleman is aware of that.

I move on to the point made by my hon. and learned Friend about unisex annuities. It was also raised by the hon. Members for Northavon and for Eastbourne. The Fawcett Society has suggested that unisex annuities should be considered. My hon. and learned Friend was particularly exercised by the fact that gender discrimination was allowed in annuities but that other types of discrimination were not. The hon. Members for Northavon and for Eastbourne expressed an interest in this, although I think that the hon. Member for Northavon was less convinced than the hon. Member for Eastbourne, who called for unisex annuities.

I made a point to the hon. Member for Eastbourne about the law of unintended consequences. There is a concern that introducing compulsion into unisex annuities could result in there being lower aggregate retirement incomes for the population as a whole, and in only marginal—if any—benefits to women. Recent research by the Association of British Insurers suggests that that would be the case. It shows, on an actuarial basis, that the savings for women of purchasing a unisex annuity would be minimal. According to an ABI example, the sum would be about £3 a month for a woman with a typical pot of £10,000, and that any advantages would be far outweighed by starting to save a bit earlier. That suggests that we might do better by aiming our propaganda at enabling people to make informed choices, and at trying to get them to take savings more seriously earlier in their lives.

The consultation that we recently conducted revealed that insurers would be likely to respond to such a requirement by starting to collect new information—for example, in respect of occupation—with which to segregate their customers, as an alternative to gender, and that that would not necessarily benefit women any more than would the straight gender information that they now use.

As is often the case in pensions, this issue is not as simple as it sounds with regard to both the analysis of the problem and the potential solutions. The Government do not want to spend their time in coming up with policy solutions that are circumvented by new proxies for gender discrimination, and for other things. I am sure that all Members agree with that. Therefore, we are not convinced, although it sounds like a good thing.

My hon. and learned Friend made a point about the state second pension applying to those with children under 16, rather than under six. There is an issue here. When home responsibilities protection was instituted, it was not generally the case that women with children went out to work. We are now trying to encourage such

[Maria Eagle]

women—even lone parents, for whom it is harder to go out to work—to enter the work force at an earlier stage in their child's lives. Therefore, we again have to be careful that by creating an equal age at which women are expected to do something, we are not providing disincentives to work for those who are showing that they want to go out to work. Consistency across policies, some of which date back 20, 30 or 40 years, is not necessarily what we are looking for. The newer policies that have been introduced, with lower ages at which women are expected to do something, might encourage them to do it—go to work, for example—in a way that policies from 1978 would never have done.

The hon. Member for Northavon spoke about pension sharing on divorce. It is important that women get the full value of the partnership on the breaking up of relationships. Such circumstances are increasingly prevalent. We use the cash equivalent transfer value, which is a method of defining what the pension share should be. However, there is no easy answer. That method attempts to create the value of the benefits to which a member would have been entitled, had he ceased his service at the point at which it is calculated—at the point of divorce.

There is no way of knowing whether a scheme member might leave early due to a job change, go off to do something else, or retire early. This is, to some degree, a guessing game. There must always be a balance between achieving fairness when a divorce occurs and requiring employers, or scheme providers, to do ever more complex and administratively difficult calculations, which will increase the cost of the general provision of occupational pensions when we are trying to simplify and reduce the costs. Many hon. Members have talked about what is happening to occupational pensions. I think that there is some common ground between us on that matter. Putting more costs on to such schemes will not ensure better coverage or more access to schemes for young women.

The hon. Member for Eastbourne asked how we could persuade young people to become interested in pensions. If anybody has an answer to that question, I should be pleased if they would write to me as soon as possible and set it out in full. One of the conceits of youth, if I may put it that way, is that one is immortal and the last thing one needs to consider is pensions. If I had talked to any of my friends about pension provision when I was young, which was a long time ago, I would have been considered a pretty boring person. I suspect that most young people still feel the same way today. Getting people to save from an early enough age is one of the most difficult things for a Government to do. Young people are not inclined to listen to Governments, but when they start talking about having to save for retirement they probably switch off entirely.

This is a problem for us all. As the figures in the Green Paper show, there is no doubt that whether we are talking about young men or women, people do not start saving early enough for their retirement. If they started saving just a few years earlier, things would be a lot easier for them on becoming a bit older. Of course, they start thinking about that when the position is already not as good as it would have been if they had started sooner. We must try to tackle that problem by providing information and making savings easier and more flexible. However, there is no sensible, ready-made answer that will definitely work if we just apply it.

I realise that we are running a little short of time, but I want to deal with some of the points my hon. and learned Friend made about the lower earnings limit, and awards on credit to people with earnings below that. The current system of credits relies on clearly identifiable triggers. To deal with earnings below the lower earnings limit would pose administrative and evidential difficulties. Evidence of earnings at lower levels may not readily be available, so there would be a problem with verification.

My hon. and learned Friend said that it would be desirable to extend the state pension to those earning below the lower earnings level, but our current basic state pension system is based entirely on the contributory principle. That raises the question about whether it should be a contributory benefit. I am sure that the hon. Member for Northavon, who proposed his citizen's pension, would agree with me about that. We must protect the contributory principle and administer it fairly to all those who are in it, or would like to be. The contributory principle has underscored our basic state pension provision for as long as it has existed. Moving away from that to any great extent would create much wider problems than the small issue to which my hon. and learned Friend referred. That is another example, perhaps, of the law of unintended consequences and of the fact that, when we talk about pensions, it is almost impossible to propose a simple solution to what often seems to be a simple problem. As we all realise, this is a complex, intergenerational and long-term matter to which there are no simple solutions.

I am fast running out of time and must respond to the other points by writing to hon. Members—

Mr. Deputy Speaker: Order. The Minister has run out of time.

Walsgrave Hospital

11 am

Mr. Jim Cunningham (Coventry, South): Thank you, Mr. Deputy Speaker. I also thank Mr. Speaker for granting this debate at short notice. It has to be appreciated that this is a short debate, and my hon. Friend the Member for Coventry, North-West (Mr. Robinson) will pick up any points that I fail to make. He is quite adroit at that. My hon. Friend the Member for Leicester, East (Keith Vaz), who is also here today, is lending his support on the issue, which centres on the suspension of a doctor at Walsgrave hospital some two years ago. It is worth noting, as I hope the Minister will, that this is the second time that we have had to have a debate on suspensions at the hospital.

There has been a range of problems at the hospital, but we should start by recognising that progress has been made in several areas during the past 12 months—we would not want to take that away from the new management. That progress includes an improvement in patient care, a new trust chairperson and a new chief executive of the trust, an improvement in terms of the practice of bed blocking and a tremendous effort to reduce waiting times. There has also been tremendous progress over the building of a new hospital, the final cost of which may be £380 million or more. It is also worth stating for the record that my hon. Friend the Member for Coventry, North-West and I supported my hon. Friend the Member for Coventry, North-East (Mr. Ainsworth) as a link between us and the national health service to secure that hospital.

One outstanding issue remains—that of Dr. Mattu. He was appointed on 1 May 1997 to establish a new medical school and to help to improve standards. He also joined the cardiac department. In February 2002, he was suspended after he raised concerns about overcrowding in some wards, in which five beds were placed in four-person bays, which was interesting. There was quite a lot of controversy about it. From 1999, he raised at a series of meetings other concerns about standards and the level of care. As I say, he was employed to help to improve standards.

There have been two inquiries to investigate some of those concerns. The Commission for Health Improvement carried out an investigation and expressed several concerns. In fairness to the trust, it acted on the report and put those matters right. A further inquiry is to be held because of allegations that the first two inquiries, which were separate from the CHI report, did not appear to cover all the concerns regarding five beds in a four-bed bay. We believe that this inquiry should be independent, as that would show transparency and encourage the public again to trust the management of the hospital to deliver adequate services.

It has been estimated that the suspension and resulting legal expenses are costing the NHS about £50 million a year—a considerable sum that could be used for other purposes in the health service. Suspensions and over-long disciplinary procedures cost the NHS a great deal of money. In previous cases, the disciplinary procedure has taken two years and run up costs of hundreds of thousands of pounds. The personal cost to Dr. Mattu includes not being able to practise his skills, the emotional cost to him and his family and the cost of long disciplinary procedures. At what stage does whistleblowing become a disciplinary matter? We need guidance from the Minister on that question.

In the past three years, there have been at least three suspensions for very long periods. One case had to be resolved by the courts, one was settled out of court and now there is the case of Dr. Mattu. The new management have had the chance to wipe the slate clean as most of those cases, including that of Dr. Mattu, occurred under the previous trust management.

My hon. Friend the Member for Coventry, North-West and I are calling for Dr. Mattu to be reinstated or, failing that, for an independent panel to examine the case, or the Minister to set up an independent inquiry. We want to let the past stay in the past and get everyone to work towards one aim—the provision of a better health service for the people of Coventry. In outlining our concerns in the Dr. Mattu case, we make it perfectly clear that we do not want a quarrel with the management. If that is what we wanted, there would be no reason for us to call for arbitration.

There have been problems at the hospital, but we recognise that there have been slow improvements and that there cannot be any major improvements until the new hospital is completed. However, we acknowledge the valuable service of the staff in providing for the health of the people of Coventry and we would not want anyone to think that we are disputing that contribution. There can be a new hospital, but if staff morale is low there is a problem.

The way to lift staff morale is to treat the staff fairly, consider their grievances and try to resolve them. As a gesture in that direction, at the very least there should be some conciliation between the trust and Dr. Mattu and his advisers. It is Dr. Mattu now, but who will it be next week because the management happen to disagree with the staff on the issues that they raise?

We must bear it in mind that one of Dr. Mattu's functions on appointment was to improve standards and, in doing so, the onus was on him to raise issues about which he was concerned. Five beds being placed in a four-bed bay is a serious issue, and as that and other issues have not been resolved and there has been no independent inquiry, there are grounds for mistrust in the public mind over how the hospital is managed and for a lack of confidence in the services. I do not say that that has happened, but there is a real danger that it could.

This is a short debate and we want to give the Minister adequate time to reply. We appeal to her to consider the situation objectively. I know it is difficult for her to intervene, but where there is a will there is a way. At the very least, she should push for conciliation, if not an independent inquiry.

My hon. Friend the Member for Coventry, North-West will make further points about the hospital and Dr. Mattu's case. The people of Coventry are watching that case, as they did the previous cases, as what has been going on is very frustrating for them and the situation cannot continue. At some point, the past must be buried so that we can move on to the future and deliver what the people of Coventry deserve—a new hospital and the best services that can be provided. If that is done, staff morale will improve and, more important, the people of Coventry will have confidence in a first-class health service.

11.8 am

Mr. Geoffrey Robinson (Coventry, North-West): Like my hon. Friend the Member for Coventry, South (Mr. Cunningham), I thank Mr. Speaker for granting permission for this important debate at short notice. I also thank my hon. Friend for securing it. I am grateful to the Minister for being present, and I look forward to what she has to say.

As my hon. Friend said, this is the third debate that we have had on the problems of Walsgrave hospital. I had hoped that this Adjournment debate would not be necessary but it is, despite the fact that there is a new broom, and a new start, for which we thank the previous Secretary of State. We have a new chairman and new chief executive, and for the last year and a half the problems of Walsgrave had more or less disappeared from my radar screen, until now. As MPs, we are close to our constituencies, and we measure that by the postbag and representations that we receive and by the general feeling in the city about the hospital, which is probably its most important institution.

My hon. Friend said that progress has been made. The new hospital is going up, the private finance initiative project has been agreed and there is every chance that we can sustain that new start if we deal with the remaining problem. I am not sure why it has flared up again in recent weeks. Perhaps it has to do with the National Clinical Assessment Authority letter, which I hope my hon. Friend the Minister will comment on. Perhaps the situation has simply gone on far too long. It is now 20 months since the suspension and we are no nearer a resolution of the problem.

For that reason, my hon. Friend the Member for Coventry, South and I felt that the matter had to be raised in Parliament again today. It is indeed time to do so because this very week a *Reader's Digest* press release again identified Coventry's Walsgrave hospital as one of the principal areas for concern about suspensions. Highlighting an article in the *Reader's Digest* published today, the press release states:

"One example of a trust throwing its weight around is the University Hospitals of Coventry and Warwickshire NHS Trust"—

of which the main hospital is the Walsgrave—

"who are at the centre of three high-profile suspensions. The most recent case concerns Dr Raj Mattu, one of the world's leading heart specialists."

The press release says other things, which I shall come to, but it is a strange situation in which one of the world's leading heart specialists—those are the words of a well informed *Reader's Digest* article, not mine—is suspended for 20 months. People should think of the cost—not only the hundreds of thousands of pounds to which my hon. Friend referred, but the loss to the people of Coventry. At the heart of the matter seem to be nothing more than bickering, rivalry and allegations of confrontation, and perhaps harassment or bullying, made by one consultant against another. It has taken 20 months to get nowhere but deeper into confrontation and aggravation for the whole city of Coventry.

The issue will not go away, and it needs to be confronted and resolved in the very short term. The people of Coventry are fed up to the back teeth with bickering, rivalries and allegations of harassment between consultants. It is much worse than what takes place in the Oxbridge common rooms. Heaven knows, people who have served in them are aware of the bickering, fighting and confrontation that goes on there. The alternative to a settlement now is another year of the same. We will go through the procedures, which will take at least a year, and be no further advanced.

I intend to leave the Minister plenty of time to reply, but I want to say that Dr. Mattu, whom I know personally and with whom I have recently discussed the situation, as I did many months ago, was unwell for four months this year with an illness that has clearly been aggravated by the stress that this incident has caused him, and one should never overlook that. Previously, other factors delayed a resolution, but we are through those now and, as I understand it, the representatives on each side are ready to engage.

One story came to my attention just last week. Although Dr. Mattu is suspended, he still comes to Coventry and he holds three surgeries there. I am told that the fact that he does very little private work may be one issue that is causing friction between him and the other doctors. I do not know about that and cannot comment on it, but Dr. Mattu is doing voluntary work in Coventry and, I think, in Kenilworth or Leamington, where he holds three clinics. This incident took place not as a consequence of one of those clinics, but because of a chance encounter in a local pub, where he met a gentleman who has allowed me to mention his name. That gentleman is one of my hon. Friend's constituents, not one of mine, and I have told my hon. Friend that I shall be mentioning this man in the debate.

The constituent's name is Jim Brown, and he told me the following story. He was twice admitted, very recently, to Coventry Walsgrave hospital as an emergency case. On the first occasion, he was kept in overnight and discharged the next day. On the second, he was not admitted to specialist coronary care, but held for two nights in the normal emergency wards and discharged on the third day. Dr. Mattu bumped into Mr. Brown in a pub in Coventry and said to him, "You are not looking very well, Jim. What's the matter?" He knew that he had a history of coronary complaints. Mr. Brown explained to Dr. Mattu that he was suffering from something similar to what the Prime Minister had—an excessively fast heartbeat.

Raj Mattu, because he knew the person and knew about the condition, said that what he needed was electric shock treatment—precisely what the Prime Minister had. Dr. Mattu said to Mr. Brown, "Why don't you go to your GP tomorrow? The condition is very serious and if it continues it can cause long-term damage." He told him to tell his GP that he had that condition and to ask him to get him admitted to the coronary unit. He said that the people in the coronary unit were very capable and would administer the treatment that Mr. Brown needed.

Mr. Brown did just that. He went to his GP, who phoned the hospital, saying that the case was not an emergency, but that he had identified the problem—subject to hospital confirmation—and that he believed that such treatment was necessary. The treatment was administered and Mr. Brown is fine. I spoke to him on the phone and he confirmed every aspect of that conversation. He said that he is fine, and he could not understand why it took the intervention of Raj Mattu to get him that treatment.

There is no doubt that we are dealing with a competent doctor. The Walsgrave may want to ask itself some questions about why, in Mr. Brown's case, there was no coronary investigation after his emergency admission, but that is not the main point that I want to make. The point is that Dr. Mattu was, and is, by any standards, an outstanding doctor. It is not just *Reader's Digest* that believes that to be the case—it is recognised in Coventry. Dr. Mattu was recruited in 1997 for the specific purpose of redressing what was seen as an inadequate situation in the hospital. There were two incidents—one in 1999 and the other in 2000. In the 1999 incident, in which there were five beds in a four-bedded room, a young man was admitted—I do not know the details of what happened—and it was not possible to get the equipment on to him quickly enough. He died. Both incidents were investigated, but I do not know what the judgments were. It would be nice to see the results published, although I am much more interested in the future than in the past.

What have the present chairman or chief executive to fear from an inquiry? They were not in post when those incidents took place, and the practice of putting five beds in a four-bedded room has stopped. However, if the Minister could make the results of those investigations available, it would be very interesting to see what happened.

It is no good pretending that Dr. Mattu created waves for no reason. He did so because he wanted to improve an inadequate situation and because he thought that not enough attention was being paid to what he believed was improper practice. Five beds in a four-bedded room might have been acceptable if all the patients were recovering from heart operations, but it should never have been allowed when the patients were in a critical condition, such as that of the patient who died.

I think that Dr. Mattu was a whistleblower, although that may not be universally accepted. He set very high standards and expected others to reach those standards, but that is nothing less than patients would wish. If he was difficult in that respect, that is all in the past. The question now is what should be done to resolve the present situation.

The NCAA has been contacted. The Minister will remember that the NCAA was set up with the precise purpose of accelerating the process of suspensions. It limited the number of cases in which hospital trusts should seek to suspend and set a target for the time it should take to process those suspensions. Neither of those has been observed in this case, but it predated the setting up of the NCAA.

I am told that the NCAA has written a response, and, although it says that disciplinary hearings should proceed, it is not standing in the way of a compromise or negotiated settlement. A compromise settlement must now be reached, and that could be achieved through an intervention from the Minister or arbitration by a jointly-appointed, independent party. We must cut through this process, which is dragging on—costing us millions or at least hundreds of thousands of pounds—and denying the people of Coventry the care that they need.

What is the essence of a compromise agreement? The trust should not expect to humiliate Dr. Mattu in any way or to reach an agreement that wholly supports its wishes. The essence of a compromise agreement is that each side should drop its claims against the other and no blame should be apportioned. If we start from that point, I am sure that a compromise can be reached, and I urge the Minister to set about resolving the problem on our behalf. If she were to say that procedures must be followed, we both know that the situation would continue for another year, with hundreds of thousands of pounds of extra costs, and we would be denied the good services of an outstanding doctor.

11.20 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): First, I join my hon. Friend the Member for Coventry, North-West (Mr. Robinson) in his congratulations to my hon. Friend the Member for Coventry, South (Mr. Cunningham) on securing this debate. I am aware of the local concerns regarding this issue and that there is considerable disquiet over the length of time taken to resolve the situation.

Before I discuss the suspension of Dr. Mattu, I want to say a few words about the progress being made locally at the University Hospitals Coventry and Warwickshire NHS Trust. My hon. Friends, including my hon. Friend the Member for Leicester, East (Keith Vaz), will be aware that, in 2001, the Commission for Health Improvement awarded the trust a zero star rating. That was coupled with the fact that, in the Dr. Foster report into cardiac surgery, published in November 2001, the trust was highlighted as having one of the worst cardiac mortality rates in the country and given three months to improve.

Following a number of interventions, including by the Modernisation Agency, a review by the Commission for Health Improvement in 2002 found that satisfactory progress had been made. Issues such as the high death rates, the practice of putting five beds in four-bedded bays, and strategic planning were all found to have progressed satisfactorily, but more work still had to be done. As a result, the decision was taken to franchise the trust and, as my hon. Friends have mentioned, the then chief executive, David Loughton, resigned in March 2002. The new chief executive, David Roberts, assumed the post in May 2003. He implemented a plan sustainably to improve performance at the trust.

I should like to pay tribute to the hard-working staff at the hospitals in the trust, who have turned round performance to the extent that the CHI awarded the trust two stars for 2002-03 and concluded that overall it is performing well, although work must still be done before the trust is one of the best in the country. The super-hospital for Coventry and Warwickshire is also being built, at a cost of about £359 million.

I will now turn to Dr. Mattu's case. I am aware of the issues surrounding the case, especially the long time taken to sort it out. There have been allegations that Dr. Mattu has been suspended because he is a whistleblower. The Government expect a climate of openness and dialogue to exist in the NHS, a climate that encourages all staff to be able to raise concerns about health care matters reasonably and responsibly, without fear of victimisation.

In August 1999, the Department of Health issued stronger guidance to all NHS trusts and health authorities on whistleblowing. That guidance is in line

[Miss Melanie Johnson]

with the requirements of the Public Interest Disclosure Act 1998, which gives strong statutory protection to employees who disclose information in the public interest and are victimised for doing so. National health service employers should ensure that all staff are aware of local policies and procedures, and their responsibilities for raising genuine concerns in a responsible and reasonable way. The Department's view is that concerns raised should be dealt with locally and in accordance with those local policies and procedures wherever possible. In July we issued an updated policy pack to support organisations reviewing their policies on whistleblowing.

Dr. Mattu has been employed at the trust as a consultant cardiologist since May 1997. The then joint medical director at the trust suspended him from duty on full pay on 21 February, following allegations of serious bullying. The act of suspension was—and still is—neutral, pending investigation of the allegations, and was in accordance with the trust's disciplinary procedure, which states that

"where, in the Medical Director's opinion, a practitioner's continued attendance at the workplace is or would be prejudicial to an investigation or good working, or is not in the interest of patients, the public or other staff, the practitioner may be suspended from duty on full pay pending the outcome of preliminary enquiries or the full investigation."

In each case, the consideration and the implementation of the suspension should be in accordance with the health service guidelines set out in HSG (94) 49.

Following Dr. Mattu's suspension, a further allegation was received that corroborated the original complaint. There was a formal investigation into the allegations, conducted in accordance with the trust employment procedures relating to clinical staff, which had been agreed by the local negotiating committee. That committee comprised senior consultants and so forth. The procedures are recognised as being fair and appropriate. The investigation methodology consisted of taking statements and interviewing people. Dr. Mattu has remained suspended during the process; his suspension is reviewed fortnightly by the joint medical director of the trust.

In January, an independent panel meeting was held, in accordance with trust procedure and agreed with the parties, to review the evidence and to consider what further action, if any, was necessary on the ongoing suspension. The panel undertook a preliminary investigation assessment and found that the prima facie case of personal misconduct needed to be answered. Dr. Mattu has engaged the services of the Hospital Consultants and Specialists Association and a solicitor. The trust has also engaged a solicitor. Progress on the case has been slowed by the lengthy and complex disputes between the trust and Dr. Mattu and his representatives. As a consequence, Dr. Mattu is unfortunately unavailable due to sickness, as my hon. Friend the Member for Coventry, North-West mentioned.

West Midlands strategic health authority representatives met the trust on 30 July 2003 to review the processes employed by the trust to date, and in particular to ensure that the fundamental principles of due process and natural justice have been complied with.

Mr. Geoffrey Robinson: I know that technically the suspension is, or is said to be, a neutral act. However, the consultant concerned has been suspended and left in limbo, with all the stress that that involves. There is no countervailing pressure on the others involved. I want to raise another point; is there not something wrong with those processes, which can go on for 20 months, even allowing for the four months of Dr. Mattu's indisposition? Cannot the Minister see that the processes are not working? What will she do about the matter?

Miss Johnson: I assure my hon. Friend that the process is genuinely neutral. I appreciate that it may not feel like that, but it is. That is how the matter must be regarded by all parties. My hon. Friend presses me on the length of the duration of the case, and I share his concerns about that. It is of concern that it has taken so long and we do not want cases to take so long. Dr. Mattu wrote to Sir Nigel Crisp, who suggested that the National Clinical Assessment Authority should look into the handling of the case. The NCAA provides a service that deals with doctors and dentists on performance issues and gives advice about local handling and how difficulties can be resolved. Ian Stone, the chief medical officer's adviser on long-term suspensions, is also an employee of the NCAA

A group was convened and met on 3 September. As a result, options for concluding Dr. Mattu's suspension and the implications of each of the options for the trust, its employees, its employees and the wider NHS were considered. The group also agreed to provide an expert opinion on how the trust should move forward and on the support required by the trust and, if appropriate, its employees. Ian Stone wrote to the trust's chief executive on 23 October to advise him on the steps that it should take to bring the case to a conclusion. The trust will consider that advice, but the final decision on the course of action to be taken rests with the trust.

As a result of my hon. Friends' comments, I am concerned about the amount of time that the case has taken and undertake to see whether there is anything further that we can do to speed it up. However, I cannot give my hon. Friends any assurance that that will be the case. It is very difficult to resolve such long-running disputes as rapidly as everybody would wish.

11.30 am

Sitting suspended until Two o'clock.

Dairy Industry

2 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): It is a pleasure to see such a good turnout from both sides of the House for this debate, which comes at a very appropriate moment for the industry. I am delighted to have secured it.

I was interested recently to see the controversial moment that boosted the ratings of "Coronation Street", when Sarah asked in the corner shop, "Is it really 37p a pint?" for the milk that she was collecting. That pays tribute, perhaps, to the sentiment felt widely across the UK that this is an industry whose value has been hidden for too long. The UK pinta has a special place in Great Britain.

Obviously, dairy is a 24/7 industry. When I visit my constituents on the farm, or when they visit my surgeries, I recognise that it is not a job or a business that can be done part-time, or that can be undertaken for two or three days a week. It is a full-time commitment and the industry has experienced a rigorous decline in recent years. In Scotland, 50 years ago, there were five herds for every one that remains. Galloway's prosperity was built on the industry and many constituencies represented in this Chamber today have witnessed a similar decline in prosperity, in direct proportion to the number of herds in the industry.

As I was discussing before the debate, the average age of a dairy farmer is now 59 and I hope that my constituents will not mind my pointing out that, when one is speaking to members of the industry, it seems higher. It is an old industry, and there is little prospect of the Government taking action to return it to its historic prosperity.

Mr. Hilton Dawson (Lancaster and Wyre): I am grateful to the hon. Gentleman and share all his concerns for the future of the industry, but is not this an issue less about Government action and more about the attitudes of the large supermarkets and dairy companies, which seem to be driving my constituents—and his—into oblivion?

Mr. Duncan: The hon. Gentleman is right. It has to do with the balance of market power and I shall discuss that shortly. That is the issue raised most often by my constituents. It is the balance between retailers, processors and producers that seems so out of kilter and that is putting a brake on the industry.

Mr. Paul Tyler (North Cornwall): The hon. Gentleman does not have the benefit of the *Western Morning News*, the regional newspaper for our part of the country. Perhaps I could draw his attention to an extremely useful diagram. It shows that the average shop price of a litre of milk is 42p, but the farmer gets only 18.3p—their costs on average are 20p, processing costs are 11p, supermarket handling and cold storage are 2p, and the supermarket profit on that figure is 10.7p. Would the hon. Gentleman agree that that is disastrous?

Mr. Duncan: I certainly acknowledge the clarity of the *Western Morning News* on this issue. The hon. Gentleman will want to retain his historic good terms with that local media, but I would like to progress by suggesting some direct measures that the Government could take to ease some of the industry's pains.

The president of the National Farmers Union Scotland, John Kinnaird, recently met Dairy Crest's chief executive, Drummond Hall. Mr. Kinnaird said:

> "No-one begrudges Dairy Crest making a profit, it is key to any successful business. However, our members cannot accept processors and retailers increasing their margins at the same time as producer prices fall through the floor. The major retailers have committed to pay more for cheese on top of earlier commitments on liquid milk. At the very least, Dairy Crest should commit to passing that increase back to producers in full."

That is the essence of the price problem: however much is promised at the retailer end, very little gets back to the farm gate.

Mr. David Drew (Stroud): Price is at the root of the issue, but there is another factor, to which the hon. Gentleman alluded at the start. This is a declining market, and one reason why we need to restructure it is so that all sectors can pull together to try to return it to a state in which the demand for milk is increasing, which would make many other things fall into place. Does he agree?

Mr. Duncan: I do not necessarily agree if the hon. Gentleman is suggesting that milk is a terminally ill industry. I see dynamic things happening in the dairy sector. In recent years, consumption has stabilised and all the evidence is that that situation could continue. I was pleased to be asked to open a new production hall recently by my local processor, Express Dairies. That is exactly the type of innovation that can show the way forward in the industry. It is taking the Nesquik brand into liquid milk. That is a significant investment, securing local jobs in Kirkcudbright, so I am delighted to welcome it. I do not share the hon. Gentleman's pessimism that the UK dairy industry is in terminal decline. It is rescuable, and if nothing else I hope that this debate provides an opportunity for hon. Members to point the way forward.

Mr. Adrian Flook (Taunton): As we see if we compare 2003 with 1997, we are still not being helped as a nation, particularly in Somerset, Devon and, no doubt, south-west Scotland, because the Government have in effect undermined the dairy industry by forcing us to import a lot of milk. That was not the case before 1997.

Mr. Duncan: Yes, importing milk causes particular resentment in the industry. There is a paradox, though, to link that to the price debate. The 10 per cent. appreciation of the euro in recent years has not fed through into prices at the farm gate. It is a particularly strange market when that does not happen.

The supermarkets obviously have structural control over the retailing side of the industry. They sell milk cheaply and have done so for many years. The challenge, then, is to achieve two things: first, the consumer pays a fair price for milk and, secondly, a fair proportion of that fair price is transferred back to the farm gate.

[Mr. Duncan]

The UK industry has proved to be very efficient. The yield has risen by almost 1.5 per cent. every year since 1987. That has happened through innovation and the commercial nous of the industry with its breeding, feeding and management systems. Those real commercial gains have been achieved through the hard endeavours of people at the coal face, but the return has been precious little.

The net farm income figures have recently shown a return to the dark days of a couple of years ago. Farm incomes are now at a third of their 1995–96 level. The industry has to tackle those price problems. They are the background to the understandable protests by Farmers For Action and others whereby farmers have sought to take their legitimate complaint to the processing and retailing sectors.

Some strong rural areas of the UK are represented on the Back Benches today. The UK countryside owes a great debt to the dairy industry. I understand that 230,000 farm holdings is the UK total. Unfortunately, the number of registered dairy production holdings in the UK has fallen from 35,000 to 25,000 in recent years. That trend affects all rural communities in the UK and the Government must take it very seriously. In my constituency, there has been a significant decline in the number of farmers, and a trend away from the small family farm.

I am anxious that rural communities should continue. They suffer most when the smallest farm units prove unsustainable and they are anxious that the common agricultural policy reforms will put a brake on small farms.

Miss Julie Kirkbride (Bromsgrove): I congratulate my hon. Friend on securing the debate, which has created much interest in my constituency where there are strong feelings on the issue. He will be pointing out the relative strength of the supermarkets and the prices that they fix for farmers. We should also consider Ministers' inaction following the problems of the foot and mouth crisis, which decimated rural communities, especially the small family farmers that he mentioned.

Mr. Duncan: My hon. Friend is right to draw attention to concerns about an outbreak of these diseases. My constituency was badly affected by the foot and mouth outbreak in 2001 and people are worried that that may be repeated. It is an uncertainty that is holding back the industry. I am worried that there may be a repeat of the foot and mouth outbreak and that the potential problems of tuberculosis, which have blighted the industry in many constituencies, may spread to my constituency.

The farmers in my constituency raise reform of the common agricultural policy with me as often as they mention prices. At a recent National Farmers Union meeting in Kirkcudbright, there was a wide-ranging discussion on the complex issues that affect the dairy industry, which is bearing the brunt of uncertainty about a negotiated settlement of the CAP reform package. There was particular concern about the prospect of decoupling, which was sold to the industry on the basis of a substantial reduction in red tape and form filling. At the early stages of CAP reform, that was, understandably, an enticing prospect for farmers. However, given the practicalities of modulation and ensuring that farms are linked to environmental schemes, the prospect of reducing the burden of red tape appears to be disappearing over the horizon. Farmers are worried that decoupling is no more than a smokescreen that will involve a reduction in their incomes.

Modulation is a prospect that often seems to mitigate worst against the UK, especially in rural areas. In the past, modulation has meant income evaporating from my constituency to elsewhere in Scotland and Europe. There is great concern that modulation and its expansion in the CAP reform package will continue that trend.

Mr. David Kidney (Stafford): Conservative Members often demand reform of the common agricultural policy. Is the hon. Gentleman advocating that we do not take the opportunity of earlier decoupling than everyone else?

Mr. Duncan: The hon. Gentleman is mistaken. I was not advocating that, but I do want us to take a close look at exactly what we are getting involved in. The industry was sold decoupling on the basis that it would remove the vast swathes of red tape and bureaucracy that have built up over many years and replace it with a simple system. What started to emerge was a removal of many of the schemes, but in terms of the modulation of red tape, they are being replaced by a new form of bureaucracy that has the potential to be even greater than that which it purports to replace.

The industry is concerned about the effect of CAP reform on farm incomes. Early estimates of the probable effect of the package suggest lower profits for dairy farmers, although many uncertainties remain. Estimates by Richard King of Andersons suggest that, as the new dairy premium arrives on farms, a 150-cow herd producing 1 million litres of milk might see an initial income gain of about £6,000 in 2004, which will be very welcome. However, from 2007 the price cuts agreed under the reforms will start to bite and compensation will decline as modulation rates increase and the EU exerts further financial discipline. That uncertainty in the longer term is proving to be a significant worry for all family businesses involved in the dairy sector.

I am particularly conscious of how technologically advanced the industry has become: even the smallest farmers in my constituency are no longer the cottage industry that they once were. They are high-tech, high-capital investment businesses that require certainty. That lack of certainty is proving to be the biggest burden that those businesses must overcome in very short order, before the business evaporates before their very eyes.

Ann Winterton (Congleton): This morning, I took the wife of a local dairy farmer round the House. She told me that they have to consider an investment of either £18,000 to lease milk quota, or £50,000 to buy it, at a time when they do not know what the value of the quota will be. I am sure that my hon. Friend realises what a tremendous problem that is for dairy

farmers, if they are to try to survive at this particularly difficult time. Does he believe that part of the problem is the milk quota system, which was introduced in 1984 and had an adverse effect on the UK compared with other European milk producers?

Mr. Duncan: I agree with much of what my hon. Friend says. She is right to point to the financial commitment that quotas require small businesses to make and to the fact that the capital in a business is often not only the fixed capital but a substantial investment in quotas. Families and local communities are greatly concerned about how the industry will move from that system to a system without quotas.

Given that margins are so incredibly tight in the dairy sector, I am particularly worried when I hear reports that dairy businesses in my constituency are seeking to expand their way into margin and profit. It is a risky strategy for those businesses to double their production because their margins have been halved. Although I am delighted to see any investment in the industry, I am concerned that the environment in the industry is so uncertain that businesses feel that such drastic measures are necessary to secure a fair return on their investment and work load.

I shall conclude by proposing some things that the Government could do to pave the way for a return to prosperity for the dairy industry, although I accept that there is much that is not within the gift of the Government. I know from experience that the Minister for Rural Affairs and Local Environmental Quality is a talented man, but he does not have a golden hand in much of this. However, the Government can make a difference in a number of significant areas—although those do not all fall within the remit of the Department for Environment, Food and Rural Affairs—and I wish to draw the Minister's attention to them.

In particular, the formation of farmers' co-operatives is an important way in which the businesses in my constituency could start to make money again. The potential for the competition rules in the UK to interfere with that natural development must be examined carefully. Can the Minister tell me what position his colleagues in the Department of Trade and Industry adopt on that matter?

Mr. John Burnett (Torridge and West Devon): As the hon. Gentleman will recall, the Competition Commission exonerated the dairy retailers some years ago. Does he not agree that one successful retailer with 20 per cent. of the retail convenience food market can almost impose conditions that others have to follow?

Mr. Duncan: The hon. Gentleman may be correct. However, my concern is that, if farmers want to get involved in small co-operatives, which I see as a key to breaking out of the cycle of decline, they are potentially prevented from doing so by the rigour of the Competition Commission.

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): The hon. Gentleman is making a serious and important point. In the dairy sector there is understandably a fear, particularly following the break-up of Milk Marque, that there is a bias against co-operation. That is based on a fundamental misunderstanding of the reasons why the Monopolies and Mergers Commission found against Milk Marque. The commission's adverse finding in that case was made not because Milk Marque had a monopoly position, but because it abused that monopoly position through its selling system. Events since then have shown that the competition authorities are willing to allow the creation of large dairy co-operatives and processors, as demonstrated by the creation of First Milk and Dairy Farmers of Britain.

I am grateful to the hon. Gentleman for giving me the opportunity to point that out, as he was talking about the industry's confidence in being able to proceed with such an approach.

Mr. Duncan: I am grateful for the Minister's observations. That is another area of great uncertainty in the industry, and uncertainty is proving to be a barrier to progress.

There are two further areas in which the Government could make a difference, the first being labelling. Labelling of all agricultural products is a major disincentive to developing the UK, Scottish and Galloway brands that command respect and a premium price. The UK rules on labelling are an appalling abomination. We are doing our industry no credit and must do more to give it an incentive to build up local brands. For the dairy industry, the branding of non-UK milk as being from the UK sticks in the throat.

Will the Minister ask his colleagues at the Department of Trade and Industry to reconsider market power and in particular the supermarkets' voluntary code of conduct?

Mr. Russell Brown (Dumfries): I wholly agree that the industry has serious problems, for example the issues of additional yield and good husbandry throughout the country on many farms. However, the hon. Gentleman has not mentioned the economic aspect and supply and demand. Does he agree that, despite the fact that we have not delivered a full quota in recent years, there is still over-supply in the marketplace? As long as that is the case, supermarkets can clearly beat prices down at the farm gate.

Mr. Duncan: There is also a failure to develop potential milk products and a serial failure to develop specialist products in the dairy industry, which could drive returns into the industry and the farm gate.

The Minister has the opportunity to re-evaluate the supermarkets' code of conduct. It was a voluntary scheme and I understand that the offer of that scheme was gratefully accepted by the industry at the time. There is great scepticism that it is not working as it should and I ask the Minister to implore his colleagues at the Department of Trade and Industry to seek the Office of Fair Trading's involvement in monitoring that agreement. There is considerable concern in the dairy industry that it is being forgotten about again, and that the prosperity of past years will not be repeated unless urgent action is taken and a fair price given for a fair product.

2.23 pm

David Taylor (North-West Leicestershire): I congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on initiating the debate. This is a crucial stage in the life of the dairy industry, and I am pleased to contribute briefly. I am particularly pleased to see so many Conservative Members at a time when they have their own deep trauma.

In its briefing for the debate, the National Farmers Union points out that the key issues on which we should focus are milk prices and bovine TB. Unless and until dairy farmers get a fair return, they will continue to contract in number. Until bovine TB is controlled, more and more farmers will be forced to leave an industry that has become enfeebled in less than a decade.

I shall focus initially on milk prices. As the hon. Gentleman said in his admirably measured introduction to the debate, the dairy industry is in a dire state. Processors and supermarkets take an ever higher proportion of the retail price, leaving farmers with continuing and growing losses. Clearly, that cannot continue. With prices at 18p a litre at the farm gate and a production cost of about 20p a litre, a typical 1 million litre per annum dairy farm is losing £20,000. With milk production nationally standing at about 14 billion litres, that is equivalent to 14,000 farms with hundreds of millions of pounds in losses, which is not sustainable.

Is it not the case that a higher proportion of the delivered milk price—to the doorstep or the chiller cabinet—has to be paid to the farmer? That has been true for 50 years. In 1945, the then Ministry of Information—I do not believe that it was located in Millbank—talked about the least pleasant aspects of farming:

"In winter, you are up long before sunrise. In calving time you are often up all night. You milk twice a day, dawn and afternoon. You have to wash down each animal, feed it, milk it, clean down the shed, clean yourself and ensure the purity of the milk, over and over again, day after day."

Apart from the major efficiencies of mechanisation, 58 years on, one is tempted to say that little has changed. Farmers milk the cows and everyone else milks the farmers.

Mr. Dawson: On that point, does my hon. Friend agree that UK farmers could assist themselves by embracing fully the concept of fair trade and recognising that they are in exactly the same powerless position as producers in developing countries in relation to the power exerted over them by large companies? Is it not time that we had a fair trade campaign for quality UK produce?

David Taylor: There is an awful lot in what my hon. Friend says. A proportion of World Trade Organisation discussions and negotiations revolved around that very issue, so there is some potential in what he says. The situation is not fair. The proportion of the delivered price retained by the farmer is not sustainable, and it is unfair. The work involved in producing milk is immense compared with that involved in selling the product. Farmers have to have high standards of welfare for livestock and full traceability, and adhere strictly to the dairy farm assurance scheme. They have to care for the land, with all the environmental aspects that that entails.

Almost the first thing that the hon. Member for Galloway and Upper Nithsdale said was that the job is 24/7, and it is. Dairy farmers are dealing with living creatures and when they are not working with cows, they are usually thinking about them and are concerned about their welfare. Although new Labour is said to be reluctant to intervene in markets, like its predecessor, it has to when markets are failing as seriously as this one is.

Early-day motion 1803 is garnering a substantial number of signatures from throughout the House. It was tabled by my my hon. Friend the Member for Ynys Môn (Albert Owen) and amended by the hon. Member for Ceredigion (Mr. Thomas). I encourage hon. Members in the Chamber and those who may read the debate to consider that motion carefully. It points out that the Government must be an honest broker in bringing together powerful dairies and multiple retailers to enter into a full and proper dialogue with dairy farmers and their representatives. Unless they get larger returns and a surplus, dairy farmers will never be able to reinvest in the industry and it will continue to decline in the way the hon. Member for Galloway and Upper Nithsdale described.

Like many other rural areas, North-West Leicestershire is seeing dairy herds decline. One of the most shocking closures in the past few weeks was referred to by another farmer in a letter to me just two days ago who wrote:

"As you may be aware John and Pat Stanley sold their entire dairy herd this week. It was a shock to all of us in the industry because they were considered one of the most efficient high production herds in the country, and they enjoyed what they did.

It is a sad reflection on the industry when families like that have to give up milking. The animals which were all outstanding went for very little money, as buyers have little confidence in the future of dairy farming."

The farmer is absolutely right. A family with a high reputation has left the dairy industry, so things must be seriously wrong.

I speak to the local National Farmers Union regularly and, prior to this debate, I contacted and received comments from people such as John Adkin of Belton, Clive Spalton of Isley Walton and Chris Timmis of Swannington. The mood is profoundly pessimistic. I shall cite one further quote:

"It is of grave concern to us that we have suffered a very depressed milk price over the last three years. This we cannot absorb any longer. We are a long established mixed family run farm and our main source of income . . . is from milk sales.

We have slashed out costs to the bare minimum, the effects of this are that there is still no surplus cash to reinvest or even maintain the farm and buildings that are required. Effectively we are producing milk at below the cost of production".

That is a depressing state to get into.

We have been in this situation before. Those who are running family farms and who are the second or third generation will be able to reflect on the farm records, which show that there was a similar period in the 1930s, when low and volatile milk prices effectively brought about the creation of the milk marketing boards, which saved the milk industry when it was on its knees. The boards created some stability in farm-gate prices. The days of the milk marketing boards ended in 1994, after legislation from the Conservative Government. One of the successes of that scheme, which died with it, was ensuring that farmers, processors and retailers took a fair slice of income from the production of milk.

How on earth have we arrived at the present commercial chaos in less than a decade since the end of the old milk marketing boards? I ought to declare that my wife worked for the milk marketing board for some time. We need a proper regulatory board to handle the present three-way negotiation between farmers, processors and retailers, because the negotiation is unequal. The farmers are not collected together in groups that can exercise the leverage that they ought to be able to exercise as an industry.

Mr. Tyler: The hon. Gentleman is making a valid point. However, I was on the Committee that dealt with the Bill relating to the milk marketing boards and I wonder whether he recalls that his colleagues on that Committee joined with the Conservative Government to destroy that system.

David Taylor: I was not aware of that and I am sorry to hear it. I shall look at the names of those people and see whether they have recanted. It is a serious point.

Mr. Eric Martlew (Carlisle): My recollection is slightly different. I do not think that that was the case at all.

David Taylor: Some interesting research in the Library this evening will show whose memory is more accurate.

I believe that there is a way back. Many people want to speak so I will confine my remarks to a further two minutes. My way back is through a co-operative of some kind, or groups of co-operatives. The Minister said that the Government have not looked unfavourably on the development of a number of co-operatives that have emerged in the post-Milk Marque era. Well, that is fine, but co-operatives in the dairy industry in the European Union achieve much more than co-operatives have been able to in this country. Co-operatives are biased towards making commodity products. They make value-added products, set a floor on the milk price and require public and private retailers to pay a reasonable price to obtain milk at the farm gate.

I hope that the farming industry, dairy farms in particular, will not base its action too much on a few disappointing co-operative failures. *[Interruption.]* The failure of the Amelca co-operative in west Derbyshire, to which the hon. Member for West Derbyshire (Mr. McLoughlin) was about to refer, was a failure not of co-operative principles, but of the business plan, and it was created at a time of difficulty in the industry.

I hope that there will be a way back for the dairy industry through the formation of co-operatives, and that the Government will play their part. The industry needs more stable milk prices, a higher floor price and greater security for dairy farmers. All producers need better prices. There is no single villain in the piece, but I hope and expect that in the last two years of this second-term Labour Government we can help to turn around the dairy industry, which is looking over the edge of a precipice. Many hon. Members who represent rural seats are fearful of what the future may hold.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Edward O'Hara): Order. Hon. Members may wish to note that we have just 24 minutes until the Front-Bench responses must start at 3 o'clock.

2.36 pm

Mr. Patrick McLoughlin (West Derbyshire): I am grateful to be called to speak in this debate because, as the hon. Member for North-West Leicestershire (David Taylor) pointed out, the fact that early-day motion 1803 is already gaining signatures from hon. Members of all parties shows the very real concern that is felt about this issue throughout the House. I congratulate my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) on initiating the debate. The dairy industry will be listening to it and to what the Minister has to say at the end.

The dairy industry is vital to the physical and economic health of the nation. The simple fact is that prices must improve or it will disappear. As the largest single agricultural sector, the dairy industry provides jobs for tens of thousands of people. It contributes 22 per cent. of the value of agricultural production. The UK dairy industry provides 95 per cent. of the dairy products that form an essential part of our diet. The 30,000-plus dairy farmers in the UK help to maintain and protect our countryside and there is no doubt that the countryside feels under threat from this Government.

By taking for granted the availability of milk and the vital role that it plays in our diets, we could be contributing to the demise of the industry. More than 10 billion pints of milk are sold in this country every year, providing a mixture of vitamins and calcium—which are essential for good health—that few other foods can rival. The industry is vital for the health of not only our nation but our children. The Government are complacent and I hope that the campaign that is being launched forces them to take action.

Six years of poor prices have forced the milk-producing industry to contract alarmingly. Since 1997, farm-gate prices have steadily dropped. They are now more than 5p per litre less than in 1997, despite the fact that retail prices have remained relatively steady. Low prices are forcing farmers out of business. In England alone, there are 5,000 fewer dairy farmers than in 1995. In south and west Derbyshire, there are only 574 dairy holdings, compared with more than 700 in 1995. Year after year, the number of dairy farmers is being reduced. How long will we let that continue?

There is no good explanation for why farm-gate prices for liquid milk are so low. Prices should have moved in the dairy farmer's favour in the past nine months. The pound has weakened against the euro, world commodity prices for butter and cheese have strengthened and Britain maintains a strong market for fresh milk. Indeed, the large supermarkets agreed to raise by 2p per litre the price paid to the dairy processor with the undertaking that that would be passed back to

[Mr. Patrick McLoughlin]

the producer. Yet prices remain among the lowest in the EU because most processors are passing back less than 1p. Farmers are now receiving only 39 per cent. of the price that consumers pay for milk. In 1996–97—I do not know quite why I have those figures—they were receiving 58 per cent. People should reflect on that.

David Taylor *rose—*

Mr. McLoughlin: If the hon. Gentleman does not mind, he spoke for 13 minutes and a lot of people want to contribute.

There continues to be unwillingness by some to ensure that profits are shared throughout the industry. The futures of remaining farms are undermined by the lack of investment and the general exodus from the industry. Many dairy producers simply cannot see a way to continue, and the Department for Environment, Food and Rural Affairs continues to predict a decline in net income. I wish that the Department would take its responsibility to agriculture a little more seriously. Agriculture seems to be what it cares about least; it is amazing that it does not even appear in the Department's title.

Mr. Stephen O'Brien (Eddisbury): My hon. Friend is developing powerful arguments, not least with the staggering price difference that he quoted. Is he aware that another major factor now restraining investment and confidence in the industry is the great threat of the ever-expanding bovine TB problem and the appalling delay that it causes?

Mr. McLoughlin: Indeed. That is a big issue in Cheshire, as it is in Derbyshire. I had an answer from the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Exeter (Mr. Bradshaw), on the rise in TB cases in my area of Derbyshire, and the figure was staggering. The fear that that causes for farmers is yet another burden for the industry.

With prices so low, farms are being starved of cash for future investment, as my hon. Friend the Member for Galloway and Upper Nithsdale said.

Mr. Flook: Does my hon. Friend agree that an extra cost will be that of implementing nitrate-vulnerable zones?

Mr. McLoughlin: Yes. That is another regulation, another demand, another thing for farmers to spend time on among so much else.

Few young people are interested in entering the industry when the average income of a dairy farmer is only £2.90 per hour for a 70-hour week. There is no minimum wage for the dairy farmer because he simply has to work longer and harder to achieve his return. Many farmers with experience are considering leaving. If the industry collapsed, that would have major ramifications for the whole United Kingdom. Dairy farming is the single largest agricultural sector in the UK and the industry accounts for 22 per cent. in value of agricultural production. Its destruction would see considerable increases in imports and the loss of significant exports. Tens of thousands of jobs in the supply and support industries that rely on the cow would be at risk. If dairy farming is to continue, larger returns must be passed back to enable reinvestment. The average price to a milk producer is 17p per litre, but the average cost of production is estimated to be more than 20p per litre. Those are the crucial figures.

I have the privilege of representing one of the most beautiful constituencies in England, and the Minister was there just a few weeks ago. There is no doubt that many people visit my constituency, which contains some of the Peak District national park, partly because it is farmed, maintained and looked after. If we do not look after the dairy farmers, the countryside that many people enjoy week in, week out will, sadly, disappear.

2.44 pm

Mr. David Heath (Somerton and Frome): It is a pleasure to follow the previous speakers. I particularly congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on securing the debate, not least because it was precisely the debate that I called for in business questions a week or so ago. It is long overdue if we are properly to represent the people who are attempting to make a living from dairy farming in our constituencies. If I needed persuading of the difficulties that the Somerset dairy farming industry faces at the moment, and I do not because it has been that way for some time, I could have done no better than listen to those who attended the south-west industry dinner at the Royal Bath and West show. However they were involved in the industry, whether as farmers, processors or whatever, everybody said the same thing: the industry faces a dire future.

I shall be brief so that other hon. Members have the opportunity to speak. I represent a constituency that may contain more dairy cattle than any other and is certainly one of the finest dairy lands in the country. On behalf of dairy farmers, I want to express the cries of pain and anger that, if they were here today, they would express. I do not want to repeat arguments that have already been made, but if we do not get the farm-gate price of milk or milk produce right, we will not have a viable dairy farming industry in years to come.

We have skated around the central issue, which is the power of the supermarkets. They have an oligopoly that destroys any attempt at a free market in milk. Until somebody faces down supermarkets and says, "We want an indigenous dairy industry and we want our farmers to continue to lead the life that they have done over the years, producing milk and milk products in this country," we will not make a difference. The issue is the difference between the price of production and the price that is available through the retail system.

Mr. Ian Liddell-Grainger (Bridgwater): Will the hon. Gentleman give way?

Mr. Heath: If the hon. Gentleman will forgive me, I will not, as many other Members want to speak.

We cannot sustain a position in which a loss is made on every pint of milk sold. The hon. Member for West Derbyshire (Mr. McLoughlin) is right to say that there should have been an improvement in the past three

years. There has not been because of the power of the supermarkets. They could not care less about this country's industry because they can always import products.

Milk is not a price-sensitive issue for the consumer in the supermarket. People do not base their purchase of milk on price; they go in, pick up the container of milk and pay the price at the checkout. The supermarkets cannot see that unless they produce a sustainable ladder through the industry that makes a proper return on investment and capital at farm, processing and supermarket level, they will destroy the industry.

I see so many smaller farmers who face a very uncertain future and are coming to the conclusion that to sustain the losses that they are sustaining while retaining their farm as an asset of huge capital value is a nonsense that no accountant would advise them to continue. They also face the fact that they cannot make the essential investment needed to improve and modernise their farms because they cannot demonstrate to the banks that their businesses have a viable future.

When farmers wrestle with the continuing knock-on effects of foot and mouth and the difficulties of bovine tuberculosis, which we have still not properly addressed; when they consider that some agricultural sectors are beginning to come out of depression; they are told that other farmers are doing better but they know that they are not; and when they cannot feed their families on the return from dairying, they will of course consider whether it makes sense to continue.

As the hon. Member for West Derbyshire said, if we do not have dairy farms in the best dairy farming areas, whether in Somerset, Derbyshire, Cheshire or wherever, we will not have the areas of outstanding beauty that people come to visit—there will be a wilderness. Nobody wants that to happen.

I beg the Minister to take a strategic view of what is best for Britain, its farmers and the British countryside. The hon. Member for North-West Leicestershire (David Taylor) may well be right: until we have some form of intervention or bargaining process that levels the playing field on behalf of our farmers, we will not give them a fair deal.

Our farmers are desperate. They are getting to the point where they are prepared to take desperate measures. I want to avoid that, but we can avoid it only if the House is seen to be speaking up clearly for the industry and the Government are seen to be doing something for it.

2.50 pm

Mr. Simon Thomas (Ceredigion): I am pleased to have the opportunity to speak briefly on the dairy industry in west Wales. I shall not exchange facts and figures about which part of the country has the most dairy farmers. There is, however, certainly a strong dairy tradition in west Wales and my constituency and a strong tradition of innovation in the dairy industry there. Some award-winning cheeses were introduced in west Wales, the first organic dairy was started there and there is an increasing amount of co-operative working in the industry in that area.

I am certain that the dairy industry in west Wales and throughout the UK has been at the forefront of innovation, reacting to customer demand, trying to introduce new products and developing new ways of adding value to the milk supply chain. That activity must be supported as much as possible by the Government as part of the solution to the current crisis in prices.

I listened carefully to what the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) said. He made a measured and important contribution to the debate, and I congratulate him on that. I agreed with much of what he said and I shall not bother repeating it, because many hon. Members want to contribute.

It is important to recognise the scale of the decline in Wales. We have lost nearly 500 dairy farms in just two years. That is a significant blow to the dairy sector. We need some sort of critical mass in that sector, especially in terms of forming co-operatives, working together and adding value to products. If we do not intervene now and take some action, when the industry comes together and starts working it will not be of a sufficient size and strength to challenge the supermarkets and the processors, as the hon. Member for Somerton and Frome (Mr. Heath) said.

On talking to dairy farmers in my area, I find that they do not always come down hard on the supermarkets. They ask some hard questions of the processors, such as the creameries, which are the intermediaries in the chains and are also taking a lot of money out of the process. We are aware that in the last couple of years at least three price increases by the supermarkets were made in the name of the farmer. If we were to work out what the price should be per litre, we should be talking about 26p being passed on to the farmer at the moment—if we take into account what the supermarkets tell us they have been doing with the price increases. If the supermarkets have passed the price increases on to the processors, who has been holding on to them? The farmers have certainly not been receiving them. An average farmer producing milk in Wales receives around 8p per pint. We know that milk sells on the doorstep at about 43p, and for a little less than that in the supermarket.

Many hon. Members have talked about what action could be taken. The hon. Member for North-West Leicestershire (David Taylor) and the hon. Member for Somerton and Frome talked about what could be done, including some sort of intervention, or arbitration: I hope the Minister takes my suggestion seriously, because it is a new Labour suggestion—I know it is, because the Government did something similar about two weeks ago.

When Carlton and Granada came together, the Government said, "There's a problem here." They said that there was too much weight in the marketplace in the hands of one big company and that they were not sure about it. They allowed the merger to go ahead, but established an independent watchdog to limit the company's ability to raise the price of advertising slots to ensure that there were no adverse effects on those who bought advertising time from that huge company. The milk industry is crying out for just such an independent watchdog. There could be one person—perhaps a regulator empowered by the Government—to undertake those tasks, looking at the price paid by supermarkets, processors and producers and trying to come up with equality in that regard. I commend that idea to the Minister.

[Mr. Simon Thomas]

We need to know from the Minister today what further action he intends to take on bovine tuberculosis. As we know, the Krebs trials will drag on until 2006. There will be an effect not only directly on dairy producers but on consumer confidence. If bovine TB increases as it has done—it has been increasing by 20 per cent. a year in Wales so far—the effect on consumer confidence will be something to be concerned about. In particular, there will be an effect on the cheese producers. Think of all the cheese producers using raw, unpasteurised milk. It makes the best cheese, but how will they maintain consumer confidence if there is rampaging TB in the cattle population? The Government must take an interest in that and must take action.

My final point—I understand that time is short—is on compensation payments to milk producers under common agricultural policy reform. I understand that the Department for Environment, Food and Rural Affairs is considering a compensation payment with a decoupling based on the quantity and not quality—that is to say, the butterfat or protein content—of litres held under the quota. I would like the Minister to reconsider that.

If we accept that there is over-supply in the market, why are we rewarding it in the payment of decoupling following CAP reform? Why are we not considering supporting producers such as those on Guernsey and the Channel islands, and organic producers, who are aiming at specialised markets and aiming to protect and deal directly with consumer demand? We could be in danger of rewarding the acknowledged over-supply in the market.

I hope that those are useful suggestions for the Minister to consider. There is more that can and, in a sense, should be said, but other hon. Members want to speak in this important debate and I understand why.

2.56 pm

Mr. Stephen O'Brien (Eddisbury): First, I congratulate my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) on securing a timely and critical debate. The subject is of vital interest to farmers and milk producers in my constituency, which, coupled with that of North Shropshire, is claimed to be the largest milk field in Europe. However one defines such matters, a lot of milk producers are represented in this Chamber. That is why there is such interest in the debate, and such urgency to impress on the Minister the action that needs to be taken and is within the gift of DEFRA. For the sake of the national interest, it is not something that the Government can afford to ignore or dismiss lightly.

Economically, there is a background of ever-commoditising a raw material for so many value-added products against an over-supplied European market. Because of that over-supply, we have some distortions in the market.

Ann Winterton: Is my hon. Friend aware that the whole annual EU surplus of milk is supplied by Germany and France? Germany consumes less milk than the United Kingdom, has twice as many cows and is allowed to produce 28 million tonnes. France produces three times what it consumes—24 million tonnes. We are allowed to produce just 13.9 million tonnes and we consume practically all of it.

Mr. O'Brien: I am grateful to my hon. Friend. That is why I emphatically say that the industry is not declining—not only does the UK need it, but it has market demand to sustain it. What the industry really needs is a level playing field. That is why, in the four years that I have been privileged to be a Member of the House, I have twice, under the private Member's Bill ballot, introduced a Food Labelling Bill. That Bill demands the display of the country of origin and standards of production. I know that high standards are shared by so many, including the organic and specialist producers. The hon. Member for Ceredigion (Mr. Thomas) made an absolutely vital point about Channel islands producers, and the fairness of compensation under the intended schemes.

I plead with the Minister to impress the importance of the issue on his colleagues in the Government and, particularly, on the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Exeter (Mr. Bradshaw). I had a constructive meeting with Cheshire farmers and the Minister for the Environment about bovine TB, but because there has since been a transfer of responsibilities it is critical that those farmers get to meet the Under-Secretary. The Cheshire farmers did not criticise DEFRA, but said, "Here is a positive opportunity for the Government to take the appropriate action." We recommend, and it was well supported—the NFU endorsed it in a briefing that I know all hon. Members received—a MOT test certificate for cattle, so that when transfer movements take place, those cattle that have been able to take TB tests have a higher qualification and can go with their passports.

Secondly, we need to ensure that an isolation ward is provided at the farm of receipt so that the rest of the herd is not put at risk. That would be a practical solution. On the front line of the spread of bovine TB—whether or not it appears in clusters—the vectors appear to be badgers and perhaps other wild animals. The Krebs inquiry is hopelessly delayed and under threat as a genuine process to address an admittedly difficult political issue. In Exeter in Devon, there are genuine pressures caused by bovine TB as well. That proposal is not special pleading; it is something for the dairy industry, in the national interest, that is within the Government's gift, and it could speed the process up and do so accurately and scientifically.

I urge the Minister to help us to secure a delegation to meet the Under-Secretary so that we can make those points yet again, because nothing is happening yet. We have to see progress in the interest of our dairy farmers, who are crying out for help. They are doing their best in the national interest and they are not getting the support that they need.

3 pm

Andrew George (St. Ives): I congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on his measured opening remarks, which hit the nail on the head. He explained that dairy farming is

a way of life, rather than a job in the countryside. I have to declare an interest: many of my family are engaged in the dairy industry and I have worked in it myself.

The hon. Gentleman pointed out that the Government need to take on board the effect of competition rules on mergers between farmers' co-operatives in the future. In his earlier intervention, the Minister showed that he is aware of the likelihood that the only way forward for dairy farmers is for farmers' co-operatives to have greater muscle in the market to negotiate and secure a far better farm-gate price than they can at the moment.

The hon. Member for North-West Leicestershire (David Taylor) explained and reflected what I have found to be the case among dairy farmers not only in my constituency but, I am sure, throughout the country: they are all fundamentally and profoundly pessimistic. He said that he more or less regretted the loss of the milk marketing boards, and knowing what we know now, many of us look back to the stability that they were able to provide the dairy industry. There was a climate in which farmers could plan for the future, which they clearly cannot do now.

The hon. Member for West Derbyshire (Mr. McLoughlin) argued well that prices have increased due to the strength of the pound against the euro, the stronger world price for cheese and the agreement—among some supermarkets at least—to pass on a 2p-per-litre price increase on liquid milk. During the past year, all those factors should have been working towards improving dairy farmers' circumstances. However, it is clear that the one fundamental factor that has worked against even that is the strength of the supermarkets and the fact that they can dictate market conditions as they have done. In my view, the bulk of any farming subsidies seems to be siphoned off to middlemen, processors and supermarkets. The hon. Gentleman hit that nail on the head.

Mr. Drew: To be fair to the processors—I have the biggest dairy in my constituency—there has been a huge reduction in capacity. That has come at a cost. One thing that I said earlier, which was slightly misconstrued, was that we need to rebuild the relationship between the processors and the producers. That can be done only if the processing industry is reasonably efficient.

Andrew George: That is true. The Dairy Trade Federation called in the Monopolies and Mergers Commission, as it was in those days, to consider the impact of Milk Marque because farmers wanted to integrate vertically into the market. It is appropriate that farmers are able to do so, and to add value to their products and engage in processing themselves. I am pleased that they are doing that, and I hope that we learn from those areas where they are doing it successfully.

My hon. Friend the Member for Somerton and Frome (Mr. Heath) expressed the passion and human emotion behind the current situation, and, along with the hon. Member for Ceredigion (Mr. Thomas), repeated the theme of the impact of supermarkets on farmers. The hon. Gentleman also asked, who is making the profit? Someone clearly is, and it sure as hell is not the farmer.

The hon. Member for Eddisbury (Mr. O'Brien) mentioned the impact of bovine TB. Certainly, those areas that were restocked following foot and mouth have seen further outbreaks, and I agree with the hon. Gentleman that that points in the direction of having health clearances attached to cattle passports as cattle are being moved around the country. The Government must take on board such positive initiatives because, as the dairy industry tries to recover from its current doldrums, it does not want to be hit by the further effects of bovine TB outbreaks.

Matthew Green (Ludlow): Does my hon. Friend agree that the effects of TB on the dairy industry are set to be even more significant? The average cost is £36,000 per affected farm per incidence. Although the Government provide compensation for the value of the slaughtered cattle, they fail to cover the cost of loss of milk sales, halt to the trade of live animals, disruption to breeding plans and the loss of pedigree lines, all of which add up to that loss of £36,000, which is devastating for farmers.

Andrew George: I entirely agree with my hon. Friend. It is clear that although there is 100 per cent. compensation for the animals themselves, the overall impact on the holding is significant—he articulated that far better than I could.

I come from a farming background. Earlier, I was speaking to one of my cousins, who is a dairy farmer in the parish of Mullion. When I was being brought up in that parish, there were nine dairy farms; now there are two. People have talked about the significant reduction in the number of dairy farms in the country. It is a question not just of economic sustainability, but of social sustainability. We are losing rural traditions and the lifeblood from the countryside, as, frankly, the countryside is being turned into prairie and ranch. We cannot afford to allow that to continue. The contribution that farming makes is not only to the economy itself, but to the whole way of life of the countryside. People need fully to understand that.

British dairy farmers are among the most mechanised and efficient, and they operate in some of the most favourable climates, especially for pasture and growing. Yet, to my knowledge, they are more firmly on their knees than those in any other European dairy industry. On the impact of the MMC report in 1999 and the Government's response to it, which we debated in this House, it was a critical error by the Government to accept the MMC's interpretation of the place that Milk Marque had in the market. Since that critical point, we have seen a significant decrease over a long period, ending where we are today. We do not know what will happen as a result of the break-up of Milk Marque.

Mr. O'Brien: As I forecast in 1999, the problem was not only that the MMC made a misinterpretation. The Minister at that time, the right hon. Member for Tyneside, North (Mr. Byers), made an overruling that prevented localised vertical integration, which could, on a value-added basis, have been the rescue. Instead, all the power was given to the distributors and yet more pressure was put on the farm-gate price.

Andrew George: The hon. Gentleman makes a good point. The vertical integration point certainly needs to be looked at.

[Andrew George]

Dairy farmers are going out of business in this country at breakneck speed. Prices are at rock bottom. Families I have spoken to today, and other farmers mentioned during the debate, are clearly producing milk at a rate that can hardly achieve break even; some are making a loss. That is, of course, a loss to the Treasury because it is collecting no tax from dairy farmers at the moment. At the same time, processors and supermarkets are clearly making profits. It is evident that we cannot simply sit back and allow that to happen, and limp on from crisis to crisis. The milk price should be the basis not simply for establishing that fact; it should be the basis for special pleading. We should recognise that this is a dysfunctional market. There are still quotas. The Government have a role to play: they should intervene in the market.

The Government must answer some questions. What assessment has been made of the impact of the conclusion of the Competition Commission report of 1999 that Milk Marque had been exploiting its monopoly and should be split up? What do they believe is the break-even price for dairy farmers? Do they believe that the code of conduct operated by the Office of Fair Trading should be toughened to give farmers more muscle in the marketplace? Have they assessed what will be the impact on our dairy farmers of the European Union's eastward expansion, and if so, what will it be? Will the dairy premium that will be introduced simply be siphoned into the coffers of the processors and supermarkets, although it should be used to support our dairy farmers? Crucially, what will the Government do to protect our dairy farmers in the marketplace in future?

3.10 pm

Mr. John Hayes (South Holland and The Deepings): I congratulate my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) on securing the debate, which is indicative of his passionate commitment to the dairy industry. That passion has been replicated across the Chamber, not least by my hon. Friends the Members for Eddisbury (Mr. O'Brien), for West Derbyshire (Mr. McLoughlin) and for Congleton (Ann Winterton). I note that the Chairman of the Select Committee on Environment, Food and Rural Affairs, my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), is present, which illustrates his personal commitment to this subject and to the plight of our dairy farmers.

Measured in any terms—farm incomes, the number of people leaving the industry, borrowing—there is no doubt that the industry is in decline. That has been repeatedly stated in the debate. According to a wide range of indicators, dairying is in deep crisis. The National Farmers Union claim that

"unless the price paid to milk producers improves there will be no dairy industry left to worry about".

There cannot be a more stark warning than that.

As my hon. Friend the Member for West Derbyshire pointed out, milk products account for 22 per cent. of agricultural production. The decline and collapse of the dairy industry is more than just a narrow sector issue: it is about the welfare, benefit and maintenance of our countryside, as he described. As hon. Members have said, dairying is now barely viable. The Minister knows that milk producers need about 19p to 20p per litre to be viable, and they are not getting that. Raw milk production is almost beyond viability.

The problem is even more complex. Whereas our European competitors have much greater capacity to add value—they have much better processing at farm level—in our country, processing is concentrated in the hands of a few organisations. As the hon. Member for North-West Leicestershire (David Taylor) pointed out, the ability of dairy farmers to trade their way out of problems is limited by their inability to add value to their products. The hon. Gentleman is right that we need to look at collaboration and co-operation—at ways in which we can encourage dairy farmers to add value to their products.

Mr. Liddell-Grainger: Is my hon. Friend aware that Yeo Valley is now the predominant organic yoghurt supplier and that although it set itself up as a co-operative, it is finding it hard to compete?

Mr. Hayes: My hon. Friend is a champion of the industry in his own part of the world, and he is right about that. That point was also made by a charming Member for a Welsh constituency, the name of which I will not attempt to pronounce because I will get it wrong, who said that it is vital that we help people to develop vertical markets that allow them to add value in the way that has been described. That is not happening at present, and I hope that the Minister tells us how he will help to make it happen.

The situation is not helped by the common agricultural policy. My hon. Friend the Member for Congleton made the position clear. A newspaper article of last weekend contained the following statement about milk production:

"The UK is only permitted to produce 14 million tonnes a year, slightly more than we consume. Germany, which consumes less milk than Britain—only 11.2 million tonnes—has twice as many cows and is permitted to produce 28 million tonnes. France, which consumes even less (8 million tonnes) is allowed by Brussels to produce 24 million tonnes".

That is neither fair nor right and it cannot be allowed to continue.

Mr. David Curry (Skipton and Ripon) *rose—*

Mr. William Cash (Stone) *rose—*

Mr. Hayes: As my right hon. and hon. Friends may have different views, I shall give way to them in turn.

Mr. Curry: My hon. Friend makes an important point. Would he acknowledge that at the time of our entry to the European Union the UK was concerned to

safeguard New Zealand exports to this country? Low British production is the price we paid to do that and we are still paying that price.

Mr. Hayes: With your permission, Mr. Deputy Speaker, I shall now give way to my hon. Friend the Member for Stone (Mr. Cash), who may have a different perspective.

Mr. Cash: Does my hon. Friend agree that we have to reform the common agricultural policy and ensure that it comes back to the UK on satisfactory terms?

Mr. Hayes: The views expressed by my right hon. and hon. Friends are widely held among dairy farmers. Far be it from me to add more in the short time available than to say that I agree about the need to reform the CAP. Other issues need to be amplified here.

As the hon. Member for Somerton and Frome (Mr. Heath) pointed out, it is unacceptable for supermarkets to take the lion's share of the profit that is to be had in the production of dairy products. The relationship between the farm-gate price and the retail price is simply unfair. It is unreasonable to have such distortion and imbalance in the food chain. We need a Government who are prepared to face up to that and do something about it.

Labelling is vital too. My hon. Friend the Member for Eddisbury has been notable in this respect. He introduced two private Member's Bills to bring fair food labelling to this country, both of which were blocked by the Government. That is scarcely believable given the palpable reasonableness of his proposals.

There is also the dreadful business of bovine TB. Coming on top of all the problems that have been highlighted in the debate it is the icing on the cake. It is the last straw for many dairy farmers. Hon. Members will know that the disease is spreading rapidly. It is making its way across the country. My hon. Friend the Member for North Wiltshire (Mr. Gray), who is recognised as a champion of dairy farmers, has highlighted the matter in his area and in the House. Yet, as was pointed out, rather like the Liberal Democrats' capacity for being politically capricious, the Krebs report and tests are seemingly endless. The Krebs tests go on and on and yet dairy farmers face the problem of bovine TB unabated. The Minister needs to tell us what specific and urgent steps the Government will take to deal with the spread and severity of bovine TB.

I will end with a series of questions that farmers would put to the Minister if they were here today. Do the Government agree with the president of the Scottish NFU, who is well known to my hon. Friend the Member for Galloway and Upper Nithsdale, that the decision of suppliers not to pass on to farmers the extra 2p per litre that they receive is "abhorrent"? What specific measures will the Government put in place to allow farmers to add value to their products? Do the Government accept that because of the current price per litre of liquid milk paid to producers the average net profit of dairy farms is falling to the point where those farms are no longer viable? Do the Government accept that under CAP reform the plight of dairy farmers is likely to worsen?

Have the Government sought to amend EC regulation 2597/97 in the manner that the milk taskforce report recommended? Do the Government accept that the uncertainty is greatly damaging to the industry and will they state clearly today whether the UK will go for earlier decoupling of the dairy sector in 2005 rather than in 2008? What is the Government's strategy to help the dairy industry? What are the notional targets in terms of production and the number of producers or is there no strategy? Will we be entirely reactive, reacting to the imperative set by our competitors in Europe? What is the Government's policy on aiding dairy farmers affected by breakdowns to their herds caused by bovine TB? We want new information, new ideas and new proposals from this Minister today.

The Government must know of the profound difficulties faced by the dairy industry in the United Kingdom. The Minister will have heard the concerns expressed by hon. Members in all parts of the Chamber—from the Government Benches, the minor parties and Her Majesty's Opposition. He will understand that many of the points go well beyond political knockabout and reflect genuine concern and a real passion to support our dairy industry. There has been enough wringing of hands; let us hear from the Minister specific, persuasive proposals to deal with the matters. They must be persuasive because, if he does not introduce such proposals, there will be no British dairy industry.

3.20 pm

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) on choosing such an important subject, which has not been debated in the House for some time. I want to respond to the specific issues that he raised and his particular request for Government action.

The hon. Gentleman's website shows his long-standing interest in the topic, including legislative burdens on industry, to which he referred. However, I must confess to having been led astray and to reading his doomsday diary, in which the saga of the leadership of the Conservative party accelerates towards chaos on 5 November, with bonfires blazing across Britain. I commend to my hon. Friends and Opposition Members a reading of his contribution. We have seen an excellent turnout by all three main parties today, and only a cynic would suggest that some might be here to gain an alibi if the last of the 25 letters trickles in this afternoon.

The dairy industry has national importance, and the debate is timely. I can confirm, as I was asked to do, that I have read the early-day motion standing in the name of my hon. Friend the Member for Ynys Môn (Albert Owen), which recognises the nature of the milk market but, as hon. Members have done today, calls on the Government to intervene in the interests of the future. We at the Department for Environment, Food and Rural Affairs, together with our colleagues in the Department of Trade and Industry, need to examine the market carefully and objectively, and I shall refer to the study commissioned by the Milk Development Council and undertaken by KPMG.

[Alun Michael]

The hon. Member for Ceredigion (Mr. Thomas) referred to regulation, and the Government's view is that the voluntary code should be made more effective. It is reviewed from time to time within the context set by what was the Monopolies and Mergers Commission.

Mr. Burnett: Will the Minister give way?

Alun Michael: No, it is important that I respond to points made by Members who have been here throughout the debate and made contributions. If there is time at the end, I shall give way to others.

I agree with the hon. Member for Galloway and Upper Nithsdale about the full-time nature of dairy farming, and he was right to say that the past few years have been particularly difficult for the industry. I am not sure that his statistic about the average age is right, because I have been told that the average age of 59 has been quoted year after year for several decades. However, he is right to say that farm-gate prices have been depressed and that many dairy farmers have not received sufficient returns to sustain their businesses in the long term.

Dairy farmers have also had to adapt to new burdens, and they are now faced with having to adjust to the new conditions that will be created by the reformed common agricultural policy. Although the Government recognise those difficulties, and we will help when we can, we also believe that the UK dairy sector has a sustainable future. The hon. Gentleman gave examples from his constituency of how farmers are being imaginative and finding new ways of doing business, and I have seen many such examples throughout the country in the past two years.

Let us consider the market situation. The reasons why low farm-gate prices have been such a burden to the industry are complex and cannot be reduced to a single factor. At different times and in different combinations, exchange rates, the prices on world commodity markets, and domestic supply and demand have all played a role. For example, in spring 2002, when the average farm-gate price fell below 15p per litre, an unusually large seasonal peak of milk production meant that there was insufficient capacity in the UK to process it. Unfortunately, that occurred when demand for dairy commodities on world markets was low due to economic difficulties in some key importing countries, such as Brazil. That led to the retention of dairy products that would normally be exported on to EU markets, which were already in a position of structural surplus. That forced down prices throughout the Community to intervention levels when the strength of sterling meant that the intervention price was insufficient to provide a floor to the market at a level at which UK dairy farmers could cover their costs.

We need to ask why farm-gate prices are still low today, when world markets are reasonably buoyant and when the euro has strengthened against the pound, leading to increased prices for many commodities.

Imports of liquid milk represent less than 0.5 per cent. of the UK market. The UK's exports are considerably more, and we export more, mainly to Ireland, than we import. I should also point out that there has been an improvement in farm-gate prices.

3.25 pm

Sitting suspended for a Division in the House.

3.40 pm

On resuming—

Alun Michael: I was pointing out facts relating to recent improvements in farm-gate prices. The latest official data, for milk delivered in August, show an average farm-gate price of 18.70p per litre, nearly 2p per litre higher than the average farm-gate price for August 2002. That does not include any recently announced increases. Nevertheless, several hon. Members have quoted figures that appear to show that the increase has reflected fully neither the market situation nor the effects of the major multiple retailers' price initiative in June.

Considering the retail initiative first, it must be noted that liquid milk sales by the major multiple retailers use only about 25 per cent. of raw milk in the UK. The 2p per litre increase announced by the supermarkets would therefore, if distributed to all dairy farmers, result in an increase in the farm-gate price of 0.5p per litre. Without an improvement in the underlying market situation, the effects of such an initiative would be short-lived. Although the liquid milk market normally commands a premium over other outlets, if the premium grows too large, companies will naturally compete for it. As most liquid milk is sold through supermarkets as an own-brand commodity, any competition is likely to be on price, which will quickly erode the premium. While supermarket price increases are not unwelcome, we should not underestimate their effect.

Considering the market for other milk products, there have been price increases for butter and skimmed milk powder that might support those for liquid milk. However, for cheese—particularly mature cheddar—the situation is not so good and as the manufacture of cheese accounts for a quarter of the UK's milk production, that is significant. Furthermore, commodity cheese—unlike liquid milk—is open to competition from other member states. There are signs that cheese prices may soon rise, which may lead to further increases in farm-gate prices.

Nevertheless, as the hon. Member for Galloway and Upper Nithsdale mentioned, that does not explain why farm-gate prices in the UK compare so unfavourably with the EU average, taking currency into account. As hon. Members will be aware, the Milk Development Council commissioned KPMG to consider the issue and its report, published earlier this year, makes interesting reading. Some hon. Members have acknowledged that there is no single factor that would produce a solution. The report found that there are several reasons for the unfavourable comparison, including the low value of the dairy product mix compared with that in many other member states; the relatively low level of innovation and new product and brand development in the UK dairy industry; and the structure of the industry and dairy co-operatives.

KPMG's report suggested that there was room in the supply chain to improve efficiency through better co-operation. Its conclusions are very much in line with

those of Sir Donald Curry's report, which found a need across all agricultural sectors to improve returns through adding value and improving supply chain efficiency. We have addressed that assiduously since the publication of the Curry report. The industry itself must address most of those issues, such as the structure of the sector and new product development. However, the Government can and have—

Several hon. Members *rose—*

Alun Michael: I said that I would try to answer the questions raised in the debate; if there is time, I shall take interventions.

For example, my noble Friend Lord Whitty has been chairing meetings of a dairy supply chain forum, consisting of senior figures from all parts of the supply chain, which has been considering co-operative solutions to improve supply chain efficiency, among other issues. As a result of discussions in that group, the industry has already begun to act to address the problems of seasonal milk production, which reduces prices for all dairy farmers in the spring. Furthermore, under the auspices of the forum, the Milk Development Council has initiated an innovations workshop to examine barriers to innovation in the sector and how to overcome them, which is the point made in the KPMG report.

For their part, the Government have granted nearly £500,000 to the Food Chain Centre to examine how to improve dairy supply chain efficiency. We have also established English Food and Farming Partnerships to encourage co-operation and collaboration across all agricultural sectors—

Mr. Deputy Speaker: Order. We must turn our attention to the closure of post offices in south Portsmouth.

Post Offices (South Portsmouth)

3.45 pm

Mr. Mike Hancock (Portsmouth, South): I am delighted to have been given the opportunity to hold today's debate and to bring to the Government's attention the strongly held views of the people of Portsmouth, and in particular Portsmouth, South, about the proposed closure of six more post offices. Those six offices—Highland road, Fawcett road, 4 Albert road, Old Portsmouth High street, Winter road and 249 Milton road—comprise nearly 50 per cent. of the sub-post offices in Portsmouth.

The irony is that the existence of the Milton road office was used to justify the closure of Langstone road post office some months ago on the grounds that it is quite close to Langstone road and that the people affected could use that. Less than six months later, it is also being closed.

Public reaction has been significant and many thousands of people have made representations. The strength of feeling is such that my office has passed on well over 500 objections to the closure of one or other of those offices. On top of that, we have submitted petitions containing more than 1,000 signatures in support of the Highland road office and some 1,500 signatures in support of the post office in Old Portsmouth High street.

Many Members have been involved in discussions and debates about closures, and my mind goes back to what Ministers, and indeed the Prime Minister, have said. In November last year, the Prime Minister made it clear that he would do everything in his power to enable all post offices to become Government general practitioners. How right he was that most people would support that aspiration; how sad it was that he did not follow it through by introducing the very things that would offer alternatives to closure for many of those post offices.

I would be the first to admit that many offices in cities such as Portsmouth have struggled to hold on to their business, but they have had little or no encouragement to grow their business from the Government. In fact, obstacles have been placed in their way. It is interesting that more than 50 per cent. of the elderly people in Portsmouth—this statistic is much greater than the national average for pensioners—get their pensions through their pension books and post offices. My constituency is unusual because it must be one of the few where the percentage of the elderly who still want to obtain their pensions in that way is greater than 50 per cent.

The Post Office is reluctant to answer the question whether it is prepared to see a viable post office close. Its failure to supply information supporting its case is a significant point in today's debate and has been a notable feature of past debates. Obviously, it has done individual deals on compensation with sub-postmasters. One cannot blame individuals for settling on the bird in the hand rather than trying to work out what the future might hold. If imaginative measures to galvanise support for sub-post offices along the lines promised by Ministers and, in particular, the Prime Minister had materialised, perhaps some threats of closure would not be happening.

[Mr. Mike Hancock]

I wanted to assess the viability of the High street post office in Old Portsmouth. I asked the Post Office's consultation team leader whether, in principle, any of the decisions could be reversed, and I was assured that they could. I therefore mentioned commercial viability and whether that had been taken into consideration. The High street post office in Portsmouth is interesting. The postmaster who holds the franchise lives in Somerset and does not operate the business. He has a manager there. The post office is well supported, and the manager claims that it is a viable proposition. A group of residents is willing to buy that business and take it on, but the Post Office told me that it would not seriously consider that.

I find it strange that the Post Office, as on a previous occasion, would not even entertain the idea of meeting the people and discussing those issues face to face. When there were closures in Portsmouth previously, the Post Office agreed to come to meetings after the closures were announced, not during the consultation period. The Minister on that occasion seemed somewhat gobsmacked by that, and felt that it should not be repeated. Once again, however, the Post Office has agreed, but only this morning, to attend a meeting later this week, after the consultation period has closed.

The point that Post Office representatives made to me very robustly was that they did not want to have to talk to the people in a public meeting. They were prepared to meet only a select few, such as local councillors and perhaps one or two other interested people. That was the only basis on which we could get a meeting. That is highly regrettable and it does not suggest that public consultation will be a vital part of deliberations. It also appears that the decision has already been taken. I would be surprised if any of the post offices were allowed to remain. I should like to see them stay open, but I fear that the decisions have been made because the Post Office has announced that it intends to close some 3,000 post offices in the current round of activity.

We will lose nearly 50 per cent. of the sub-post offices in the urban area of south Portsmouth. To say that that is a good thing could not be further from the truth. In most instances, it will encourage the one thing that the Government have said that they do not want: more car journeys. It is not easy in a big city such as Portsmouth to walk a mile comfortably. For some, particularly the elderly, a journey of a mile across urban roads is not as easy as one might think. Certainly, some proposed closures will lead to difficult and hazardous journeys for the elderly if the journeys to alternative post offices—I have walked three of those—are made. In at least two cases it would take a fairly fit elderly person the best part of an hour in each direction if they wished to continue to use the services of a post office. Others have made it quite clear that instead of walking to the next post office, they will drive. That will defeat the object of trying to get people to reduce their number of car journeys.

That returns us to the question of what a post office means to a local community and how important it is. In a city such as mine, there are a significant number of places that one could describe as urban villages, and I expect that the scenario is the same in many other constituencies. The post office is located at the centre. It is convenient and useful for many reasons. It is on the way to school, close to other shops and close to where a large number of people live.

If the Government had been a little more courageous in their attempts to encourage businesses in post offices, rather than doing everything they could to persuade people to find alternatives, we might not have seen the closures and some post office business might have been more successful. I shall quote from a constituent's letter. Relating to Old Portsmouth, it says:

"I am 77 and have a naval disability pension. I am unable to drive, I am entirely dependent on a wheelchair . . . I view the future with considerable apprehension if we are going to lose our Post Office . . . Old Portsmouth no longer has a bank and the post office is regarded as the bank and 'village' financial centre. Its loss (especially to pensioners) would be an enormous deprivation. It is not overstating the case to say that this Post Office is the hub of the village and an integral part of people's lives. Its loss would lead to disruption and a serious devaluation in the quality of life. To many pensioners it is a lifeline".

Some people might think it bizarre that a post office could mean so much to a pensioner, but two or three post offices lend themselves to such a scenario. They are meeting points—the focal point of the place, where people meet regularly and enjoy the facilities. Many hundreds of houses are going to be built in Old Portsmouth, but the Post Office said that it was not sure that that expected growth would be "deliverable" to the post office. I hope the Post Office is prepared to test that over time to see whether it materialises.

I was disappointed by Ministers' lack of response when I wrote to them on the matter. They sent back the Government line and did not engage in the debate raised in the correspondence. My letter to the Department of Trade and Industry on 14 October asked specific questions, none of which was answered satisfactorily. I wrote on similar lines to the chief executive of Postwatch; its approach to the Post Office on the situation in Portsmouth was received in a very negative way. I hope that this debate gives us an opportunity to ask the Minister, the Department and the Post Office to reconsider in respect of the difficulties that the closures present.

It is not easy to take difficult decisions and I understand that the Post Office has problems, but many are of its own making. It has not gone out of its way to engage the public and encourage them to use the post offices. Indeed, the post office in Fawcett road was subject to a temporary closure. The Post Office wrote to me saying that it would open the post office on a specific date last November, but that day came and went. I followed up with letters and received a reply saying that the intention was to reopen the post office. Sadly, when the list of six was announced, Fawcett road was on it. I wonder whether there was any intention to reopen it. This is a sad reflection of the dismissive way in which the Post Office and, to a lesser extent, the Government have ignored what people said in the past.

Thousands of people tried to save the Langstone road post office, but they lost the argument. I hoped that the Post Office would learn a lesson from that and not repeat its mistakes, and that a consultation exercise would mean a dialogue with the people of the city of Portsmouth. I greatly regret that the Minister did not take serious note of what was said when I raised the issue during the previous debate on the subject in this

Chamber. More important from the point of view of the people of Portsmouth, the Post Office disregarded the matter too.

People take time and effort out of a busy life to fight such a campaign. Pensioners do not readily take to the streets and motivate others to support the retention of a building or a business unless they genuinely believe that something bad will happen unless they do something. They have fought their corner and made their case, so it is disappointing that the Post Office has not had the courage to come to the city of Portsmouth to make its case transparently and, if necessary, forcefully. It has chosen not to do so. Indeed, it seems to be willing only to rehearse the enormous problems it faces and the financial burdens it carries nationally.

The Post Office is not prepared to consider the upheaval and disruption as well as, in some instances, the undoubted deprivation that removing a facility such as a post office will cause. That cannot be right and it should be opposed vigorously by Members representing constituencies such as mine. That is why I was keen to join in a debate here a few months ago, when about 16 Members took part—a record for this Chamber. All those Members were affected by closures in one way or another.

I hope that the Minister's reply gives hope to people who have campaigned on the matter, asking for their case to be listened to and to be able to take part in a dialogue—not a one-way slog against a brick wall. They want an open dialogue on the issues that they face and ways forward. I would also be interested to know whether closures are Government policy. The Prime Minister said that they were not and that he did not want to see viable post offices closed. I hope that the Minister will say that the Government are prepared to make the debate more transparent and provide the necessary figures to support, or otherwise, the closures. I also hope that when there is a viable alternative to closure it will be explored and developed.

I assure the Minister, her colleagues in the Government and the Post Office that people's support for that organisation will wane considerably. No effort was even made to test whether the post offices that will be expected to absorb the people displaced from the closing post offices will be able to cope. Do they have the physical capacity to take perhaps several hundred more transactions over a busy two days when people are collecting their pensions? It is disappointing that, once again, none of that has been properly explored. Sadly, when questions are asked about such issues, the Post Office does not want to give too much information.

I hope that the plea from the people of Portsmouth, South on the six proposed closures and the closures that have already taken place has taught the Post Office and the Government a lesson about how not to go through a consultation exercise. I would be interested to know whether the Government have given instructions to the Post Office not to enter into a public debate on the closures.

Interestingly, the hon. Member for Eastbourne (Mr. Waterson) said in a debate that a public discussion finally took place only after he forced the issue on to the Floor of the House, put the Minister behind the black ball and said, "Are you afraid to have this debate?" I have tried everything possible to have a reasoned debate with the Post Office, but, sadly, it has neglected to take up the challenge of justifying its decisions and, more important, neglected to explain to the people of Portsmouth how the post offices in our city will operate in future. That can only be described as a disgrace.

4.3 pm

The Minister for Industry and the Regions (Jacqui Smith): I congratulate the hon. Member for Portsmouth, South (Mr. Hancock) on having secured the debate on what is clearly an important issue. I assure him that the Government are committed to maintaining a viable nationwide network of post offices. Both as Ministers and as constituency MPs, we fully recognise their importance as a focal point for local communities, particularly for elderly and less mobile customers. However, as I think that he accepted, failing to take difficult decisions about how to maintain that viability is not the best way to support the Post Office.

I will come on to some of the hon. Gentleman's specific points about the proposals in his constituency, but it is worth while reminding ourselves of the policy context for the changes, which are based on recommendations in the performance and innovation unit's 2000 report, which was widely welcomed. The Government accepted all the recommendations that it made. One of those recommendations was that, if the Post Office decided that fewer post offices were needed in some urban areas, the Government should consider providing funding to ensure that sub-postmasters affected could be adequately compensated for the loss of their business.

Last November, following parliamentary approval of the funding, Post Office Ltd. initiated its urban network reinvention programme. The network of post offices is made up of nearly 17,000 branches—more than all of the banks and building societies in the country put together. Over 1,000 urban sub-post offices have at least 10 other post offices within a mile. Sub-postmasters have been finding it increasingly difficult to earn a reasonable income from their business and have been leaving the network. In the last financial year, Post Office Ltd. lost £163 million.

The truth is that if action is not taken now, there will be unmanaged decline in the network and serious gaps will open. That will do nothing to maintain the viability of the Post Office or to serve the hon. Gentleman's constituents and those who depend on Post Office services. There are many arguments for why this decline may have occurred. The hon. Gentleman admits that for many post offices it has been a struggle, not least because of under-investment. The programme is also enabling the Government to put that right. It is also the case that greater mobility and changes in shopping and financial habits mean that people are not using the post office as often as they used to, and customer numbers have sharply reduced.

I take seriously the hon. Gentleman's challenge to ensure that we make the range of services offered by post offices attractive. I want to talk later about the support that the Government are providing and the action that Post Office Ltd. is taking in order to improve those services. It is essential for the viability of the post office network that it adapts to changing lifestyles, changes in people's preferences and new ways of doing business.

[Jacqui Smith]

The hon. Gentleman raised a point about the proposal to develop post offices as Government general practitioners. That was a recommendation from the performance and innovation unit report and, as the Government were asked to, we embarked on a pilot project to test the concept of post offices as Government general practitioners. As sometimes happens when one piles up proposals, one finds that they do not work in the way that is most effective.

The pilot showed that it would neither significantly improve Departments' ability to meet their delivery or financial objectives nor raise sufficient new revenue for post offices, although it did show a number of areas in which Departments might deliver services through post offices in future. The scope for that is being kept under review, as is the significant commercial interest in placing kiosks in post offices, which would open, as the hon. Gentleman suggested, other business opportunities. That was a rational decision taken on the basis of a pilot.

The hon. Gentleman also raised a concern about the consultation process with regard to the closure proposals. It is the case that the consultation proposals have been considerably improved. Initially closure proposals were focused on single offices known to be at most risk of closure because of poor viability. The company has accepted that there was much uncertainty about the future shape of the network and has now undertaken to produce its proposals on an area-by-area basis using each parliamentary constituency, or geographical groupings of them. In its recently published report on the post office network, the regulator Postcomm commended Post Office Ltd. for its constructive response, and welcomed its more co-ordinated approach, as did the Trade and Industry Committee.

Producing proposals on that basis brings the benefit of giving a clear view of the level and location of service provision at the end of the programme in a given area, taking into consideration all those important issues of access and the way that local people need to use post offices, while giving the opportunity to understand the views of key opinion formers—especially MPs and local authorities—about the wider plans. Of course, in accordance with the code of practice, every proposal is subject to public consultation.

The consumer watchdog set up by the Government, Postwatch, has a key role in the process. It is consulted on every proposal and monitors the programme as a whole. Following discussion with Postwatch on how to undertake consultation on the new area plans, Post Office Ltd. agreed to extend the period of public consultation from one month to six weeks. As with the early stages of the programme, consultation is still based on the proposal for each individual branch and Postwatch still receives prior notification of proposals.

Mr. Hancock: Does the Minister agree that one of the fundamentals of any consultation would be the willingness of the Post Office to take its case to the people of the area? Why has it systematically refused to take its case to the people of Portsmouth, South and many other constituencies where offices have been deemed ready for closure? What is it about that proposition that the Post Office finds so difficult to handle? Would not a major breakthrough be for the Post Office to be ready and willing to participate in a proper consultation, in which it makes its case to the people most affected?

Jacqui Smith: I certainly agree that it is important to have proper consultation. That is why we have extended the time period; why we have increased the support to Postwatch to enable it to act as a defender of, and a voice for, people throughout the process; and why we have ensured that the proposals are shared with local people. I am not sure that I agree that public meetings, beloved as they are of politicians, are always the most effective way to make local people's voices heard. As the hon. Gentleman himself pointed out, he has been able to ensure that the voice of his constituents is being clearly heard, as have many other hon. Members. It is—dare I say it?—slightly churlish of him to criticise the Post Office for now agreeing to meet him, when that is clearly what he is demanding.

Mr. Hancock *rose—*

Jacqui Smith: The hon. Gentleman spoke for longer than his allotted time. If he wants to speak again, that is fine, but I will not be able to answer all his questions.

Mr. Hancock: I want the Minister to be left in no doubt that the Post Office has agreed to a meeting after the consultation period is closed, which is complete nonsense. Surely she agrees that for the Post Office to say that it will argue its case after the consultation has closed and then to have a fixed number of people who can attend does not encourage the public to believe that it is doing this openly and transparently.

Jacqui Smith: The hon. Gentleman has certainly taken the time opportunities available to him today to put his case. I agree with him to the extent that I expect the decisions to be taken on the basis of the widest consideration of the views of local people and the other criteria that have been laid down. That is clearly what should happen and, given the extended time and the role of Postwatch that I have outlined, it is more likely to happen now than it was previously.

The hon. Gentleman also raised specific issues about his local branches. It is important to identify the fact that, although he pushes me on this issue and rightly demands that Post Office Ltd. takes responsibility for listening and responding to the points made by his constituents, the Government do not have a role in this decision-making process. It is also important to note that once decisions on the current proposals have been reached, difficult as they are, Post Office Ltd. has no intention of returning to the hon. Gentleman's constituency with any further proposals. That is why it is important that the views of Postwatch, as an effective consumer champion, and of local people are taken into consideration in the process.

The hon. Gentleman rightly raised the issue of how we improve the services offered by post offices. Let us be clear that this process has enabled the Government to invest an additional £30 million to modernise and adapt the offices that remain in the network. Those offices that

may receive customers who previously attended one of the post offices being closed are eligible to apply for grants of up to £10,000 each to improve their facilities. I understand that offices in the hon. Gentleman's constituency have applied for such grants. That will enable us to begin to see better, more accessible post offices, with some of the investment necessary to make them places that will do business successfully and contribute to their communities.

More widely, Post Office Ltd. continues to develop and introduce new services and business activities. Most recently, that has included the announcement of the intention to offer a range of financial products through a joint venture with the Bank of Ireland. Other initiatives, including the acceptance of debit card payments and a major advertising campaign for travel insurance and bureau de change services, contribute to make the post office a place that customers want to visit. The Government have provided £480 million to automate every post office branch, enabling the establishment of the technical infrastructure to support electronic banking services.

Change is difficult, and I understand the hon. Gentleman's concern to ensure that, throughout this process, there is open consultation, and that local people have the opportunity to have their say. However, the ultimate objective is to end up with a better, stronger and broader post office network.

Far East Prisoners of War (Memorial)

4.15 pm

Mr. Anthony D. Wright (Great Yarmouth): I am pleased to have secured this debate on the cultural and memorial building for those who were far east prisoners of war in 1941 to 1945.

When I gave my maiden speech in 1997, its subject was a memorial to far east prisoners of war. Although events have moved on since then, it is regrettable that there is still no permanent memorial to which people can go to learn what happened to British prisoners in captivity across south-east Asia during the second world war. It is high time that that sad state of affairs was remedied. Today, I not only commend the charity Children and Families of the Far East Prisoners of War and the National Memorial Arboretum for their sterling efforts to raise funds for such a memorial, but ask the Government to play their part in ensuring the success of that project.

In my maiden speech, I asked the Government to give serious consideration to contributing funds to the building of a memorial museum to the British soldiers who died while imprisoned in the far east. At that time, it was suggested that such a memorial should be constructed on an infamous section of the Thai-Burma railway line that became known as Hellfire pass. In that place, in just 12 weeks, a massive cutting was hacked through the solid rock of a mountainside by prisoners of war and forced Asian labourers, using nothing but the most basic tools. It is known that 700 prisoners of war died while building just 3 miles of railway at that spot.

Although many veterans and relatives of those who died thought that that would be a fitting place for a memorial, others preferred different sites. As the desire grew to ensure that any such memorial should also include a historical record of what happened to the far east prisoners of war and act as an educational resource for present and future generations, it became clear that the best place for it would be in the UK.

Before proceeding, I should perhaps explain my interest in the issue. The subject was initially raised with me by one of my constituents, Mrs. Carol Cooper, whose father was a far east prisoner of war. He was Lance-Corporal William Smith, who left his family to go to war 62 years ago, most poignantly, on this very day, which also happened to be his 26th birthday. He died in captivity in Burma in 1943 at the age of 28, when Mrs. Cooper was only four. During his imprisonment he kept a remarkable diary containing not only a detailed record of his experiences, but addresses and facts about his fellow soldiers, poems about his family and recipes he planned to cook on his return home.

Mrs. Cooper has been kind enough to supply me with a few short extracts from her father's diary for use in this debate. They relate to a few days in August 1943 when her father was in a camp on the border of Thailand and Burma called Sonkerai. I include the excerpts to try to give hon. Members some idea of what the far east prisoners of war had to suffer:

"Saturday 14th: It seems we are a sort of forgotten men because no one seems to worry about us and we are still stuck in this pig sty of a hole. There are over 2,000 men here and the deaths average 9 a day.

[Mr. Anthony D. Wright]

Monday 16th: Heard news Corporal Liversly died last night so the death roll of Divisional H.Q. is growing. Still no sign of moving and the food is rotten. We have sunk to a sorry plight. No soap to wash with, our clothes are lousy and it takes all the go out of one to do anything.

Friday 20th: Well we lost yet another of our party today and I helped to carry him away this evening, so that leaves us with 50. There have been 167 deaths this month so far and the record was 28 in one night when cholera was at its height. It is simply a case of plain murder."

Lance-Corporal Smith's family were not aware of the existence of the diary until Mrs. Cooper happened to read about the auction of a diary written in a Japanese camp by a member of the Royal Norfolk Regiment. Mrs. Cooper realised that the diary was her father's and she tried to buy it back. Initially, she was unsuccessful, but she succeeded after the BBC took an interest and made a documentary about it. The BBC made a further programme in which it took Mrs. Cooper to Thailand and along the route of the Burma-Thai railway, retracing her father's steps as outlined in his diary. The railway was 250 miles long and built through harsh, disease-ridden country, almost exclusively by human effort. It was completed at the cost of a huge loss of life, with 13,000 prisoners of war and 80,000 forced Asian labourers dying from sickness, disease, starvation and sheer brutality It has since been said that the railway was built at the cost of a life for every sleeper.

Having recovered the diary and travelled in her father's footsteps, Mrs. Cooper could have left the matter. However, she was struck by the fact that, throughout her journey, she had not seen a single memorial, plaque or stone from the British Government to honour the sacrifice and suffering of thousands of British servicemen. Until her journey, she had, like so many others, a general idea that many British servicemen had been imprisoned and badly treated in the far east. When she realised the full horror of their experience, she vowed to take up the fight to ensure that they were properly honoured and remembered.

In August 1997, Mrs. Cooper placed an advert in our local paper calling for the children and families of far east prisoners of war to join her in asking the Government to pay those men an honour that they truly deserved. In November 1997, the Children and Families of the Far East Prisoners of War organisation was formed, with 25 members in Norfolk. A year later, five charity trustees were appointed and COFEPOW became a registered charity. It now has about 500 members from all over the country and beyond. It is an extremely powerful voice in lobbying for a fitting memorial to the far east prisoners of war, and is active in raising funds towards that cause.

It is important to make it clear that the cultural and memorial building to the far east prisoners of war, which is what this Adjournment debate is about, is not simply an abstract idea, but a project that is well under way. A site has already been agreed at the National Memorial Arboretum in Staffordshire. It is a millennium project being created on 150 acres of land, alongside the River Tha[illegible], and is the nation's living tribute to the people o[illegible]he 20th century. The site includes the millennium chapel of peace and forgiveness, and there can be no more fitting a place for the cultural and memorial building to the far east prisoners of war.

A design has already been drawn up for the project, which will be a simple and dignified building with a far eastern appearance. It will be constructed of oak, as befits its surroundings in the National forest. The design and establishment of the permanent building, the interior lay-out, the historical research and acquisition of the contents, and the ongoing archival support will cost about £350,000. The National Memorial Arboretum has undertaken to provide ongoing permanent management and maintenance.

As I briefly mentioned earlier, the cultural and memorial building will not be simply a commemorative building to perpetuate the memory of all British prisoners of war. It will also be a research and archival centre, intended to educate not only present-day students and families as well as relatives involved in research, but future generations on that aspect of the history of the far east. There can be no better organisation than the Children and Families of the Far East Prisoners of War to display the story of what happened to their fathers, many of whom never returned. It has worked hard over the last five years to establish a place to provide a record of and an insight into the tragedy that took place in south-east Asia during the second world war, and has been busy accumulating a range of material, which will be readily accessible to anyone trying to find out about that chapter of our history.

There is no place in Britain for people to see and learn what happened to British prisoners in captivity across south-east Asia in the last war. At the arboretum there will be audiotapes, videos, artefacts, photographs, drawings, maps, letters and diaries. All those documents form part of our heritage, and the material should be brought together. I am sure that even more will become available when it is known that the building is complete.

Perhaps most important, the cultural and memorial building will epitomise everything about that particular theatre of war, from 1941 to 1945. It will present a factual, historical picture that must be preserved before the demise of all surviving far east prisoners of war and before their story is lost in the annals of history. The memorial has assumed added importance due to Government plans to erect a memorial at the arboretum in memory of all those who have been lost in conflicts since 1948.

Before moving on, I wish briefly to mention a matter that is strongly connected to the one I raise today. For years, a campaign has been waged for an official apology from the Japanese Government and for proper compensation for the far east prisoners of war. Although the matter remains unresolved, I wish to take this opportunity to pay tribute to the Government for stepping in and at last paying compensation of £10,000 to surviving far east prisoners of war or their surviving widows.

Some people think that the payment should have been made by the Japanese Government, but one of the biggest disappointments is that, of the 37,000 who returned after the war, more than 30,000 died prior to

the compensation agreement. It is also the case that many widows died before agreement was reached, so many children who have lost both parents will receive no compensation. I hasten to add that that is not an argument for them to receive compensation, as they have not asked for it, but they and I ask for adequate funding to be released for a tribute in remembrance of far east prisoners of war and in recognition of the valour of those men.

By virtue of the fact that the Government recognised the special case of compensation for far east prisoners of war, they could also do so on the subject of establishing a memorial to them. That is the issue that I wish to take up with the Minister today. I ask the Government to go a step further and to give their backing to the cultural and memorial building to ensure that that thoroughly worthy project is a success.

Since COFEPOW's inception, its members have been in correspondence with the Government to try to get them to fund a memorial to the far east prisoners of war. The response has been a consistent refusal, stated in the following terms:

"It has been the policy of successive governments that the cost of war memorials is not usually met from public funds, but from private donations or public subscription. The Government, and the Ministry of Defence in particular, receive many requests from individuals, ex-Servicemen's groups and charitable organisations for assistance with memorials.

It would not be possible, neither would it be fair, to be seen to support one group rather than another. The vast majority have worthy goals and can make an equally compelling case for support. It would be divisive, and open to criticism from unsuccessful claimants, if the Government were to pick and choose projects to support."

COFEPOW members have become used to hearing that form of words, repeated as it has been for the past five years. Although I disagree with the policy, I acknowledge that the Government at least have an argument. None the less, if any group of veterans constitutes a special case, I contend that it is the far east prisoners of war, who had to endure almost unimaginable torture, cruelty and sheer brutality.

However, rather than carry on with that particular argument, just though it may be, I wish to ask the Government for something that is modest, deliverable and not inconsistent with any previous policy. I am sure that many Members will have heard of the plans for a memorial garden on one side of Grosvenor square in London to commemorate the British victims of 11 September. The memorial garden was opened this year by Princess Anne on the second anniversary of the attack on the World Trade Centre. It is intended that the cost of the memorial, estimated at £1 million, will largely be met by those companies that were directly affected by the 11 September attacks, with the rest being met by public subscription. I have been assured by Department for Culture, Media and Sport officials that they are confident that the costs will be met in that way. However, I quote directly from a letter from the former Under-Secretary of State for Defence, my hon. Friend the Member for Kirkcaldy (Dr. Moonie), which says that

"in order to get this undertaking completed by the second anniversary, it has been necessary for the Government to underwrite the project in the first instance."

No one disputes the desirability of a memorial to the victims of 11 September, but the Government's commitment in underwriting the project is something that we have not seen before. Indeed, I believe that some upfront costs incurred for the 11 September memorial have yet to be met by either private donation or public subscription.

The campaign to raise the £350,000 that is necessary for the far east prisoners of war cultural and memorial building is already well under way. It began on 15 February 2002, which was the 60th anniversary of the fall of Singapore to the Japanese army, when the majority of the far east prisoners of war were captured. The aim is to complete the building by 15 August 2005, the 60th anniversary of the Japanese surrender.

More than £80,000 has already been raised by all manner of fundraising events and methods. I had no hesitation in adding my support to an application for assistance that was made to the Millennium Commission. I can now add that that has been successful with a grant of £131,000 as part of a multi-bid submitted by the National Memorial Arboretum to be committed once planning permission has been obtained.

All that I and the members of COFEPOW ask is that the Government agree to underwrite the cultural and memorial building to far east prisoners of war in exactly the same way as they have underwritten the 11 September memorial garden. The sum involved is about half that of the 11 September memorial and the time available to raise the money far greater. A significant start has already been made in raising the funds and the anniversary is just as poignant for the surviving far east prisoners and their families as 11 September is to survivors and families involved in that tragedy.

I do not ask for special treatment from the Government for the cultural and memorial building, just for consistency in their approach to two different but very deserving causes. I sincerely hope that the Government are able to make a positive announcement, if not today then in the near future. It is my passionate belief that the far east prisoners of war, who endured such terrible suffering while serving their country, deserve nothing less.

4.30 pm

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I congratulate my hon. Friend the Member for Great Yarmouth (Mr. Wright) on securing this important debate. He raised the subject in his maiden speech and he has campaigned on it for most of his parliamentary career. The subject is close to his heart, particularly because of the large number of men serving in the East Anglian units that defended Singapore in 1942 who became prisoners of war when the island fell to the Japanese. I welcome the opportunity to pay tribute to them, their comrades, those who were similarly captured when Hong Kong surrendered a few months earlier and others who were taken prisoner during fighting elsewhere in the far east. I express my admiration for the bravery with which they endured the terrible conditions of their captivity, which, in many cases, they continued to endure when the war was over, and the bravery with which so many met their death.

I appreciate how distressing it must be for the families of those prisoners of war knowing how much their loved ones suffered during their captivity. There will have been

[Mr. Ivor Caplin]

particular distress where a husband or father returned from captivity a changed man, or where a child never had a chance to get to know his father. It is natural and right that they should want the suffering of the prisoners to be remembered, in recognition of what they underwent all those years ago and as a reminder that it must not be allowed to happen again.

I stress, however, that the far east prisoners of war have not been forgotten by the Government. The Commonwealth War Graves Commission maintains its cemeteries in the far east and is pledged to do so in perpetuity. The Government contribute more than £20 million a year to the costs of the commission's work worldwide. Every year, the Royal British Legion takes pilgrimages to Hong Kong, Singapore, Thailand and Japan, visiting the scenes of the fighting in 1941 and 1942, the places where 140,000 British and Commonwealth troops were imprisoned or put to forced labour, such as the notorious Changi jail, Hellfire pass and the River Kwai, and the many war cemeteries in the far east.

In the United Kingdom, there are 54 memorials dedicated to those who died in the far east. The Catholic church of Our Lady and St. Thomas of Canterbury at Wymondham in Norfolk was built after the war by a parish priest who had been a prisoner in the far east, as a permanent memorial to those who died not only in captivity but later as a result of their ordeal. It still serves that purpose, and the Ministry of Defence is represented at the commemorative services that are held there each year.

There is a far east prisoners of war chapel in the St. Peter Mancroft church in Norwich. At the National Memorial Arboretum near Lichfield in Staffordshire, there is, as my hon. Friend has said, a plot in memory of the far east campaigns and the prisoners of war. In January last year, a length of track from the infamous Thai-Burma railway was installed there as a memorial to the prisoners of war who had lost their lives in its construction. The Imperial War museum and the museums of the individual services contain displays and archives that record and present the history of the battles in the far east and the story of those who fought, suffered and died. That is done with the professionalism and accuracy that is to be expected of our national museums.

Of course, that does not mean that additional memorials should not be erected if people want them or if there is a further need. Indeed, the Ministry of Defence has been well aware of the existence of Children and Families of the Far East Prisoners of War since the organisation was formed six years ago. I sympathise with its worthy aims, and over the years the Ministry has offered it advice on matters such as where a memorial might be sited. I also congratulate the campaign on its success to date, and in particular on its success in achieving a lottery grant.

However, I regret that the Ministry cannot offer help with funding for a memorial. My hon. Friend accurately portrayed and quoted the Government's policy on the matter. The reason for the policy is that the Government receive many requests from individuals, ex-service groups and charitable organisations for assistance with the erection or maintenance of memorials each year. There are more than 46,000 war memorials throughout the United Kingdom, all of them in need of some form of continuing maintenance.

Proposals for new memorials continue to appear. There has been a noticeable increase over the past few years. Interest in the condition and preservation of war memorials has also increased to new heights. That is to be welcomed, and the Friends of War Memorials does a good job in keeping the issue in the public eye.

The Government certainly welcome the growing interest in war memorials but, as my hon. Friend has acknowledged, we could not fund all of them and it would not be fair to support one group and not another. They are all worthy and every single one of them can make an equally compelling case, particularly for financial support. It would be invidious to pick and choose projects to support. Furthermore, the Ministry of Defence is not funded to provide help to charitable organisations in that way. However, I would be happy to meet my hon. Friend to discuss the matter in further detail.

I should also mention that the armed forces memorial, which was announced by my right hon. Friend the Secretary of State for Defence in November 2000 and which will commemorate members of the armed forces killed on duty since the end of the second world war, will be funded by subscriptions and donations and not by the Ministry of Defence. That is our well-established policy, and it is most certainly not intended to deter groups that wish to set up memorials, and clearly does not do so. There are other effective ways of raising money, including sponsorship, lottery applications and appeals to individuals.

My Department has seen a number of projects develop from the first seeds of an idea to a most impressive fruition. Once the organisers accepted that Government funding was not available, they redoubled their efforts to look for other sources and raised considerable amounts of money. Recent success stories, just in central London, have included the Fleet Air Arm memorial outside the Ministry of Defence main building, the commonwealth memorial gates on Constitution hill and the Victoria Cross and George Cross memorial in Westminster abbey.

I have explained why we cannot help with the funding of a memorial, but that does not mean that we cannot or will not help at all. The intended site for the far east prisoners of war memorial is the National Memorial Arboretum in Staffordshire. I believe that the arboretum will be a most suitable place. The concept is visionary and the site has the potential for development as a place of great beauty that will be a perfect setting for commemoration and remembrance. It is the Government's desire that it should be promoted as a site of national importance for that purpose. It has already become a significant place for the veterans of a great many conflicts. As I mentioned earlier, there is already a far east prisoners of war plot there.

Management of the arboretum has recently been taken over by National Memorial Arboretum Co. Ltd. Recognition and remembrance of the role played by the service personnel of this country is one of the key themes of the Government's veterans initiative, and we see the arboretum under its new management as making a major contribution to that aim. Earlier this month, I

announced that we would give the company a grant in aid of £250,000 a year for an initial period of three years. The terms of the agreement covering the grant specify that it has to be used to defray the cost of maintaining the arboretum and not for the erection or maintenance of memorials, which must be funded from other sources.

The Government will be helping to safeguard the long-term future of the arboretum and its development. I hope that that will be of great advantage to veterans groups and all the memorials that have been erected or will be erected in the future. In addition, with the arboretum on a firm basis, there will be exciting prospects for education, giving our younger generations an opportunity to learn about what our armed forces have done and undergone in the past. Such a carrying forward of knowledge to future generations is one of the most fitting and most effective ways in which we can honour the memory of the far east prisoners of war.

I wish the fundraising campaign for the memorial every success. Once the completed memorial is in place, I would be pleased to arrange for appropriate Government and armed forces representation at any dedication ceremony that the Children and Families of the Far East Prisoners of War want to organise.

Question put and agreed to.

Adjourned accordingly at nineteen minutes to Five o'clock.

Westminster Hall

Wednesday 29 October 2003

[MR. FRANK COOK *in the Chair*]

Breast Cancer

Motion made, and Question proposed, That the sitting be now adjourned.—*[Vernon Coaker.]*

9.30 am

Mrs. Marion Roe (Broxbourne): I am sure that I am correct in saying that everyone in the Chamber will know someone, woman or man, who has been diagnosed with breast cancer, and will therefore know the challenges that they, their family and their friends face in dealing with the disease. That is why I appreciate the opportunity to have this debate during breast cancer awareness month 2003, on the 10th anniversary of one of the key health awareness campaigns in the United Kingdom. I am delighted to see that the Minister and many other hon. Members are wearing pink ribbons as a symbol of support for the campaign.

I pay tribute to the breast cancer and other cancer charities that have been working in partnership this month to raise awareness of the disease, which also work hard all year round. I shall mention some of them by name. Breakthrough Breast Cancer is a research and awareness charity, which established the Breakthrough Toby Robins Breast Cancer Research Centre. It is the first centre in the UK dedicated solely to breast cancer research. Breakthrough Breast Cancer also provides much-needed administrative support for the all-party group on breast cancer, of which I am one of the joint chairmen. We are extremely grateful to Breakthrough Breast Cancer for all its help.

The UK Breast Cancer Coalition successfully involves hundreds of patients with direct experience of breast cancer in its advocacy work. I congratulate it on the success of its Westminster Fly-in, which took place earlier this week. Breast Cancer Care is the leading provider of vital information and support for everyone affected by breast cancer. Breast Cancer Campaign is a charity specialising in funding independent breast cancer research, and also supports individual research projects.

I am delighted to announce to hon. Members the news of the impending merger between Breakthrough Breast Cancer and the UK Breast Cancer Coalition, which will create the country's largest charity dedicated to breast cancer research, campaigning and advocacy. It will be known as Breakthrough Breast Cancer.

We should not forget the other cancer charities that work tirelessly, carrying out research and providing support to people affected by breast cancer: charities such as Macmillan Cancer Relief, Cancer Research UK, Marie Curie Cancer Care, CancerBACUP and the Institute of Cancer Research. I also take this opportunity to pay tribute to the countless companies that go out of their way to support breast cancer awareness month, in particular Avon Cosmetics, which announced earlier this month that it had raised more than £10 million for cancer charities through the Avon breast cancer crusade.

I know that a number of hon. Members wish to contribute to the debate, so I shall try to be brief. Perhaps it would be helpful if I began with a few facts about breast cancer. It is the most common form of cancer in the United Kingdom, with more than 40,000 women and about 300 men diagnosed with the disease every year. Over the course of her lifetime, a woman's risk of developing breast cancer is one in nine. Tragically, about 1,000 women lose their lives every month as a result of the disease, a sure sign that there is still much to do to improve treatment in the United Kingdom.

This debate gives us the opportunity to raise awareness of the improvements in breast cancer services that have taken place over the last few years, but also to highlight key concerns about breast cancer research, service delivery and patients' access to treatment. Let us focus first on one of the key targets, the two-week wait from the urgent referral of a suspected breast cancer patient to an appointment with a specialist. According to the statistics for the first quarter of 2003–04, the target has been effectively reached, with a 98 per cent. success rate for England. However, the all-party parliamentary group on breast cancer estimates that approximately 10,000 women in England are diagnosed with breast cancer through the routine referral route.

In a recent report entitled "Left in the Dark", Breakthrough Breast Cancer highlighted the horrific reality that some of those women could have waited up to 17 weeks—a third of a year—for an appointment with a specialist. The report states:

> "Many women referred routinely are living in fear and literally putting their lives on hold while they endure long routine waits. They are left in the dark, anxious to know if they have breast cancer. This is unacceptable—women deserve better and they deserve a more mature higher quality debate on the subject."

Researchers found that 90 per cent. of women who were interviewed for the report said that they would want an appointment within two weeks of visiting their GP, regardless of whether their case was deemed urgent or non-urgent. Furthermore, we know that the wait between referral and diagnosis is an extremely distressing time. The views of those women, and of patients in general, must be taken on board if a patient-centred NHS is to become a reality.

I want to share with the Minister and other hon. Members further statistics on the process of breast cancer referrals, all of which paint a worrying reality for patients and health professionals alike. For instance, 42 per cent. of GPs felt that it was difficult to distinguish between urgent and routine referrals, 35 per cent. of them admit to not using any form of guideline on whether to refer, and 42 per cent. never receive feedback from consultants on the accuracy of their referral decisions.

I am sure that the Minister shares my concern about the findings of that report. Perhaps she will comment on the unacceptable wait faced by many of those women. I should also like to know how the Government plan to reduce those waiting times and improve the accuracy of the referral system by improving communication between GPs and consultants, and how health professionals can be encouraged to work towards continuous improvement.

I draw the Minister's attention to one of the key concerns of those involved in the health sector—that is, the implementation and monitoring of the National

[Mrs. Marion Roe]

Institute of Clinical Excellence guidance. About a year ago, NICE issued guidance on Herceptin, a drug known to extend and improve the quality of life of women with terminal breast cancer. If the drug were to be made available to all who could benefit from it, it would be an extremely important step in bringing an end to the so-called postcode lottery for treatment.

However, recent research by Roche, the makers of the drug, unveiled the fact that there are still serious inequities in access to Herceptin. In some parts of the country only one in 30 of the patients eligible for Herceptin receives it; I am sure that the Minister will agree that that statistic is shocking. Sadly, it is not just Herceptin—or, indeed, cancer drugs in general—that seems to be affected; there is a problem with NICE implementation across the board in health care, as has been demonstrated in recent reports by the Arthritis and Musculoskeletal Alliance, Breakthrough Breast Cancer, Breast Cancer Care, CancerBACUP and the UK Breast Cancer Coalition. The problem is to ensure that not only is NICE guidance implemented, but the implementation is effectively monitored.

The Minister acknowledged the problems with NICE implementation as recently as last week, at the all-party group on cancer's Britain Against Cancer conference. I ask her to outline today how the Government plan to ensure that primary care trusts have adequate support to implement guidance, and what methods they will use to monitor national implementation systematically.

Although we have come a long way in improving services and treatments for breast cancer patients, we must acknowledge that we have much further to go. I urge the Government to ensure that breast cancer, and cancer in general, remains a top priority. For the sake of the women and men directly affected by the disease every day, we cannot afford to be complacent.

Several hon. Members *rose—*

Mr. Deputy Speaker (Frank Cook): Order. Two hon. Members have written seeking to make contributions, and since my arrival a further two have indicated that they would like to catch my eye. I remind the Chamber that it is customary to begin the first of the three winding-up speeches at least 30 minutes before the conclusion of the debate. There is ample time today, provided that hon. Members take account of that time limit in making their contributions, in accepting interventions and in responding to them.

9.42 am

Mrs. Anne Campbell (Cambridge): I am pleased to be able to speak in the debate, and I congratulate the hon. Member for Broxbourne (Mrs. Roe) on having secured it at this important time for breast cancer treatment.

Three years ago, the new Labour Government identified cancer as a top priority. I was especially pleased about that, because my local cancer specialists at Addenbrooke's hospital had recently summoned me, and neighbouring Members of Parliament, to a cancer summit. They were concerned about the fact that treatment in the UK was not as effective as that in the United States, that more people were dying after diagnosis, and that equipment was extremely outdated. I am pleased that since that time we have made progress: the figures for the periods 1995 to 1997 and 2000 to 2002 show a 10.3 per cent. reduction in the death rate from cancer among people under 75. None the less, I would be the first to say that there is much more to be done.

National statistics indicate that more than 96 per cent. of women with breast cancer now receive their first treatment within one month of diagnosis. During the 1997 general election campaign, I spoke to two women who had recently discovered symptoms of breast cancer and were highly anxious. They had to wait 15 weeks for their first hospital appointment. That is totally unacceptable, as the hon. Lady said. The situation is now much improved.

I realise that I am extremely fortunate that Addenbrooke's is my local hospital. I am even more fortunate that it has the Cambridge breast unit, which Cherie Blair, the Prime Minister's wife, opened in 2001. That allowed the hospital to bring together in one centre all the breast cancer treatments that were provided in different parts of the hospital. The centre is staffed by a group of professionals from different disciplines, whose primary goal is to ensure that high-quality care is given to all women with benign and malignant breast cancer and breast disease. Work at the centre is led Dr. Purushotham and his team, and I pay tribute to their pioneering work.

Each year, some 3,000 new patients are referred to the unit. The Cambridgeshire and Huntingdonshire breast-screening service also refers patients to the unit, which is constantly flagged up as a model for the development of other tumour treatment sites in Addenbrooke's. Other cancer specialists are learning from the work done by the breast unit and in the West Anglia cancer network—a highly effective network developed in the past few years through which local hospitals may share good practice. It has made quite a lot of progress: it has consistently delivered against all Department of Health targets, despite the pressures of an enormous work load. It has succeeded because of the high level of commitment shown by all its members.

The target wait for a patient whose GP has referred her to the unit is now two weeks, and 100 per cent. of patients see a specialist at the unit within that period. That represents a huge improvement since 1997, when the patients with whom I spoke had had to wait much longer. A woman experiences great anxiety when she finds a lump in her breast. That results in pressure on GPs to refer patients even though they may not believe that it is breast cancer, and leads to a heavy demand on the service. Providing a better service therefore creates greater demand, so it is not always sustainable and may break down.

In response, the unit has issued GPs with detailed guidelines on the referral process, which is available on its website and in hard copy on each GP's desk. The guidelines contain detailed patient information sheets, which GPs may hand out to patients to reassure the worried well and to provide information for patients referred to the unit. There are regular GP education meetings, and frequent discussions with members of the GP liaison committee.

There have, however, been problems, one of which is the reduction in junior doctors' hours, which has led to a reduction in the time available to the specialist

registrar and the senior house officer to contribute to the unit's service delivery. Addenbrooke's has considered the unit's service delivery as the model for its own service delivery, which has led to two significant developments that could be copied elsewhere.

First, Dr. Liz Cox, a GP specialist, underwent rigorous and updated training in the breast clinic with a view to functioning as an independent practitioner in the new patient clinic. She now runs a new patient clinic and follow-up clinic with the clinical nurse practitioner. The clinical nurse practitioner is also a new role, which has been developed following two years of intensive training supervised entirely by the consultant at Addenbrooke's. For the past two years Sister Dawn Chapman has been an independent nurse practitioner in both the follow-up and the new patient clinics. That is a unique role in the United Kingdom and is attracting considerable interest from other units.

It is rewarding that the Cambridge breast unit is regarded nationally as an excellent place to train. The unit has been rewarded with an appointment from the Department of Health of an oncoplastic surgeon, following a competitive bid for 10 such new posts that have been created in England over the last 18 months.

It is good too that the hospital recognises the importance of breast cancer. High priority is given to patients with breast cancer and a concerted effort by all hospital staff has ensured no cancellations of operations on the day. I cannot imagine what it must feel like to go into hospital thinking that one is going to have an operation for breast cancer only to find that the operation has been cancelled, so I am sure that the elimination of that problem at Addenbrooke's has been a huge relief to many.

Addenbrooke's is also reducing the length of in-patient stay for patients treated for breast cancer, from seven days to a mean of three days. The hospital has done that by training district nurses in the area to manage the drains that drain the fluid after the operation. Patients are therefore discharged within 48 hours post-surgery with their wound drains in situ. That is the result of efforts made by Sister Dawn Chapman, which resulted in her receiving the nursing standards award for surgical nurse of the year 2001.

The Cambridge breast unit is evaluating a new surgical technique in the context of a randomised control trial called sentinel node biopsy. Patients undergoing the procedure are discharged within 24 hours after surgery, and the process leads to far less trauma and surgery than normal breast cancer surgery does. It is predicted that the technique will revolutionise the management of early breast cancer, and it is also envisaged that within three years it will be possible for more than 50 per cent. of all women with breast cancer—approximately 150 patients a year—to be treated in the day surgery unit. I hope that that shows that every constituent of mine is fortunate to live in the catchment area of Addenbrooke's hospital.

I should like to talk about genetics and hereditary breast cancer. Since the publication of the White Paper on genetics this year, which promised £50 million over the next three years to help to realise the benefits of genetics in health care, there has been a great deal of publicity about genetics and hereditary breast cancer. The Breakthrough Breast Cancer genetics reference group is a national network of approximately 100 people who, as a consequence of their family histories, have a strong interest in breast cancer genetics and genetic services. Through the group's work, several areas of concern that need to be addressed if genetic services are to be designed round the needs of the patients have been highlighted to women.

To put the matter in context, it is important to remember that only 5 to 10 per cent. of the 40,000 women and 300 men who are diagnosed with breast cancer every year in the UK develop the disease as a result of a strong genetic risk. That roughly equates to between three and six people in each constituency developing breast cancer as a result of their genetic predisposition.

At present, there are very few ways of treating those who are known to carry genes linked to breast cancer. Therapies currently offered include prophylactic surgery to move the breasts and drug treatments that have unclear outcomes. Furthermore, approximately 20 per cent. of breast cancer cases occur in woman who are classed as having a moderately increased risk of developing the disease and are not eligible for genetic testing, as the genes involved in their breast cancers have not yet been identified. To aid early detection, access to screening and surveillance programmes is a priority for those women.

As most people here will be aware, the NHS breast-screening programme invites women between the ages of 50 and 64 for a mammogram every three years. By 2004 that programme will be extended to women aged up to 70. However, hereditary breast cancer is more likely to occur at a younger age. Will the Minister tell us what provision the Government are making to screen or to keep regular surveillance of women under 50 who have a moderately increased or high risk of developing hereditary breast cancer?

Dr. Ian Gibson (Norwich, North): It has been enjoyable hearing about the work at Addenbrooke's, which is a paradigm for work that could go on across the country. It is wonderful that the debate has been secured.

My hon. Friend is really talking about prevention. I wonder if there are any other preventive measures that we might adopt. Although much research has been done, it is not quite enough. I wonder if anyone is as confused as I am about what the other causes of breast cancer might be. Do they include obesity or diet? How do we address such issues and give advice beyond genetics about how to prevent breast cancer from developing at any age?

Mrs. Campbell: My hon. Friend should consider joining the all-party group on breast cancer. He would then be able to attend some of our excellent presentations, such as the revealing one last week on the connection between hormone replacement therapy and breast cancer incidence in the UK. Knowing the risks about the increased incidence of breast cancer made many of us think quite hard about whether one should use HRT. That is an example of the excellent work that the all-party group does. I invite my hon. Friend to join.

[Mrs. Campbell]

Many women wait up to 18 months for referral to a family history clinic for genetic services. Even after referral, the women who take a genetic test for gene mutations face long delays; many wait more than a year for the results. Some women who were tested in the late 1990s are still waiting for their results. They have received little, if any, explanation of the delay. Despite evidence that mutations occur throughout the gene, it is accepted practice to examine only two thirds of either gene, which is thought to detect approximately 60 to 80 per cent. of mutations. That results in the possibility of mutations being missed or occurring in another gene. Therefore, women wait more than a year for a partial test result, after which some are still left in the dark about their risk of developing breast cancer.

There are also indications that the diagnostic testing of the BRCA genes patented by Myriad Genetics, Inc. has seriously hindered the availability and adequacy of genetic tests for breast cancer in the NHS. Will the Minister comment on the position regarding the Myriad patent on the BRCA genes and commit to ensuring that the NHS provides the best-quality genetic testing available to those at risk from hereditary breast cancer, in order to provide accurate, meaningful and prompt results?

9.58 am

Mr. Iain Luke (Dundee, East): I, too, begin by congratulating the hon. Member for Broxbourne (Mrs. Roe) on securing the debate. I admire the way in which she introduced the topic, which is highly charged and highly significant to many. I know that she speaks from a deep-seated concern and has a personal awareness of the anguish and distress that that form of cancer can cause.

As the hon. Lady said, this is a highly significant time to hold the debate, as it is national breast cancer awareness month. I must say that if the debate had been held this time last year, I probably would not have attended—but now I am very much aware of the impact that breast cancer has. For me, until last year, cancer was a taboo subject to some extent: an acknowledged scourge, but something that happened to others, a wolf that was best kept at the door. I would certainly have sympathised with the sentiments of care and concern that would have been expressed in such a debate—but at a distance. However, the chance discovery of a small lump in my wife's breast on 13 November last year changed all that. Life for us all—my wife, myself and our family—was turned upside down, and my wife was set on a course of treatment which is, I am thankful to say, coming to an end this Friday after almost 12 months.

The year has passed quickly, if painfully; it began with two sessions of surgery, interspersed with frequent meetings with consultants and Macmillan nurses, moving through eight sessions of chemotherapy, lasting six months, and culminating in six weeks of radiotherapy, involving daily visits to hospital. My wife has made a significant contribution to the drafting and phrasing of my speech today, and much of the pain that we have felt has gone into it.

The impact on family life of such intensive and debilitating treatment cannot be overstated, but the kindness and professionalism of the staff at our local hospital, Ninewells, with whom we have come into regular contact, have certainly made the past year's journey easier. The dedication of NHS cancer staff is something that we can be proud of, and my wife certainly appreciates it.

The first real impact of the breast cancer diagnosis on us as a couple was the strange feeling of being alone and in isolation—a feeling that within the hustle and bustle of a busy world we were set to one side. We found it difficult, initially, to talk to our immediate family and friends, as breast cancer was not a subject that people talked about. However, it is a subject that people should talk about, and that is why I am here today. Only by talking about cancer can we rid ourselves of the fear associated with it, and only by talking about breast cancer can we learn that it is no longer synonymous with an early death—far from it.

A year ago, my wife and I knew that breast cancer was not an uncommon phenomenon. We were well aware of the illness, given its media coverage, but it was from talking to friends, family, colleagues and acquaintances that we began to realise how many people we knew, both in Dundee and in London, were also coming to grips with that cancer, struggling, like us, through their treatments and the day-to-day reality of coping with whatever might hit them next. That revelation, coupled with our very frequent visits to Ninewells hospital, impressed upon us the enormity of the impact of breast cancer—the second most frequent cancer among women—on people's lives.

I appreciate the improvements that have been made in treatments, and the greatly improved survival rates that have resulted from those advances, so that nearly four out of five women survive for five years or more. There has been a 21 per cent. reduction in fatalities in the past 10 years. Encouraging as those survival rates are, I believe, and I am sure that everyone present would agree, that they need to be better. Breast cancer is still the second most common cause of cancer deaths for women in the UK, after lung cancer. There is no doubt that progress has been made and continues to be made, thanks to patient support for clinical trials—my wife was involved in a clinical trial at Ninewells hospital—research institutes, medical staff and drug companies, but the need to do more is constantly at the forefront of one's thinking.

It is encouraging that the current national screening programme will be extended to women of 70 by 2004. However, given that 8,000 pre-menopausal women are diagnosed each year, and that the earlier breast cancer is detected the better the chances of survival, should we not be looking into the possibility of extending the screening programme to younger women on a more regular basis?

Examination of the figures reveals the need for greater equality of access to fast-track treatment throughout the country. We have already heard about Addenbrooke's hospital. I live in Dundee, and my wife and others like her are lucky to live near Ninewells teaching hospital—part of an academic community linked to the Wellcome Trust institute, which is playing a major part in seeking the elusive comprehensive cure for cancer. Even in that centre of excellence, the lack

of money threatens the Government's target of 80 per cent. of patients being seen at a symptomatic clinic within two weeks of their being referred to one by their GP.

Waiting times for urgent referrals at Ninewells are as long as six weeks, because of the lack of resources to fund additional sessions at the breast clinic to tackle the backlog of patients, which has built up because radiologists have been absent through ill health. Obviously, the situation is exaggerated by the national shortage of radiologists. Last year, my wife was seen in six days after a referral from her GP.

A six-week wait for an urgent mammogram has knock-on effects, which can delay surgery. Any delay increases the risk to the patient and can result in a more extensive and drastic form of surgery being required. The provisional resources to allow prompt diagnoses are surely the best way to take cost-effective action.

As a male contributor to a debate on an illness that predominantly affects women, I must admit that there have been moments over the past year in which I have been found wanting in the face of the demands placed on me. However, I am determined to do all that I can to assist in making the best possible package of care available to those who need it, whatever their postcodes may be.

In the fight against breast cancer, we must do all that we can not only to encourage direct medical care to alleviate by medicine and drugs the physical impact of cancer on patients, but to promote projects such as Maggie's centres, which offer support in the form of drop-in centres for cancer sufferers, carers and anyone whose life has been touched by cancer. In such centres, people can find support and information to help them come to terms with the initial diagnosis and to make treatment choices in peaceful and tranquil surroundings.

A Maggie's centre designed by the world-renowned architect Frank Gehry has recently been built in Dundee, and that is a place where people can make such choices. It is situated on the brow of a hill within the grounds of Ninewells hospital. There is a beautiful vista up the Tay valley estuary as it winds its way westwards up the Carse of Gowrie to Perth. Bob Geldof and Frank Gehry jointly opened the centre last month. It offers quiet and restorative contemplation, and the chances of a spiritual uplift and renewal to combat the invasive nature of one of the worst medical conditions known to women, and men. People who do not know the area will find it hard to picture the scene, but it is the most tranquil setting for a medical building that I have ever seen.

Many more such centres are urgently needed, and I hope that they will be built in the years to come, to benefit all those who suffer from cancer. Outside that form of supportive retreat, we must give the treatment of and cure for that scourge our fullest attention. We must renew, reinvigorate and resource our efforts to reduce the number of women and their families who are sentenced to experience the agony, distress and suffering currently associated with the disease.

Perhaps I should have said this at the beginning of my speech, but I welcome the initiative taken by the hon. Member for Broxbourne in securing today's debate, which allows us to focus on what can be done to reduce the suffering that future patients and their families endure from that type of cancer.

10.8 am

Mrs. Ann Cryer (Keighley): I start by putting on record my genuine appreciation of the work of the all-party parliamentary group on breast cancer. It was the first all-party group that I joined in 1997, when I was elected to Parliament. The all-party group has three joint chairs, and I particularly want to mention my hon. Friend the Member for Halifax (Mrs. Mahon), who has dedicated a great deal of time and energy to the group over many years. I am sorry to say that she will be standing down shortly—but I am sure that she will stay with us and attend meetings, as always.

I shall also mention the enormous help provided by Breakthrough Breast Cancer, whose clarion call is:

"Our vision is a future free from the fear of breast cancer",

which we can all endorse. The group's aims are set out in its current bulletin, which highlights breast cancer awareness month. They are that it:

"Raises issues of concern with Government and other policy makers.

Provides a forum for MPs and Peers of all political parties to discuss breast cancer related issues.

Takes action on behalf of people with breast cancer".

The unsung heroes of this place, who are not often mentioned, are the ever-helpful research assistants in the Library. They now complete an appropriate Library debate pack for all 90-minute Adjournment debates. I called into the Oriel Room last night to collect the pack on breast cancer. All copies had gone, so the assistants made me a reprint—but I shall not rely too heavily on those notes, in case we all seem to be singing too much from the same hymn sheet.

I shall quote just some of the information provided by Cancer Research UK, but shall not go into enormous detail because I want to allow time for others to speak. It says:

"Over 39,500 women are diagnosed with breast cancer every year in the UK. It is now the most common cancer in the UK and by far the most common cancer amongst women. For women, the lifetime risk of developing breast cancer is now 1 in 9",

as the hon. Member for Broxbourne (Mrs. Roe), said. The document continues:

"Most of the women who get breast cancer are past their menopause, but over 8,000 are under 50 years old. About 300 men are also diagnosed with breast cancer every year.

Various factors are thought to increase the risk of breast cancer. These include:

A close relative with a history of breast cancer. About 10 per cent. of cases are thought to have a genetic basis.

Early start to menstruation (before the age of 11) and late menopause (after age 54).

Having a first child late.

Exposure to radiation (other than normal background radiation).

High fat intake in the diet.

Being overweight.

Moderate to heavy drinking of alcohol.

Oral contraceptives and hormone replacement therapy (HRT) may very slightly increase the risk of breast cancer.

[Mrs. Ann Cryer]

Those with a strong family history of breast cancer carry one of a number of faulty genes which increase the risk of breast cancer. At the moment it is possible to test for two of them, BRCA1 and BRCA2. Up to 85 women out of every 100 that carry a faulty breast cancer gene will have developed breast cancer by the time they are 55."

I asked my local Airedale primary care trust to give me some information on what is happening in my constituency. I should mention that Airedale general hospital does not compare that well with Addenbrooke's, but it is a very good local general hospital, and the biggest employer in my constituency. Lyn Wilkinson, director of community and nursing services, has provided me with one or two points. She says:

"Airedale has a fully accredited Breast Cancer service with the Richardson Clinic providing women with access to Specialist Breast Cancer nurses and surgeon Mr Nejin who specialises in Breast surgery including reconstruction breast surgery (a recent development).

Airedale has a prosthetic service and a lymphoedema service, led by a Macmillan funded lymphoedema nurse."

She also says that the oncology and haematology day unit enables women to have chemotherapy locally in Airedale general hospital. However, women must still travel to Leeds for radiotherapy. The outcomes for women are good, as is referred to in a survey provided by Dr. Foster.

I went to the opening of the comparatively new haematology and oncology unit, and was delighted by it. It is a cheerful large room, well furnished and comfortable. At a time when they are pretty depressed and unsure of their future, it must help women a great deal to be able to go into such a room for chemotherapy.

Because of certain events that are to take place this afternoon, our debate may not grab the headlines. To paraphrase: it is a good day to bury reasonably good news. That is a pity.

10.14 am

Mrs. Alice Mahon (Halifax): My hon. Friend the Member for Dundee, East (Mr. Luke) made a valuable contribution. I am always delighted when men stand up and move the case forward, and do so as movingly and as well as my hon. Friend did. He was also rather optimistic, which was good for us all. I echo the sentiments of my fellow officers of the all-party group on breast cancer in saying how delighted I am that we have this opportunity to highlight the importance of breast cancer awareness month.

I want to pay tribute to one or two people, including the joint chair, the hon. Member for Broxbourne (Mrs. Roe), who, way back in the mists of time, as Chair of the Select Committee on Health, oversaw the production of a useful report on breast cancer. We have seen a lot of progress since then. I also pay tribute to my other hard-working colleagues. I am going to stand down from the chair and hand over to my hon. Friend the Member for Keighley (Mrs. Cryer), because of pressure of work and because I am standing down at the next election. The group works really well. It is a cross-party group, but parties never come into it. We just consider the disease and the foot soldiers—the women—and we see how we can progress matters and help deal with this dreadful disease.

I want to focus on some issues relating to screening. I congratulate the NHS breast screening programme on its 15th anniversary. The programme has been remarkably successful in detecting breast cancers in British women. More than 15 million mammograms have been taken, and more than 90,000 cancers detected. Will the Minister confirm the number of cancers detected through the programme in 2001–02, including the number of cancers smaller than 15 mm, which are usually impossible to detect by self-examination?

As I am sure the Minister knows, the World Health Organisation's International Agency for Research on Cancer recently determined that there has been a 35 per cent. reduction in mortality from breast cancer among screened women aged 50 to 69, which may go some way towards explaining the dramatic 22 per cent. fall in breast cancer mortality rates in the UK over the past 10 years. That is good news for women, and I declare an interest here.

Bearing in mind the importance of the screening programme, we should be extremely concerned that not all women who are invited to take up the opportunity to be screened do so. That is a worry when one considers that 80 per cent. of breast cancers occur in post-menopausal women, and that early detection and diagnosis are vital in improving women's chances of surviving the disease.

The problem is of particular concern in London, where the minimum standard of 70 per cent. has not been met across the board. In the most extreme case—in central and east London—only 51 per cent. of women took up their invitation for screening. There is clearly a job to be done there. I am pleased to say that in my constituency, Halifax, we are way above the minimum standard, and we also have a beautiful facility with dedicated staff. I pay tribute to every one of them.

As joint chair of the all-party group on breast cancer over the years, I have put questions to various Ministers. Will the Minister comment on how the Government are encouraging women to take up their invitations? I know that there is an ongoing programme. Will she, in particular, investigate the low uptake in black spots such as east London? Perhaps the screening programme could be directed to conduct a survey into why that is happening. I accept that there are problems in certain inner-city areas, but the statistics are poor, and we should be finding out why those women are not attending. I have highlighted London today, but our main aim should always be to ensure that all women entitled to screening take up their invitations, because not doing so can have effects on their future health.

The programme also appears to be struggling with the numbers of women being screened, because of the increase. In 2001–02, the number of invitations sent out fell by more than 60,000 to 1.7 million, compared with 1.8 million during the previous year. We should consider and concentrate on that statistic. I know that it has been partly blamed on the pressure on the service due to staff shortages and recruitment problems, but getting the companies and charities that support us to publicise the issue through some sort of advertising campaign might help.

I am not criticising the service. It has been brilliant, and it has saved lives, but I would like to see an improvement in that brilliant service. I am not making a criticism of anyone working in it, or the Government—or the last Conservative Government, who introduced it. However, there are numerous examples involving the interval between screenings. The agreed three-year period is now being stretched to four years in London in other areas. Some organisers are adding several months on to the three-year recall interval. That is a worrying trend, because a delay means that some women will miss the chance of having breast cancer spotted at the earliest opportunity.

Breakthrough Breast Cancer has evidence that many women have to chase up the results of their mammograms, or have to wait for more than two months for any result to be received. That is a worrying time, and we could improve that situation. The pressure on the existing system will no doubt be further compounded by the increased capacity when the programme is extended to women aged up to 65 and 70 next year. I declare an interest: I am very pleased about that, because I am in that age group.

Will the Minister comment on those situations and outline what initiatives are currently in place or being planned to ensure that all women who should be screened are given the opportunity to attend? It is important that they receive adequate information promptly and get accurate results from the programme. That goes without saying.

Finally, I want to draw attention to the information provided for women attending screening appointments. The information women receive when invited to routine screening as part of the NHS screening programme is different from what women and men receive if they are referred with symptoms. I am concerned that people who are referred with symptoms are not getting enough information about their situation. The standards of information differ throughout the country. I shall be interested to hear the Minister's response to that problem. This has been an excellent debate, and I congratulate the hon. Member for Broxbourne on securing it.

10.23 am

Mrs. Patsy Calton (Cheadle): I add my congratulations to the hon. Member for Broxbourne (Mrs. Roe) on securing this important debate. It touches on all our lives, and none of us is in the happy position of knowing nobody with this particular disease. I would like to associate myself with the hon. Lady's remarks regarding the huge range of breast cancer charities that she mentioned. All of them have played an enormous part in the work that needs to be done on the issue.

I add my own personal thank you to the all-party group, which I joined on becoming a Member of Parliament in 2001. I was made aware of it by my hon. Friend the Member for Hazel Grove (Mr. Stunell), who passed me the documents produced by the all-party group after its 1997 resurrection. I was aware of the work being done by several hon. Members to raise the profile of the issue and point out the importance of getting more than adequate treatment. That group, alongside the secretariat provided by Breakthrough Breast Cancer, has made a real difference. Its calls for better treatment and care have not fallen on deaf ears.

I also wish to mention the work of the hon. Member for Lewisham, Deptford (Joan Ruddock) who made such a valuable contribution to the group, but, sadly, as is the way with these things, had to move on to other responsibilities—and also that of my hon. Friend the Member for Richmond Park (Dr. Tonge), who as my predecessor was very involved with the group, and of the hon. Members for Halifax (Mrs. Mahon) and for Broxbourne.

The calls for better breast cancer treatment have shown that a multidisciplinary approach, which we have in various excellent centres—we have heard about the centre in Cambridge, and I can also point to the Christie hospital and the Nightingale centre in Greater Manchester—competes with the most advanced treatments in the world. It is a model for treatment of other cancers and for other illnesses. There has been progress, but there is a great deal more to do. Sadly, too often the multidisciplinary specialist approach is still not available, and women and men face a difficult journey on a system that is like the London underground, with parts out of action, parts delayed, and not enough signposting—I owe thanks to a speaker at last week's cancer conference for this analogy.

I pay tribute to the screening service, but there is a shortage of radiographers. The Nightingale centre in my area of Greater Manchester deals with that shortage by training others from related professions to do some of the work. I am sure that acknowledging the numbers problem and ensuring that people are retrained to perform parts of that valuable work are the right things to do.

As we have heard, breast cancer is the most common form of cancer, with around 40,000 cases diagnosed every year. In 2001 there were 13,000 deaths from breast cancer, and about 300 men every year are diagnosed with it as well.

We have heard from the hon. Member for Keighley (Mrs. Cryer) about the number of risk factors that are known because of the valuable work of Cancer Research UK and others. Early puberty and excessive weight gain are two not unconnected factors. Early pregnancy, more pregnancies and breast-feeding all lessen the risk. The point has been made that although we sometimes discourage women from early pregnancy, it seems that early pregnancy is what nature intended.

Between 5 and 10 per cent. of cases of breast cancer are connected with the BRCA1 and 2 genes, and it is appalling and offensive that Meridian has the patent for those genes and has therefore put an obstacle in the way of research across the world. I hope that the Minister will tell us of the progress that has been made in dealing with a company such as Meridian, which feels it has the right to make money out of people's genes.

Excessive alcohol, excessive post-menopausal weight gain, too little exercise and dietary factors all appear to be implicated in an increased risk of breast cancer. I am grateful to Cancer Research UK for its support of this debate. Its "million woman study" has found a clear link between HRT and increased rates of breast cancer, and it is investigating other factors such as diet, childbirth, breast-feeding, vitamin and mineral supplements, oral contraceptives and family history. I hope that it will soon be able to give a clear indication of the increased risks associated with each factor.

[Mrs. Patsy Calton]

Our main aim must be to reduce the number of breast cancer cases. More research is needed into how to reduce risk factors, and as important is the need to provide information about risk to ensure that parents, young and older women, and men, can make informed choices about reducing their risk.

The Government have promised to match pound for pound the money raised by charities for research by 2003. Will the Minister confirm that commitment? What will be the total sum devoted to cancer research? We heard at the Europa Donna lecture last year that treatments can be more tailored to particular types of breast cancer, thereby in some cases avoiding the need for the entire bundle of available treatments such as surgery, chemotherapy, hormonal treatment and radiotherapy. At the Europa Donna lecture this year, we heard that radical surgery is not always necessary and that outcomes can be as good with lumpectomy, which is becoming a more common practice. As the hon. Member for Cambridge (Mrs. Campbell) said earlier, all lymph nodes do not have to be removed.

Women with breast cancer, and their families, need patient-centred care with speedy and co-ordinated diagnostic investigations—I emphasise the co-ordinated element—followed by clear signposts to treatment and complementary therapy options. I never got a wig, because I was never at the hospital on the right day. I suspect that such things still happen in some places.

The Nightingale centre, which I attended, and the Christie hospital in Manchester have launched an appeal for a purpose-built centre like the Cambridge centre. It will have all the facilities on site so that women and men are not passed around or made to find their own way along a difficult path at an emotionally charged time, when finding their own way is very hard for them, and for their families.

We all want to know how to reduce our risk, and our daughters' risk, of breast cancer. Some factors are outside our control, but some are not, such as those associated with the other major health problems of heart disease, stroke, other cancers and diabetes: lack of exercise, excessive weight gain, excessive alcohol intake, smoking and dietary factors. The Government have acknowledged those factors in their public health programme, but it is important that their role in cancers, particularly breast cancer, is also played up. Women want to believe not only that first-class treatment will be available to their daughters, but that research to confirm the avoidable risk factors will be financed.

10.32 am

Mr. John Baron (Billericay): I, too, congratulate my hon. Friend the Member for Broxbourne (Mrs. Roe) on securing this important debate, and I take this opportunity to congratulate all hon. Members on their contributions. This highly emotionally charged subject deserves to be handled sensitively.

This is an important debate. One in nine women in the UK will develop breast cancer during her lifetime. The disease accounts for almost one in three of all cancer cases in women and, as we have heard, it is the most common cancer for women in the UK. Last year, some 40,000 women were diagnosed with breast cancer, and unfortunately, some 12,990 died because of it. The UK survival rates for breast cancer are lower than those for the EU as a whole, and that must be corrected. There is no doubt that the Government are attempting to address the problem, but in the next 10 minutes I shall raise several questions about their well intentioned targets, and ask whether they are having the desired effect.

I begin with the two-week referral target, which my hon. Friend discussed. A two-week target was set—in April 1999, I believe—to ensure that all women with suspected breast cancer who were urgently referred by their GP should see a hospital consultant within a fortnight. The target has largely—98 per cent.—been achieved, which is creditable. However, research by the Thames Cancer Registry has found that although that target has been met and the proportion of women who are seen within that time has risen, waiting times for subsequent treatment have gone up, and overall waiting times have not changed at all.

The research found that the introduction of the target had meant that non-urgent referrals could easily wait for up to 12 weeks for an appointment; indeed, we have heard examples of 17-week waits. That is a major area of concern. Long delays can impact on treatment outcomes. As Dr. David Robinson, who was party to the research, put it:

"The problem with arbitrary targets is that they just seem to push patients from one queue to another."

He went on,

"Our study suggests that the Government's two week target has changed little for women undergoing Breast Cancer treatment."

Indeed, the study found that women who went to their doctors with symptoms of breast cancer generally waited longer for appointments than those diagnosed through screening, even though their cases might have been more urgent. Some 86 per cent. of women whose cancers were detected by the screening programme saw a consultant within two weeks, compared with 68 per cent. who went to their doctors with symptoms of cancer. That brings us back to the points raised by a number of speakers. As Dr. Robinson put it:

"The effects we have observed reflect the risks inherent in a policy of targeting one element of the patient pathway in isolation."

Will the Government now make a detailed assessment of the effects that the two-week target is having on non-urgent referrals? There is concern that many women who need to be urgently referred are waiting too long to see specialists, and their treatment is subsequently delayed.

Another target that I would like to bring to the Minister's attention is the one-month wait from diagnosis to treatment. It is generally recognised that many trusts—almost 97 per cent., according to the latest figures—hit that target. That is laudable. However, the cancer plan's target refers only to the wait from diagnosis to the start of the first treatment. Concerns have been raised, particularly by Breakthrough Breast Cancer, about the time that patients have to wait between diagnosis and all the stages of treatment. Many patients receive the first stage of the treatment—often surgery via a lumpectomy or mastectomy—relatively quickly, but they then face significant delays before further treatment, particularly radiotherapy.

Only last week the Royal College of Radiologists reported that the service is still short of the target set by the NHS cancer plan five years ago and, as the Minister will be well aware, the situation is getting worse. The president of the Royal College, Dr. Dan Ash, went as far as to say:

"There is no doubt that patients are dying unnecessarily."

According to the report, many patients have to wait longer for treatment. When responding to the survey, the Government dismissed it on the basis that the figures were out of date. Will the Government now provide up-to-date figures? Furthermore, will the Minister outline other ways in which the Government are tackling the unacceptable wait for radiotherapy treatment?

In a debate such as this, it is important to pay tribute to all the staff within the NHS who deal with cancer in general and breast cancer in particular, for carrying out their work, often under difficult conditions. I add my tributes to those that have already been made to the many charities that have been active in raising awareness of the issue. I wish the merger of Breakthrough Breast Cancer and the UK Breast Cancer Coalition well.

The centre of our focus must always be the patient—today that means the breast cancer patient in particular. We often talk about patient priorities and the level of service and treatment that patients require, without finding out from patients what they really want. For example, many women affected by breast cancer feel that they still do not receive the written information about the condition, or about available support services, that they rightly feel they deserve. The Department of Health's own survey of cancer patients in 2000 revealed that only 51 per cent. of breast cancer patients were given information at the time of diagnosis. I hope that the Government will address that issue; I believe that they are trying to.

A recent survey of 50 cancer experts conducted by Breast Cancer Care, called "Breast Cancer in the UK: What's the prognosis?"—evidence that cannot be lightly dismissed—found that 80 per cent. of patients did not think that the NHS met the information and support needs of patients satisfactorily. Furthermore, 92 per cent. felt that patients needed more time and support from health professionals to help them make decisions about treatment.

There was also a concern about public misconceptions concerning the age-related risk of breast cancer. We know that 80 per cent. of breast cancer cases occur in women who are over 50—that statistic has been referred to on several occasions. That figure was confirmed in a survey commissioned in July 2000 by Breast Cancer Care in association with Boots. It found that many older women were unaware that the risk of breast cancer increases with age.

What initiatives will the Department of Health instigate to review its breast cancer education strategy in order to ensure that the right messages are getting to the right people at the right time? What efforts will be made to improve awareness generally and to inform decision making? We all know of the cancer risks created by smoking, obesity and diet, but it is felt that the message is not being put across aggressively enough.

I would also like to use this opportunity to bring attention to a group that has campaigned for 12 years to seek justice for its members, who have suffered from the effects of an overdose of radiation in the brachila plexus region. The group is called the Radiotherapy Action Group Exposure—RAGE for short. Its campaign started after the published case of Lady Audrey Ironside's failed court action against a consultant at the Royal Marsden hospital. During her case it was discovered that a large group of women had been injured accidentally at certain cancer centres between 1980 and 1985.

I ask the Minister to give the Government's position with regard to RAGE. In particular, will she urge the Secretary of State for Health to answer my letter dated 15 September 2003, which sets out the case for compensation for those affected by radiation exposure? It asks whether, as the Department of Health is set to make awards to those who have contracted the hepatitis C virus, it will now reconsider the case of the 250 or so women who are represented by RAGE.

I ask the Minister to address the following key issues that I have raised. The Government's two-week target is failing to bring down waiting times for breast cancer treatment, and may indeed in certain cases be leading to urgent cases being put on the non-urgent referral list. The one-month first treatment target may actually be causing significant delay in breast cancer patients receiving subsequent treatments, particularly radiotherapy. Most breast cancer patients believe that the NHS fails to meet their information and support needs. The Government have not responded to my request for a review of the RAGE campaign. I look forward to hearing from the Minister, in the hope that she will answer those specific questions.

10.44 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): It is with great pleasure that I rise to respond to this excellent debate. I congratulate, as others have done, the hon. Member for Broxbourne (Mrs. Roe) on giving us this opportunity. I think that we have all seen it as a fantastic chance to be able to talk about a subject very dear to our hearts and close to the concerns of many people across the country. It is always a pleasure to rise as a Minister, knowing that one is responding to a debate of quality and interest such as that demonstrated by hon. Members' contributions this morning.

I shall endeavour to respond to as many points as possible, but in the time left I may have difficulty in responding to all the many useful points that the numerous experts around me have raised. First, I shall mention the successes that we have had in working with breast cancer charities, whose contribution I welcome. The hon. Lady set out a long list of breast cancer charities, so I shall not risk rehearsing all of them, for fear of leaving one off the list. Their work with patients, their research work, their work on user involvement and the many campaigning and other activities in which they are involved form an excellent addition to the work of the national health service on breast cancer. They have a very important role in making women aware of breast cancer, and of symptoms, treatment and support. That is all to be warmly welcomed.

This debate gives us the chance to look at a wide range of issues. I shall say a few words on prevention, which a number of hon. Members touched on. We know that

[Miss Melanie Johnson]

obesity contributes to the risk of breast cancer, and it is important that that message become more widely understood. There is a particular relationship between fat intake, including saturated fat, and the development of breast cancer. Only yesterday, Cancer Research UK published research detailing an association between high meat consumption and breast cancer. Improving diet, as we are advocating in general, by increasing fruit and vegetable consumption is considered the second most effective strategy in reducing the risk of cancer, after giving up smoking. We are therefore leading the development of a comprehensive food and health action plan, which will bring together current initiatives on diet and nutrition and focus more strongly on achieving a healthier diet for people in England.

We are also trying to do more to increase women's awareness of breast cancer. That is very important because 90 per cent. of breast cancers will be found by women themselves. There is a five-point code in that regard: women knowing what is normal for them, knowing the look and feel of their breasts, knowing what changes to look for, reporting any changes without delay, and attending for breast screening if aged 50 or over.

On screening, I join other hon. Members in congratulating my hon. Friend the Member for Halifax (Mrs. Mahon) on her contribution and her work with the all-party group on breast cancer in the past few years; hers was one of several contributions that mentioned screening. Of course, we cannot prevent all cancers, although it would be highly desirable to do so. Even if people took all the useful precautions that they could take, we would be a considerable way from achieving that. The fact that 8,500 cancers were detected through the breast cancer screening programme in 2001–02 speaks for itself. In many cases, screening finds cancers before they turn into detectable lumps. Many of those detected were small cancers that would not have been found by self-examination or by general practitioners. Early detection and treatment means that women have a far greater chance of survival than they would otherwise have.

As my hon. Friend the Member for Halifax mentioned, we are in the process of extending the breast screening programme to women aged 65 to 70 by 2004. That has been rolled out in a number of areas, and an additional 200,000 women have already been invited for breast screening since we began the extension in April 2001. By the time that the extension is completed next year, 400,000 more women each year will be invited, when the scheme is fully implemented. In addition, we are upgrading current services by offering two-view mammography at all screening rounds by 2003, which will lead to an estimated 43 per cent. improvement in the detection of small cancers.

We are aware that some women who are invited for screening do not take up the offer, and the point about the difficulties in London was well made. We cannot force women to attend, however, and problems can arise when they change address. What we can do is to make women aware of the importance of attending. The cancer charities have a major role to play in making women aware of the benefits, limitations and risks of screening, and in helping them to make informed choices. Hopefully, women will attend, but it is a matter for them.

I shall provide more information about our achievements through the screening programme, because it is important to realise how effective much of the work has been. In 2001–02, 1.3 million women in England were screened and more than 8,000 cancers were detected. Some 93.8 per cent. of women who had invasive breast cancer detected by screening are alive five years later, which is an impressive statistic. In cases of non-invasive cancer, 98.6 per cent. of women were alive five years later.

Early screening has reduced mastectomy rates, which have fallen by half since the introduction of screening. That is because women can often be treated with minor surgery, which conserves the breast, rather than with the radical surgery that results in mastectomy. The mortality rate fell by more than 21 per cent. between 1990 and 1998. One third of that fall is attributed to screening, which plays an important role in tackling breast cancer and its incidence.

On waiting times, as the hon. Member for Broxbourne said, the two-week wait has been a huge success. Some 98 per cent. of women wait two weeks from urgent referral to being seen at a clinic, which is welcome. In the last quarter of 1999, 28,000 women were seen within two weeks; in fact, the figure may be more recent, but my notes are not entirely clear. The two-week out-patient standard was introduced in 1999.

Patients must be confident that, if they have symptoms of what could be cancer, they can discuss them with their GP and be referred quickly and appropriately if necessary. A GP with a list of 2,000 patients, which is typical, can expect to see one new breast cancer patient per year, but they will also see a considerably larger number of women with benign breast problems.

The need for GPs to pick up and refer people appropriately has already been mentioned. Their task is to differentiate between patients whose symptoms may be cancer and the very much larger group of patients who have similar symptoms arising from other causes. We have developed cancer referral guidelines for primary health care teams to help them to identify those patients who are most likely to have cancer, and who require urgent specialist investigation. The National Institute for Clinical Excellence is currently reviewing those guidelines.

As was mentioned, the referral guidelines recommend a local audit of referrals and feedback to GPs, and we are looking systematically at the review across the local audits. Indeed, we have primary care clinical leads appointed in more than 300 primary care trusts, which is almost all of the trusts in England. As I said, the referral guidelines are being reviewed.

Mr. Baron: I hear what the Minister says, but will she accept that an increasing body of evidence suggests that the Government's two-week target is failing to bring down waiting times for breast cancer treatment and may, in certain cases, lead to urgent cases being put on the non-urgent referral list?

Miss Johnson: I think that the hon. Gentleman is exaggerating what may be a difficulty. We need to check.

and I shall be happy to investigate whether there is a difficulty. Unfortunately, much of the available information on cancer tends to lag behind what is currently happening. The vast majority of women are served nothing other than extremely well by the target, and by its having been met by 98 per cent.

Another target, which also serves women well, requires that when breast cancer has been diagnosed, women should receive prompt treatment. They should receive treatment within a month of diagnosis, and during the most recent quarter for which we have information, the one-month diagnosis to treatment target was achieved in almost 97 per cent. of cases. I undertake to see whether we can do anything more, outside of reviewing the guidelines, about the time that it takes for some women who are not urgently referred to be seen.

As several hon. Members said, in general death rates are showing a marked improvement. The 21 per cent. reduction in breast cancer, and the 10 per cent. overall drop in cancer death rates over the five years, from the mid-1990s average to the 2000–01 average, indicate that we are making substantial progress on breast cancer and on other cancers. That is an illustration of earlier treatment and diagnosis, better treatment and better follow-up across the piece.

As I am short of time, I will turn to the question of a postcode lottery for prescriptions, and, as was mentioned, for Herceptin in particular. We were concerned by the recent evidence, produced by Roche and Breakthrough Breast Cancer, on Herceptin. As a result of that information, we asked Mike Richards, the so-called cancer tsar and the national director for cancer, to investigate the causes of the apparent differences in the prescription of Herceptin around the country. He has been asked to report to the Secretary of State within three months, and we will consider his findings. I assure hon. Members that we do not believe that funding should be the cause of any such postcode prescribing, and we are committed to ensuring that the drugs are available to patients in line with NICE guidelines.

Government matching of voluntary funding has also been mentioned. The latest analysis, covering the year 2000–01, shows that the Government matched voluntary funding—the figure was, I think, about £180 million per annum—and we continue to do so.

Macmillan Cancer Relief and the Department of Health are working with service users and leading experts in cancer and genetics to develop a model approach for people at risk. Plans are currently being drawn up, in partnership with Macmillan Cancer Relief, to pilot the model from 2004 in some six sites throughout England. In addition, NICE is producing guidelines for women who are worried about familial breast cancer, and they are due to be published early next year. As announced in the genetics White Paper, some of the £50 million investment will be used to upgrade genetics laboratories.

I have not had time to do justice to the many points that have been raised. However, I have had breast cancer and I understand exactly what this means for women. So I can assure hon. Members, whose enthusiasm and interest I welcome, that we are very committed to achieving huge improvements.

Disabled Children

11 am

Mr. David Cameron (Witney): I am grateful for the opportunity to debate this important issue, and I am pleased that a Health Minister will respond.

In the early years, the national health service and social services are the vital support services for families with disabled children, especially for people with very severely disabled children—the group on which I want to focus. My interest in the subject was first aroused by a very brave woman, Tussie Myerson, who lives in a neighbouring village in my constituency. She has a severely disabled 12-year-old daughter, Emmy, who is quadriplegic and has intractable epilepsy, asthma, severe learning difficulties, and recurrent infections that often require hospitalisation.

Tussie has fought hard to get the support that she needs to care for her child and to try to maintain some sort of normal family life. While trying to help her, I suddenly found myself perhaps not in the same boat, but at least trying to navigate the same sea. My wife and I have a son, Ivan, who is now 18 months old. He has chronic epilepsy, cerebral palsy, and severe developmental delay. One never knows about the future, but he is unlikely ever to be able to walk or talk. He is a magical child, with a smile that can make me feel like the happiest father in the world, but anyone who has experienced the elation of having a child and then the agony of watching them suffer and finding out about their disability will say that there is also a huge amount of pain.

It is very dangerous for a politician to say that one must experience something in order to understand it. By and large, I do not believe that, but there is something about being thrown into a situation that is so totally unexpected and having to face all the difficulties of coping, all the worry about the suffering of one's child, all the hospital visits, the different treatments, the hopes raised and then dashed, and everything else one experiences that makes one think about the issue with great intensity. Many other parents of disabled children have come to my surgery, both before Ivan was born, and especially since then. I am still a beginner in getting to grips with the wider issues—there are many in this place who are more expert than I—but much of what I have heard and read of others' experience jumps off the page because it fits so closely with what I have found and how I have felt.

Let me be clear: I am saying neither that the way in which we handle disability in this country is a disaster, nor that the Government are getting it all wrong. The care that my family have received through the NHS has, by and large, been superb, and many others would say the same. The help provided by social services can be much more variable, but the staff are good people struggling to do their best and to help. However, much more needs to be done, which is why I requested this short debate today.

As the Minister will know, there is a growing number of severely disabled children in this country. According to Mencap, there are 210,000 children and adults with severe or profound learning disabilities in England, of whom nine in 10 children and six in 10 adults live at home with their family. Those last two figures should be

[Mr. David Cameron]

stencilled on the Minister's desk, because the vast majority of their care is provided not through the NHS or social services, but through families and carers. I am not talking about my own family: I can afford to get a great deal of help, and we get it. However, others cannot afford it, and they are, quite frankly, heroes and heroines who are doing an often impossible job. The disabled children about whom I am speaking are probably the most vulnerable people in our society. Many need support 24 hours a day, seven days a week, 52 weeks a year.

There are two fundamental points to make in this debate. The first is that support for families, especially that provided by social services, needs to keep up to date with advances in medical practice. More disabled children are surviving birth and more are living longer—a fact that all Departments need to register. The ACE—aiding communication in education—centre in Oxford, which I visited recently, does amazing work in developing new equipment and technology to help the disabled, but it receives pretty much the same funding today that it did eight years ago. Most children's hospices get very little support from Government funds. Helen house—also in Oxford and visited recently by me—gets none, yet it has never been so busy. It is building a new home, Douglas house, for those with life-ending disabilities or conditions who survive into their teens and beyond. The number of such people has grown remarkably, and policy needs to reflect that fact.

The second starting point is that because families bear the brunt of the work, there is an essential unfairness in the system. Often those who do the most receive the least help. The family of a child with cerebral palsy came to my surgery: they were receiving only one hour of support a week, because they were a magnificent family coping as best they could. As the truly excellent Audit Commission report puts it,

"The services that disabled children, young people and their families are offered depend largely on where they live and on how hard parents are able to push."

That cannot be right. Some parents who cannot cope inevitably throw in the towel, and the state is then left with more children in care and a huge bill. The cost of looking after a severely disabled child in residential care is often more than £100,000 a year, yet a fraction of that money, if delivered in the right way, could help a family to cope at home.

What needs to be done? Here comes the shopping list, I am afraid. More priority needs to be given to helping families with disabled children. As the Audit Commission puts it:

"Services for disabled children are still Cinderella services. Their level of priority remains low, with other priorities experienced as more pressing."

That means money. I come back to my point about advances in medical science. Investment in the NHS over decades means that more of the children in question survive, and that they live longer—but has there been a corresponding increase in support? Of course not. If we are going to give those children life, we must also give them and their families decent lives.

I am not a fan of ring-fenced funding, because I believe in local democracy and local discretion. However, we have a problem. Not unnaturally, social services departments are—rightly—most concerned about children at risk of abuse, but as a result disability services can become a Cinderella service within a Cinderella service. That is certainly not right. More planning and greater understanding of the numbers are essential in social services departments. If we do not know how many children we are trying to deal with, service provision will never match up.

I beg the Government to aim to achieve some simple goals. They have produced good documents, like the new Green Paper and the national service framework, which I am sure the Minister will mention, but a clear focus is needed on a few areas that would make a real difference. I suggest two. The first is ensuring that parents have clear rights and understand them. Trying to find the right services for a child is like trying to shop in the high street in a blizzard: people know that there are doors they are meant to open and places they are meant to go, but it is all desperately unclear. When events turn lives upside down, people need to know straight away what benefits and services are available and the level of service they should expect. Services should lock on to them like a laser-guided missile as soon as their child's needs and their own needs are assessed, yet six out of 10 families have never had a carer's assessment.

If the relevant rights were set out clearly, and were nationally available and well understood, the problem of the lack of ring-fenced funding would be much less serious. Instead of national rights, however, we have locally set eligibility criteria, and in recent years those criteria have often been tightened. It is hard to blame local social services departments for setting them, given that they are trying to provide services out of very tight budgets. In Oxfordshire, substantial cuts have recently been necessary because the standard spending assessment is so low. However, the lottery of provision that results is simply not good enough.

The second simple goal is respite. One thing agreed on by almost everyone I have spoken to who cares for a disabled child is that they desperately need a break. I think that Mencap's "Breaking Point" campaign is one of the most persuasive and well targeted campaigns that I have ever seen. Mencap has found that eight in 10 families caring for disabled relatives are at breaking point, yet six in 10 get no short break service at all, or one that is so minimal that it does not meet their needs, and three in 10 say that they had less in the way of breaks last year than the year before because of reductions in services. Different ways of delivering breaks suit different people. For some, respite consists of care in a residential centre; for others, it means a carer going to work in the home so that the parent or usual carer can get away for a bit. Whatever the method, breaks there must be.

Parents cannot but be struck by the difference between the amazing care within the NHS and the often rather sketchy care that they receive from social services once they are outside the NHS. One minute, their child is in hospital having magnetic resonance imaging scans, being cared for by nurses and visited by speech and language therapists and physiotherapists, and so on; the next minute, the family are back at home trying to cope, often alone. Better integration of health and social care is essential.

The teamwork model, with a consultant leading one's case and all the other specialties attached, must be the right way forward. That is what I have experienced at St. Mary's hospital in Paddington, and I praise it. Not all hospitals can deliver that model of care, however, and they should be able to. Easy access to hospital is essential. My family are on our 14th hospital admission in less than a year, and doctors and nurses have told me of many other similar cases, so our experience is not untypical. All too often, however, parents with children who frequently need to be admitted to hospital wait for hours in accident and emergency, sometimes in the middle of the night. Can the Minister say what more can be done to give more automatic access to wards to such people?

A further issue is waiting times for social services. Everyone talks about the same things: the wait for an assessment, the wait for a decision, the wait to see if funding can be put in place, and the wait for equipment that often no longer fits by the time it arrives. The Audit Commission's study contains a powerful quotation from a mother, who says:

"Once you get a service it's usually quite good, but the problem is getting it. The first problem is knowing about it. The second problem is persuading someone you need it. And the third problem is finding someone who can deliver it".

I have one or two further suggestions, the first of which is about waiting times. When a family are close to breaking point, it is an emergency, but there does not seem to be anything like an emergency service. Almost anyone—a nurse, a carer, someone to help—would be better than nothing for some of the parents who have come to my surgery in west Oxfordshire. They ask, "Can't the assessments, the form filling and all the bureaucracy be short-circuited just to throw in someone who could actually help for a few nights, or even a few hours?" It is difficult to answer them, so we need to consider the issue closely.

Secondly, although I pay tribute to the Government for trying to move ahead with the idea of individual payments—giving families the money and letting them decide how it is spent on the services that they need to cope at home—I understand that the idea has not taken off as fast as they hoped it would, possibly because of the bureaucracy involved. I wonder whether the Minister has considered the idea of personal trusts, which MacIntyre Care, among others, is proposing. The concept is quite straightforward. Disabled people have around them a network of relatives, carers and friends who can be trusted to act on their behalf. Creating a personal trust involving those people would ensure that much of the state bureaucracy would not be needed, because the trust would have to provide a full account of the money raised and the money spent. Setting up a trust would make it possible to access extra support from the community and other organisations. I commend what MacIntyre Care has said and can give the Minister details if he wants to consider the idea, as I hope he will.

I apologise that, with my passion for the subject, I have thrown off ideas like sparks from a [illegible]athe, but I plead with the Minister to have one guiding principle—to make the lives of families who are struggling to cope with severely disabled children easier. When I spoke to our carer this morning, she gave me another idea. She said, "Why do we wait until severely disabled children are two years old before giving their parents disabled parking badges?" Most of those kids cannot have immunisations because of their illnesses and cannot go on public transport, but they have appointments all over the place for services that I am sure the Minister will tell us about. It may be a small thing and, as I have said, there is much to do, but the Minister is a sensitive soul and will want to start somewhere.

Before asking the Minister to reply to this debate, I ask him to recall the last time that we faced each other across this Chamber, when I asked about group B streptococcus infections. In answer to an intervention from me, he kindly said that he would entertain a delegation of parents who have lost children to such infections. He said that we could pick a suitable time to see him, and I hope that we shall be able to do that, either later this year or early in the new year, when he has more of the medical and other evidence that he said would be necessary to respond. I look forward to hearing what the Government intend to do to support families with disabled children.

11.14 am

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): It is a pleasure to answer a debate initiated by the hon. Member for Witney (Mr. Cameron). I congratulate him on raising such an important issue and on his continued interest in the health and care of children. He says that it is not necessary for anyone to have personal experience of something in order to speak authoritatively about it, and I entirely agree. However, it is important that we learn from those who have such experience, so I welcome the fact that he used his experiences as well as those of his constituents to illustrate his speech, and I look forward to further exchanges on the matter, both in the Chamber and in private.

I have not forgotten my commitment to meet parents and others involved in the group B streptococcus campaign. The timing mentioned by the hon. Gentleman—towards the end of this year or early next year—is what I had in mind. By then, we will have concluded or at least made progress in our review, and we will be able to have a more meaningful discussion than we could now. As soon as I have the information, I promise that a date will be entered in my diary.

For those interested in the machinery of government, if we had had this debate last year, my predecessor in this post, my right hon. Friend the Member for Redditch (Jacqui Smith), who is now the Minister for Industry and the Regions, would have been answering as the Minister responsible for children's health and for children's social care. We now have a Minister for Children at the Department for Education and Skills, but my right hon. Friend the Member for Barking (Margaret Hodge) is responsible only for children's social care; I, a Minister at the Department of Health, have responsibility for children's health.

The hon. Member for Witney mentioned the need for joined-up services, and my right hon. Friend the Minister for Children and I are trying to lead by example. We have joint meetings on the various issues that concern us both, and we make decisions and keep each other informed of progress on our respective responsibilities. On many issues, we work in tandem, so not only can I speak with confidence about children's

[Dr. Stephen Ladyman]

health issues, but I can answer on behalf of my right hon. Friend about social care matters. She will at some point be answering questions or debates on children's social care, and I have no doubt that she will be equally happy to answer questions on children's health.

I shall deal later with the Green Paper and the national service framework for children. The hon. Member for Witney mentioned the Audit Commission's report and Mencap's "Breaking Point" report, which raise serious issues. I wholeheartedly agreed with much of what he said—indeed, I heard nothing that had not already crossed my mind and is not already on my agenda. We may dispute our priorities over the coming year, because I cannot work on everything at once, but I assure him that our minds are working along similar lines.

The Audit Commission found a lottery of provision in health and social care support. I acknowledge that the quality of service depends on where one lives and how well the local council is working. That is not acceptable. I want high-quality services to be available everywhere. I promise the hon. Gentleman that, far from slipping down the Government's agenda, children's social care and children's health—not only for children at risk, as dealt with in the Green Paper, but for those with disabilities and all other children—are at the top of our agenda. I am sure that he listened to me when I had Adjournment debates on the subject as chairman of the all-party group on autism, before I was promoted to my present post. He will have found common cause with me on the need for joined-up services.

The example that I always gave was what I called the bag ladies. Hon. Members will immediately recognise the bag ladies from their surgeries. They are the mums—occasionally dads, but usually mums—who come into our surgeries carrying bags full of letters that they have had to write to get all the services that they need for their disabled children. We need to arrive at a system in which, as the hon. Gentleman identified, there is an early assessment of a child's disabilities and we immediately plug in all the services that that child needs, so that mum does not have to become a bag lady to get the required level of service. A good example of progress is the national initiative for autism: screening and assessment, which became the national autism plan for children. It identifies a process of early intervention for disability, which the Government are considering. Of course, the national service framework is intended to consider such issues and the way in which we join up all those services.

Over the past couple of years, the Government's quality protects programme has been the key vehicle for driving upward the quality of services. Disabled children have been a priority in the programme. Over three years, £60 million for the children's services special grant has been earmarked for services for disabled children and their families. We have had some success. The national overview report for quality protects shows that more family support services, particularly home-based respite care and sitting services, are being provided. The majority of councils have started developing proposals in collaboration with partners from other agencies and sectors, such as the NHS and the voluntary sector, and there are numerous examples of improved provision around the country. We need to build on that success and ensure that all disabled children have access to excellent services. That is why we have doubled the earmarked funding for disabled children from quality protects from £15 million to £30 million.

We are also increasing support through the carers grant. That is leading, in particular, to increases in the levels of provision of short-term breaks for carers, including parents of disabled children. Last year the total number of carers helped via children's services was 52,000. The carers grant is increasing annually, and by 2005–06 it will have nearly doubled to £185 million. I assure the hon. Gentleman that I was equally interested in the "Breaking Point" report. I am determined to do even more to support carers and am looking for further opportunities for the Government to be able to help them in future.

The hon. Gentleman mentioned direct payments and the views of MacIntyre Care about setting up disabled people's trusts. I have not seen that work and I would welcome details of it. I will certainly consider the idea. My immediate instinct is that I am not sure that it will be necessary to go down that route because the legislation is absolutely clear, although it is often misinterpreted. It says that councils have a duty, not to offer, but to make a direct payment. Councils should presume that they are going to deliver care through a direct payment; they should not presume that they are going to provide care directly. Direct care should be provided only when people—whether they are the parents of a disabled child, or older adults—have turned down the opportunity of a direct payment.

The legislation is equally clear in relation to judging whether somebody can manage a direct payment. It states:

"with such assistance as may be available to him".

That assistance is family, friends, carers and the local council itself. I have met people with severe learning disabilities who are managing a direct payment perfectly in order to provide themselves with an independent life. They are plugged into a network of assistance that helps them to manage that payment. I hear what the hon. Gentleman says, and I will certainly consider the idea of a personal trust, but the legislation makes it possible for us to deal with that in other ways. If that is not working, we need to find out why.

I intend to exert major pressure to move forward on direct payments. This week, I received an email from an old friend whom I have not seen for 15 years. About 10 years ago, he had an accident that left him severely disabled and in a wheelchair. He emailed me to say that direct payments have transformed his life. That is the experience of disabled people and parents of disabled children all over the country who have had access to direct payments. We need to push ahead on that agenda.

The hon. Gentleman raised the subject of the benefits of fostering compared with residential care. I know that he is concerned that residential care is occasionally not an option and that fostering always seems to be preferred. When a family cannot cope with a disabled child any longer and needs some extra help, we usually prefer the fostering environment because it keeps the child in a family setting, and the sort of family support that we believe a child needs continues to be provided.

However, I accept that the option of residential care should sometimes be on the table and that it needs to be kept available.

On equipment and therapy services, we are taking specific action to improve services for disabled children. The Audit Commission said that many disabled children have had to wait long periods for equipment services. The NHS plan set out our commitment to modernise community equipment services and, backed by additional funding, we are working towards the development of integrated equipment services.

As the hon. Gentleman rightly said, therapy services are another key service for disabled children. In the NHS plan, we recognised that the shortage of human resources is the biggest constraint faced by the NHS today, and we set out our commitment to increase the work force. With the extra investment that we announced in the 2002 Budget, we will build on that target. By 2008, we expect the NHS to have had net increases of at least 30,000 allied health professionals and scientists over the September 2001 staff census. The plan also announced an increase in the number of training places for therapists and other health care professionals. It set a target of 4,450 extra training places for therapists and other key professional staff by 2004. I must add that recruitment will be our biggest challenge; I cannot turn on a tap and magically produce trained professionals. It takes time to attract people to that type of career, and to train and deploy them, but we have a strategy to bring them into the NHS as rapidly as possible.

The hon. Gentleman mentioned the Green Paper, "Every Child Matters", which I spoke of earlier. It is essential that we have a strategic framework to protect children and to ensure that they have all the services that they need. The Green Paper provides us with that framework. It specifically states that we will shift the balance of services towards early intervention, particularly in the early years. It also states that we will improve support to parents and provide targeted services, specifically mentioning the families of disabled children. We have set out proposals to integrate education, health and social care through children's trusts, extended schools and children's centres. They will be particularly important for disabled children, who often need the support of all of those agencies. Whether the starting point is health, education or social services, we expect coherence in the planning, commissioning and delivery of services.

The hon. Gentleman also mentioned the national service framework for children, which will be published next year. It will set national standards for health, education and social services and will help to tackle the problem that he mentioned: the postcode lottery of provision. It will also ensure better access and smoother progression in the provision of services for children. The leading external working group on such work has established seven task groups to address specific issues such as early diagnosis and intervention, family support, equipment, housing, therapy, transition, participation, and support for children with complex health care needs. They are all issues that the hon. Gentleman raised today. The framework will lead to disabled children having access to modern health and social care services designed to meet their needs—services that give choices to them and their families.

We recognise the agenda that the hon. Gentleman has set out today. That is my priority and a key priority of my right hon. Friend the Minister for Children. I give the hon. Gentleman an absolute commitment that we will work hard on every issue that he has raised. We may not be able to solve all the problems instantly, but I promise that we will endeavour to do so.

11.30 am

Sitting suspended until Two o'clock.

Housing

2 pm

Ms Sally Keeble (Northampton, North): I am grateful for the opportunity to debate this important issue. Many Members have shown a great deal of interest in this Adjournment debate, including my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) who first suggested calling it.

Overcrowding is the forgotten issue in housing policy. Because it is so difficult, perhaps it has not been so much forgotten as put on the back burner, where it has remained since 1935, when the standards were first introduced. The point of this Adjournment debate is to set out how disastrous the standards are and how they can be improved, and to press for their improvement as part of any housing legislation introduced in the near future.

The number of families in statutorily overcrowded conditions is not known, because the figures are not collected. London Housing states that 150,000 households are overcrowded, but its definition is not exactly the same as statutory overcrowding. In the introduction to his Housing (Overcrowding) Bill, my hon. Friend the Member for Edmonton (Mr. Love) referred to the survey of English housing, which states that 500,000 households nationally are overcrowded—but again, the definition is not necessarily the same as that for statutory overcrowding.

The actual number of statutorily overcrowded families is likely to be minimal, because the standards are so abysmally low that it is hard to breach them. My hon. Friend the Member for Bethnal Green and Bow (Ms King) and I have examined housing in her constituency. Although many of the families whom we met on that visit live in overcrowded conditions, when I counted up the people and the rooms, none of them was statutorily overcrowded. However, my hon. Friend knows of a number of cases of statutory overcrowding.

Many of us have been involved with housing over the years both as councillors and as MPs, and all the evidence, and the experience of those of us who have been involved with housing on a professional or a casework level, points to three things. First, overcrowded households include families with children. That may sound obvious, but it is worth emphasising that the issue concerns not only housing policy but policy for children. By and large, overcrowding does not affect single-person households. Secondly, the problem disproportionately affects people from ethnic minority communities. Some communities are affected more than others. In particular, the Bangladeshi community in Tower Hamlets, on which Shelter has produced an excellent report, is seriously affected by overcrowding. Thirdly, overcrowding is a problem for young families with one or two children who are trapped in one-bedroom flats in excruciating circumstances—something that I see a lot in my constituency.

Overcrowding is often seen as a big city problem, but that is not the case. In my middle England constituency, I come across the problem too often. For example, I know of a Bangladeshi woman with six children who lives in a little terraced house. She has created six bedrooms in her house by making haphazard subdivisions. She shares one small room with her baby, her 15-year-old daughter lives in another tiny room, her four other children sleep in a third room, another couple and one of their children share a fourth room, that couple's other three children, one of whom has special needs, sleep in another room, and a single man sleeps in an attic room.

Last weekend I visited a family who live in a one-bedroom first floor flat. The young woman, her husband and their two-year-old son share a bedroom. The daughter, who is about 10 years older, has serious special needs and sleeps in the sitting room. The sitting room is full of containers of clothes, baby items and toys. Both families have serious problems as a result of their overcrowded conditions, but neither is statutorily overcrowded. Neither has any hope of moving.

It is hard to overestimate the profound sense of injustice that overcrowded housing conditions can create in people. There is complete fury when people are told that they should relieve the pressure on the bedroom by putting a bed in the kitchen, or when they are told that they can meet the requirements for gender segregation if the wife sleeps in the same room as the daughter and the husband shares a room with the sons.

Mr. Geoffrey Clifton-Brown (Cotswold): We can all come up with terrible examples of overcrowding. Would not a really good outcome of the debate be for the Minister to give a direction under the Homelessness Act 2002 that when local authorities carry out their homelessness plan they should also inquire into the exact amount of overcrowding in their area?

Ms Keeble: I shall come to some ways forward at the end of my remarks. I said at the beginning that the problem is very difficult to solve. There must be careful thought about how we progress. One real difficulty with overcrowding is that in none of those cases are the families statutorily overcrowded. If a survey were done of statutory overcrowding, the horror stories that everyone could tell would not show up, because the families are not statutorily overcrowded according to the present rules.

We must review the standards and set new ones that would have been more appropriate even in 1935, let alone today. We must also consider how the Government work with local authorities to map out the extent of overcrowding and to determine how to catch the small but acutely disadvantaged group of people who live in unacceptable conditions.

One could argue that people who are overcrowded should simply be regarded as homeless. That would create a catch-all, but no clear framework for solving the problem. I shall come on to some solutions later. It is important that proposals are put forward in this debate that can be picked up and implemented by the Government to ensure that we end what has been a complete scandal for many years.

The sense of injustice felt by people who live in such circumstances is increased when they see homeless families get two or three-bedroom houses. Most local authorities use more generous space standards for housing allocations, but overcrowded families do not score highly on points systems for transfers.

Overcrowding is often a problem for growing families who become trapped because they cannot get transfers, or because adult children who cannot get housing

remain with their parents and have children of their own. Two or three families may live in one house. One way out is for families to make themselves homeless, and some end up doing just that.

It is hard to overestimate the damage caused by overcrowding. It is an area on which the different aspects of Government policy are not joined up properly. Children cannot do their homework if the sitting room is a bedroom and there is no space to study. The consequences for health can also be dire. The British Medical Association's head of science and ethics has said that

"poor housing can cause psychological and physical health problems, and the best way to reduce health inequalities in this country is to improve living standards."

There are also risks to children's safety and well-being as the result of inappropriate sharing of bedrooms and the resulting lack of privacy.

The Government are making real progress in developing good children's policies and putting them into effect, but for some families, overcrowded housing is a barrier to child health, educational achievement and freedom from abuse.

There is nothing new about the criticisms of overcrowding standards. I invite Members to consider this statement:

"the right hon. Gentleman's standards as regards overcrowding are not standards which are tolerable in the twentieth century. He contemplates as a normal thing that living rooms should be used as bedrooms. I can never agree to that. I think it is wrong."—[*Official Report*, 20 May 1935; Vol. 302, c. 42.]

Here is another one:

"it would be much preferable to establish a standard which hon. Members can defend in the country, even if we give a time limit to local authorities, rather than hang around the necks of hon. Members and local authorities a standard of overcrowding of which this country will be ashamed within the next two years."—[*Official Report*, 29 May 1935; Vol. 302, c. 1191.]

Those criticisms of the overcrowding standards were made when the Housing Bill was on Report in 1935—the year that the standards were first introduced. It was expected that they would be upgraded in future years. It is interesting to note that those standards were introduced by a Health Minister, because of the link between housing standards and health.

The amendment tabled in 1935 was radical, because it proposed to disregard the living room in the calculation of standards. It was recognised that the standards were deliberately set low in order to prevent the building of a whole swathe of extra houses. That really is the rub. As the hon. Member for Cotswold (Mr. Clifton-Brown) pointed out, the question is not whether, but how, the standards should be changed.

My hon. Friend the Member for Edmonton set out a gold standard in his Bill, which has been very important, as has the report of the Select Committee on the Office of the Deputy Prime Minister: Housing Planning and Local Government, and the excellent work of Shelter.

Mr. Andrew Love (Edmonton): I thank my hon. Friend for her kind remarks. She will be aware that the standards in my Bill were based on those set in the English housing conditions survey, which is, by unanimous acclaim, a modest overcrowding standard. To have a gold standard, we would be considering something significantly better than the standard in my Bill.

Ms Keeble: I take my hon. Friend's point. I was just trying to say that if his standards were enshrined in legislation, we would be doing extraordinarily well.

Whatever happens, we must see some improvements on the present position. It is a scandal that the standards MPs said in 1935 that they would be ashamed of two years after their introduction are still in place almost 70 years later, and without the modest improvements that were proposed then, such as discounting the sitting room.

My hon. Friend's standards would have been contained in primary legislation, but they should not be introduced there because they should be open to wide discussion. They should also be open to simpler amendment than primary legislation allows. Secondary legislation would provide for greater flexibility and allow us to improve standards without the problems that we have seen with past housing Bills, in which it has been difficult to change standards. There is a reluctance to commit too much to secondary legislation, but overcrowding standards are ideally suited to that form of settlement.

It is important to have absolute standards. The issue is not about establishing when housing overcrowding becomes a risk, as in the housing health and safety rating system's proposed method of considering overcrowding standards, but about specifying what standards of space accord with wider policy objectives for children and families. It is also about our changed perceptions of space and privacy compared with those of 1935. For example, should it be recognised that husband and wife should not have to sleep in separate rooms to meet overcrowding standards? I certainly think that it should. It is very difficult to explain to older parents that they might have to sleep with their grown-up children rather than each other because of the gender segregation requirements. It should also be recognised that children under 10 count as people, not half-people. My hon. Friend the Member for Edmonton says that the cut-off age should be five.

We should recognise that families need a living room. They are entitled to some space—more if the family is large—to use for recreation, leisure, eating, doing homework and the like.

Mr. Clifton-Brown: I agree with the broad thrust of what the hon. Lady is saying. Something must be done about the problems, but how should it be done? I slightly disagree with what she said about the provisions not being in primary legislation. It seems to me that the Housing Bill that the Government are about to introduce would provide an ideal opportunity to deal with the problem, and it would update the Housing Act 1985, which is nearly 20 years old. Standards have moved on considerably since then.

Ms Keeble: It is a moot point where the provisions should be. I would just say that the Housing Acts passed after 1935 have always reinforced the previous standards. That is partly because there have been other

[Ms Keeble]

priorities. Certainly, local authorities were applying different, more generous standards during the 1960s and 1970s. With all the changes taking place at that time, perhaps it did not seem quite so important to improve the statutory standards. Including those standards in legislation has made them very resistant to change.

If it is not possible to get absolute agreement on the standards to be enshrined in the Bill, it might be more helpful to have secondary legislation so that there can be detailed attention to that particular aspect of housing. It is right that over time we should constantly improve the standard of housing and recognise that people should have more space for recreation. It would be nice if they had space for proper dining facilities, for example. It is also important that we understand that the changes that we introduce now would be subject to change in future years.

We should make absolutely sure that we do not pass legislation now and then leave it for another 70 years before there is the opportunity to change something, just because we used primary rather than secondary legislation. We need to consider that risk carefully, but we must not say, "We can't get agreement to change the wording in the Bill so we aren't going to do anything." I suspect that that is what happened with previous Housing Acts.

Probably the most difficult issue is that there needs to be a process of implementation, during which there would have to be careful assessment of the impact of changing standards and how the goals could be achieved. My hon. Friend the Member for Edmonton also made the point about the need for a survey so that we can quantify the level of overcrowding and ensure that we know how that can be managed.

Some of the issues involved in tackling overcrowding concern management of the housing stock, such as management policies for transfers, arrangements for housing homeless people, how we manage homelessness, and what we do about grown-up children with babies who are living with parents and grandparents. We also have to consider the design of new homes, including proper provision for larger families.

One option that I do not believe is open is to leave the standards untouched. They are offensive, they cause immense hardships for families with children—the very families that other areas of Government policy are so keen to support—and they discriminate unfairly against particular ethnic minority communities. They are also virtually impossible for people at the sharp end in the communities to challenge, because of the different ways in which the various pieces of housing legislation work. I hope that careful consideration will be given to that matter.

Mr. Love: Is not one of the most important considerations the fact that the incidence of overcrowding in Greater London coincides with the incidence of the deepest child poverty in this country? One intensifies the other. If the Government have set themselves a target of reducing child poverty, there must be some action on overcrowding.

Ms Keeble: I agree. It is clear that overcrowding is about child policy, not just housing and family policy. Overcrowding and economic disadvantage are related. Also, there is a failure to take into account the pressures on the most disadvantaged families. The case in my constituency that I cited, in which one of the children living in those circumstances had special needs, is typical of a number of families. A family with children with special needs often needs extra space to manage the equipment and the behavioural problems. I hope that such issues can be taken forward by a really careful consideration of, and improvement in, the overcrowding standards. I also hope that this subject will be covered in any forthcoming housing Bill, and that we will at last bring our overcrowding standards not just into the 20th century, but into the 21st century.

2.21 pm

Ms Karen Buck (Regent's Park and Kensington, North): May I draw Members' attention to my entry in the Register of Members' Interests? I congratulate my hon. Friend the Member for Northampton, North (Ms Keeble) on securing this important debate. She has shown a great deal of interest and concern about the issue, and is to be congratulated on giving us an opportunity to discuss the matter again today. I also congratulate my hon. Friend the Member for Edmonton (Mr. Love) on all the work that he has done in bringing the issue forward.

Overcrowding is one of the most serious and pressing concerns for those of us representing constituencies facing a housing shortage. It has knock-on consequences for a number of the Government's agendas for tackling social exclusion, including agendas for health targets, educational achievements and antisocial behaviour. There are few areas of concern that the Government are rightly seeking to address, and into which they are putting resources, on which overcrowding does not have an impact.

I have made my next point before when speaking on housing issues in this Chamber and in my constituency. Overcrowding is one of the most serious causes of racial tension—I am sure that some of my colleagues face racial tension issues—for the simple reason that, at a time when there has been a great deal of media and political interest in immigration and asylum, the chronic housing shortage and its consequences create a sense among many people living in unacceptable and appalling conditions that immigration and asylum seekers are to blame for their plight. I shall draw attention to why that view is not true. However, I have no doubt about the unfortunate consequences of the situation in terms of public policy.

I hope that the contributions made today, and those that I am sure many of us will continue to make, can do something to get this terribly serious problem on to the Government's agenda. The problem with housing is that most people are either satisfactorily housed—thank goodness for that—or see housing as a market need. Many people who are buying their own houses will see their ability, or inability, to have the house that they want as a market transaction. Housing therefore simply

does not get the same attention as education and the health service. However, as my hon. Friend the Member for Northampton, North and I have said, the impact of housing shortage where it is most acute is undermining so many of our attempts at progress on those other agendas.

In an intervention, my hon. Friend the Member for Edmonton drew attention to the particular issues in London. There are impacts on other cities and parts of the country, and there are pockets of serious rural overcrowding to which we could draw attention, but there is no doubt that this problem impacts specifically and detrimentally on the capital. In London, overcrowding is almost four times as frequent as outside it, and there was a 21 per cent. increase in overcrowding levels between the 1991 and 2001 censuses. When we bear in mind that the 2001 census in London, Manchester and a few other places was woefully inaccurate, that does nothing to give us confidence that we have found the real scale of the problem. It is probably a great deal worse than census data give us cause to believe.

According to that data, which we shall have to use until we have any better, there has been a 21 per cent. increase in overcrowding levels in London compared with a 22 per cent. decline in the rest of the United Kingdom. I am extremely pleased about that decline, but we are grappling yet again with a serious regional imbalance. We are often stymied by the fact that we put forward policy solutions to a problem that are in danger of being dismissed because they have a particular regional impact. I hope that my hon. Friend the Minister understands that those of us seeking to address this issue can do so only from the facts and experience of our own localities. The seriousness of the problem should not be masked by a national set of averages that, if examined, show that the rest of the country has enjoyed a decline in overcrowding levels in recent years.

The two boroughs in my constituency are among the worst affected in terms of increases in overcrowding. There has been a near doubling of overcrowding among tenants of registered social landlords in Kensington and Chelsea, and the amount of council stock deemed to be overcrowded has increased from 9 to 14 per cent. in Kensington and Chelsea and from 8 to 12 per cent. in Westminster. As my hon. Friend the Member for Northampton, North said, we have to remember what those statistics represent: absolute human tragedies.

Mrs C has two children, one with autism and one with heart disease. Their school has advised me that

"at the moment, their living conditions are severely hampering not only their social, but also their mental and physical development".

Another constituent wrote to me recently to say:

"My parents have allowed my family to temporarily stay in their property and as a result I share a 3 bedroom flat with 9 people . . . I occupy one small bedroom and share a double bed with my husband and 4 year old son, my two year old occupies a cot and frequently wakes in the night, disturbing everyone. My father is a pensioner with Parkinson's disease, depression, hypertension and bladder problems . . . my mother is also a pensioner . . . Two of my brothers are in full-time education and attempting to study for examinations."

A third constituent, Mrs. S, writes:

"I stressed all the support sent from my GP, Social Worker and from you regarding my health. My physical and mental state is seriously deteriorating. I am sinking into a deep depression as I battle with my housing situation daily. I am at breaking point! And the children are suffering too. Yes I now have constant heating and hot water",

for which she is grateful,

"but there are still the problems of the flights of stairs, lifting, carrying and climbing for four people sleeping in the one bedroom. No space for the children to play is made more apparent as the baby is very mobile now. The noise in the flat is worsened by the fact that there is no soundproofing. I cannot take any more. I am desperate and very vulnerable at this time."

As my hon. Friend said, even people suffering from such levels of overcrowding cannot for the most part become registered as statutorily overcrowded under the present legislation. As we have heard, children under one year of age do not count, despite the fact that they take up sleeping room and become mobile as they begin to crawl. Children under 10 count as a half. I referred the family of a Mrs. M to the environmental health office for an assessment, but the reply that I received stated:

"The ages of the children mean that the family currently has 4.5 'persons' in that the 3 younger children each currently count as 0.5 of a person."

I am sure that my hon. Friend the Minister will understand that when constituents receive a letter telling them that a nine-year-old child counts as only half a person, it causes them great irritation. The child in question may be, as in the case of my constituents, aged nine and a half with special educational needs. Three of the family's four children have special educational needs relating to language and speech development disorders, which are not counted for the purpose of overcrowding. The rules make it impossible to compound either many different levels of medical need—because medical points are allocated for only one person in a household—or the impact of overcrowding on the family's medical problems. The result is that they cannot secure statutory overcrowding points.

My hon. Friend rightly drew attention to the fact that under the 1935 legislation housing authorities are allowed to require the living room to be used as sleeping accommodation, regardless of the impact that that would have on the family's social life or privacy, or on children's ability to get a proper night's sleep or to study. However, things are slightly worse than that, because under legislation there have been instances when it has been decided that the kitchen could be used for sleeping.

A reply to a letter inquiring about a constituent stated that the lounge and two bedrooms were clearly included as sleeping accommodation, but that the difficulty for the environmental health department was whether to use the kitchen-diner as a living room, since there were a table and chairs in the room and it therefore seemed to be used for more than just cooking. It is possible for an environmental health department to decide that if a kitchen-diner is used for eating, it can therefore be used for sleeping. I would not know, because the information is not monitored across the board, in how many instances such a ruling has been made.

The problem is that even if a family can get through the equivalent of the biblical eye of the needle and qualify as statutorily overcrowded, they still cannot move, because of the shortage of accommodation. The

[Ms Karen Buck]

family of Mr. A in my constituency is statutorily overcrowded and has received the maximum additional points that are available. There are seven people in a two-bedroom flat, and they have medical points because the gentleman in the family has ischaemic heart disease. The family have not been allowed to move and are still 11th on the housing waiting list, having been on it with maximum points for about four years. A letter from the sure start unit in the ward where the family lives states:

"I do not understand why the family has not been able to move . . . the family are statutorily overcrowded with 2 adults and three children"—

it is in fact four children—

in a one-bed flat . . . the family is surviving in the most distressingly cramped conditions . . . Charlie . . . aged 11 years, and Faith, aged 5 go to sleep in their parents' bed and then, when they are ready for bed, the parents transfer them to a sofa bed in the lounge room . . . the two youngest children sleep in a cot beside their parents' bed . . . "

The mother

"is one of the main supports for her mother in law who lives nearby . . . who has cancer".

There are therefore good reasons for the family not to welcome a letter from the local authority asking whether they would be interested in being considered for a move to the north of England.

Another family, living in north Kensington and statutorily overcrowded in a housing association property, are a couple with four children over three years old. They live in a one-bedroom flat. I asked the environmental health department to assess the flat for overcrowding. Its view was:

"The recognition of statutory overcrowding will not provide an early offer of permanent local housing."

I was informed that the head of housing needs in the borough—who is an excellent housing officer and has been of enormous practical help to me over the years—has none the less advised in this instance that

"there are many hundreds of families with similar overcrowding currently registered for larger accommodation on the Council's Housing register."

Ms Keeble: Perhaps the Minister could confirm my understanding that if people are statutorily overcrowded and register with the local authority for a transfer, the matter ends there. Priority is granted, but there is no automatic right to rehousing as one might normally expect following a breach of a statutory standard. Once people apply for housing, they lose their immediate rights and the obligation to rehouse them ends.

Ms Buck: My hon. Friend is right. In some ways, it is worse than that. Her point leads me to my next sentence. Last year, the chief housing officer for the housing association wrote to me as follows:

"It would not be in your constituents' interest if enforcement action was taken in respect of statutory overcrowding as this would require us to evict the family for breaching the covenant requiring them not to overcrowd the dwelling."

According to statutory overcrowding legislation, it is the tenants' fault that they are overcrowded. In my experience, private tenants and tenants housed by registered social landlords and local authorities are often technically in breach of their housing obligations if they are overcrowded. They are therefore the ones who are at fault, and they can be evicted. In practice, that does not happen, especially where children are involved. In this instance, however, the housing association's comment flags up a particular problem.

There is a serious and worsening crisis, especially in London. Given the nature of the legislation, it is extremely difficult for families to qualify as being statutorily overcrowded. When they do, it is almost impossible to move them. In many cases, families are told that their only option is to consider moving to the north of England. Some would welcome that, and I assure hon. Members that I have nothing against the north of England in this respect. However, many—probably the overwhelming majority—of these families have extremely strong local ties. Many of them are working, despite the conditions in which they live, and many are from minority ethnic communities with strong community links. Many, such as the family with the three children with special needs in language development, have strong ties with the health service and schools, which provide them with vital support for their children. Uprooting such families and moving them to another part of the country is simply not an option.

If we are to deal with the problem of overcrowding, we must treat it as important, monitor it and set targets. It is right that families living in substandard housing should be a target in the monitoring of child poverty. Defining homelessness and overcrowding as forms of housing need and as targets in tackling child poverty is also well overdue. If we do not commit ourselves to updating the legislation and to monitoring the impact of overcrowding and the problems arising from it, the issue will continue to stay below the radar. I join my hon. Friends in asking the Minister to reconsider the matter and to pursue it.

It is not satisfactory simply to wrap up the problem by using the standards that the Government propose. A few months ago, the Minister's colleague wrote that

"to raise the issue of overcrowding standards in isolation from other factors would not deal with the problem".

I suggest that if we do not raise these issues, and deal with them, the hard core of chronically overcrowded families will simply be ignored, and they will continue not to receive the attention that they deserve.

Will the Minister also undertake to consider the role of registered social landlords? Housing associations are increasingly becoming the primary providers of social housing, and we are finding that they have different standards in relation to overcrowding. I have seen many cases in which families in overcrowded accommodation finally receive their one chance of an offer. Their case is made to the housing association, but they are rejected because the association says that they are overcrowding the accommodation. For example, the association will not consider housing more than six people in a three-bedroom property. That means that a family with seven or eight members in the worst housing need, with no prospect of receiving an offer of four-bedroom

accommodation, is least likely to receive an offer because of the way in which the RSLs operate their own overcrowding standards. Obviously, we do not want to overcrowd accommodation more than we need to, but we must recognise that it is unacceptable to leave a certain cohort of households, which are in a chronic condition, at the back of the queue because of the way in which housing association rules work.

I now return to my opening point about some of the tensions, particularly racial tensions, arising out of the housing shortage. We must recognise that stock shortage is at the heart of that problem. There has not been a massive increase in the number of families who have presented themselves as being homeless and come through the homelessness route. The heart of the overcrowding problem is not London's rising population, but the decline of housing stock over the past 10 or 20 years. A recent parliamentary question about the total social landlord dwelling stock in England and Wales showed that the number of properties available for rent in London has fallen by 23,000 since 1997. If those 23,000 units had been available to us, we would have been able to relieve a great deal of overcrowding and homelessness.

Part of the problem is that Housing Corporation rules make it impossible for larger properties to be built in high-value areas such as London. We desperately need to procure and purchase four and five-bedroom accommodation to deal with larger families who are not offered three-bedroom accommodation. Although that would lessen overcrowding, they are turned away. We cannot produce that stock because of Housing Corporation rules and the way in which capital finance works.

It is time to grasp the nettle. The situation is intolerable for tens of thousands of overcrowded London residents, particularly those at the sharp edge, who are close to statutory overcrowding limits, or just over them. I hope that the Minister will raise these issues with the Department. I hope also that she will make the case for updating legislation, and for some of the rule changes and resources that are necessary to relieve the problem.

Several hon. Members *rose—*

Mr. Deputy Speaker: I feel compelled to remind the Chamber that we conventionally begin the first of the three wind-up speeches 30 minutes before concluding a debate. There are only 18 minutes left, and two hon. Members are seeking to catch my eye. I hope that they will bear that time constraint in mind when they are speaking, and when they accept and respond to interventions.

2.42 pm

Mr. Kerry Pollard (St. Albans): I congratulate my hon. Friend the Member for Northampton, North (Ms Keeble) on securing this important debate. Most of us believe that the provision of secure, well-founded and affordable housing is one of the most important issues with which we must deal. It is particularly critical in the east and the south-east.

Overcrowding is a big issue. In my constituency, some extended families use overcrowding to move up the waiting list. Parents give their children, who often have a child of their own, notice to quit, which leaves the young family homeless, and therefore a higher priority than an overcrowded household. That shows that there is a lack of affordable housing.

It does not matter how housing is allocated if the supply is insufficient to meet demand. This year, my area was fortunate enough to receive the highest allocation in the region: £18.2 million. It is one of the most expensive areas in the country for land prices and building costs, and there is a lack of skilled workers, but we are doing some good things. One of our more innovative schemes is due to be completed soon; I hope to persuade the Minister to cut the ribbon. It is for 52 two-bedroomed flats on a former electricity site, 40 per cent. of which are for key workers. No public subsidy has gone into the scheme. The flats will be kept for rent in perpetuity so that successive tenants can enjoy the advantage of an affordable home.

We recently granted planning permission for a mixed development on an old Territorial Army site, 35 per cent. of which will be affordable homes for rent. We are also developing small sites and lumping several together so that they can benefit from the economies of scale that normally accrue to large sites. I am also trying to persuade the local council and our local population that some of the land on an old aerodrome site of 300-plus acres, which was mined for gravel, should be allocated for housing, even though it is technically green belt. That land is also the subject of some speculation about the provision of a rail freight terminal: a 24-hour-a-day, 365-day-a-year operation. It seems to me that a few hundred houses, a bypass to the local village and some formed woodland would be a better option.

I want to raise two other issues, the first of which concerns empty homes. It is estimated that 750,000 homes are empty, with more than 80 per cent. in the private sector. Houses next to empty homes can suffer devaluation by as much as 10 to 20 per cent. according to the Royal Institution of Chartered Surveyors. The Local Government, Planning and Land Act 1980 gives the right to order disposal of empty public property. That process involves a public request ordering disposal.

As more than 80 per cent. of empty homes are in the private sector and not covered by the Act, now is perhaps the time to include them. Private owners served with a PROD could use the property themselves, let it, sell it or provide a justifiable reason—such as a planning reason—why it needs to stay empty. Even if only one quarter of empty homes were brought into use, that would equate to 180,000 extra homes.

The second issue is VAT on refurbished homes. VAT on new buildings is zero, yet on refurbished homes it is 17.5 per cent. We all know of homes that could be refurbished, but which it might be cheaper to knock down and rebuild because of the VAT. Many of us have been putting that argument for some years without any sign that it is understood or listened to by my right hon. Friend the Chancellor of the Exchequer. Regeneration is rightly given a high priority by the Government. That would be greatly helped by the scrapping of VAT on refurbishment.

Overcrowding is a symptom of housing under stress. I welcome the Government's plans for major house building in certain areas. However, I would plead that cities, such as St. Albans where the housing need is as great as anywhere in the country, continue to receive substantial grants for new affordable homes.

2.46 pm

Ms Oona King (Bethnal Green and Bow): I congratulate my hon. Friend the Member for Northampton, North (Ms Keeble) on securing the debate. As a councillor, as an MP and as a Minister she has shown real commitment to helping families who live in overcrowded conditions. During her time as Minister, she visited the Boundary estate in Bethnal Green and listened to the experiences of a number of families living in overcrowded homes—families in which three or even four children shared a single bedroom; or families in which parents or siblings slept in the living room every single night. The health, well-being, educational attainment and employment prospects of those families—in other words, their entire future—are blighted because their homes are too small.

The survey of English housing estimates that there are more than 17,000 overcrowded households in London. In Tower Hamlets, we have approximately 8,000 overcrowded households. That is the most severe level of overcrowding in the country, and is accompanied—unsurprisingly, as there is a direct link between the two—by the highest density of poverty in the country.

The vast majority of those overcrowded households are young families with two or three children waiting for a family-sized home to become available. Unfortunately, as my constituents know to their great cost, they have to wait for an unacceptably long time. Some have already waited more than 10 years. Some have waited for almost 20 years. I am sorry, but I will do what other MPs have done and illustrate the problem by referring to families with whom I come into contact. That is because it is so difficult to portray the level of human suffering involved. I am not using the worst cases; I usually use the worst examples, but I thought that this time I would go for the averagely bad.

Mrs. A lives in a small two-bedroom flat with her husband and four children. There is not enough room for all the children to have separate beds, and the boys and girls have to share a room. Mrs. B also lives in a small two-bedroom flat. Mr. B is elderly and disabled, and lives with his disabled wife, adult son, adult daughter and baby grandson. Once again, there is not enough room for everyone to have a bed, and there is not enough room for facilities to deal with Mr. and Mrs. B's disabilities. There is obviously no privacy for the adult son and daughter. Predictably, both those tenants have come to me asking for help to get the one available vacant house in their area. At least one of them will be disappointed; from my experience both of them are likely to be disappointed.

Mr. C lives with his wife and two children, aged five and two, in a one-bedroom flat on a high floor of a tower block. A third child is expected in three months. There is insufficient room for the existing children to have a bed each, and it is difficult to see how space could be made for a cot for the third child. I took a former Minister with responsibility for housing to a property in Tower Hamlets where an extended family of 16 people were living in two bedrooms—and I am sorry to report to my hon. Friend the Member for Northampton, North that none of the families that we visited have yet been rehoused in larger, family-sized accommodation.

Mr. Love: Is not the important point that none of those cases counts as statutorily overcrowded? That shows just how completely out of date the system is, as it cannot deal with modern circumstances.

Ms King: That is precisely the point. The accommodation of the last family that I mentioned, with 16 people in two bedrooms, is of course regarded as statutorily overcrowded, and another family on the Tower Hamlets waiting list who require five bedrooms also currently live in accommodation that is classed as statutorily overcrowded. However, my hon. Friend is exactly right: all the other cases that I have mentioned do not count as statutorily overcrowded.

I am sure that the lack of progress is one of the reasons why my hon. Friend the Member for Northampton, North initiated a review of the current statutory definition of overcrowding. As has already been said, the definition ignores babies and expects living rooms to be permanently available for people to sleep in. For the benefit of my hon. Friends, I should add that 70 years ago, the Labour party described those very same standards as intolerable in the 20th century, and a Labour Member of Parliament said that this House

"ought not to let it go forth that we regard it as a satisfactory state of affairs that people should normally have to sleep in living rooms."—[*Official Report, Standing Committee A*, 19 February 1935; c. 54.]

That was 1935, yet the same standards are still with us.

The review of those standards that my hon. Friend the Member for Northampton, North initiated gave hope to overcrowded families in Tower Hamlets that the Government were turning their attention to their needs. However, after she moved on to the Department for International Development, no progress was made with that review.

Since then, we have been told that overcrowding will be addressed through the new housing health and safety rating system. Unfortunately, the HHSRS cannot provide that review, not only because the number of hazards due to overcrowding and a lack of space are likely to be dwarfed by the number due to factors such as fire risk, damp and cold, but because the HHSRS inevitably involves a subjective assessment of conditions in a property. I hope that the Minister will correct me if I am wrong, but the only objective yardstick against which environmental health officers can measure hazards that arise from overcrowding and lack of space is the room and space standards in the current statutory definition—the very same definition that the Minister with responsibility for housing described as outdated. That is why I hope that the Minister will follow her predecessor's lead and signal that she is prepared to consider updating that definition, as that would give hope to families in my constituency.

The Housing (Overcrowding) Bill introduced by my hon. Friend the Member for Edmonton (Mr. Love) does not give overcrowded families the right to insist that they are prioritised for rehousing ahead of homeless families, yet the fear that that might happen has delayed the Government's movement. A remedy of that nature is

specifically excluded from the Bill, because it is recognised that it might have unacceptable outcomes. However, local authorities already accept that such families have a right to a larger home, and in so doing they apply higher overcrowding standards than the statutory minimum. All that we are asking, therefore, is that the Government recognise that standard in law.

A modernised statutory definition will not add to the burdens on local authorities, but will help us to see more clearly what the problem is and where it exists.

If I thought that we could solve the problem of overcrowding with current or predicted resources, I would be less concerned about updating the statutory definition. However, despite the fantastic increases in Government investment in housing, we are still nowhere near doing that. Tackling overcrowding does not yet have the priority that it deserves. We are making huge investments: over the next three years we shall increase the total housing resource to £11 billion, we are on target to reduce the number of non-decent social homes by 1 million by 2004, and, through the transfer options, we are unlocking huge amounts of investment in social housing. I congratulate the Government on that. Tower Hamlets has had a welcome and much-needed 300 per cent. increase in investment in social housing, but it needs more.

I suggest to the Minister that the forthcoming housing Bill offers the chance to give decision makers an incentive to move overcrowding up the agenda. Across southern England, updating the standards would help to energise our campaign to end child poverty. Let us not forget that 48 per cent. of this country's children in poverty live in inner London. I know that many in the rest of the country do not believe that—they think that all the streets are paved with gold—but it is a fact. If we are to meet the Government's target of dealing with child poverty, we have to tackle one of the biggest issues that faces those children—overcrowding. It has to be moved up the agenda. That would help black and Asian families, who are seven times more likely to experience overcrowding than their white counterparts. Once one has faced up to a problem, one can begin to tackle it, and retaining a statutory definition that is so outdated and so rarely breached only helps us to convince ourselves that overcrowding is not a problem and does not need to be tackled. We need to set a new threshold—a gold standard—to aim for. The bedroom standard used in the survey of English housing is that standard, and the forthcoming housing Bill will provide the perfect opportunity to put it on the statute book.

I shall briefly offer some solutions. Admitting the scale of overcrowding is the first step in tackling it. The next is building affordable homes in the numbers that are needed. I have argued previously that the only way to tackle the housing crisis is to double our output of affordable homes. That would mean doubling our investment again, and I know that the money cannot be found immediately, so I suggest helping to generate an immediate increase in the number of council and housing association lettings. We need some short-term emergency measures to free up family-sized accommodation for families suffering severe overcrowding.

During a debate in June, I suggested an expansion of the seaside and country homes scheme. In the Minister's reply, he told me that Housing Organisation and Exchange Mobility Services, which manages the scheme, has begun working with Girlings Retirement Options to give elderly people further options. I would be grateful for details as to how that has progressed.

Since the local restriction of right to buy, cash incentive schemes have become really popular in Tower Hamlets, with the result that more tenancies, including four four-bedroom tenancies this year, have been returned to the council to be re-let. A cash incentive is a cheap and efficient way to help tenants of social housing to become home owners. It empowers tenants by giving them choice over the size of their new homes. Please may we have more? The money for that has been cut, and although Tower Hamlets has subsidised it, we need it to be increased.

My last point concerns occupation. As well as there being many people who want to leave London, we have the advantage that a surprisingly high number live in homes that are not fully occupied. In London, 28 per cent. of council and registered social landlords' stock is officially under-occupied. The present incentive—between £500 and £1,000 for each bedroom—is not adequate; we need to increase it if we are to get people out of those properties. I should be grateful if the Minister would write to me on the points that I have drawn to her attention. We desperately need to tackle the terrible problem of overcrowding now.

2.59 pm

Matthew Green (Ludlow): I, too, congratulate the hon. Member for Northampton, North (Ms Keeble) on having secured the debate. It is very timely in view of the forthcoming housing Bill, which will, as has been said, present a good opportunity to make changes.

I shall avoid covering much of the ground that the hon. Members for Regent's Park and Kensington, North (Ms Buck), for Edmonton (Mr. Love), for St. Albans (Mr. Pollard) and for Bethnal Green and Bow (Ms King) have covered, because they have given excellent examples from their constituencies. I cannot do that: while we have a severe shortage of affordable housing in Ludlow, overcrowding is not as great a problem as it is in London. Let us consider the extent of it. About 500,000 households in the United Kingdom would be regarded as overcrowded if we adopted the bedroom standard. That is a significant number; it is about 3 per cent. of all households in the UK. In London, the figure is about 6 per cent. As we heard from the hon. Member for Bethnal Green and Bow, the percentage is much higher among ethnic minorities. I understand that, by that definition, up to 30 per cent. of Bangladeshi households would be overcrowded. None of us can regard that as acceptable in the 21st century.

We have heard, rightly, about the effects of overcrowding, particularly those on health. The transmission of respiratory and infectious diseases and the increase in mortality and death rates are closely related to overcrowding. It is always connected with the spread of infectious diseases, either through the air or by physical contact. Measles, mumps, chicken pox, diphtheria and most respiratory conditions are more easily spread in overcrowded conditions, as are those that are spread by physical contact such as scabies. Longitudinal studies show that overcrowded housing dramatically increases the odds that young children will develop severe ill health in later life.

[Matthew Green]

We know, too, about the emotional effect on families. There is good evidence that it causes developmental delays in babies and young children. The stress of sharing bedrooms leads to tension and an increase in the breakdown of family relationships. That can result in an increase in homelessness among the teenage children of families in overcrowded homes. Overcrowding contributes to homelessness; it does not compete with it. It also has a large impact on education. If children do not have quiet space in which to do homework and their sleep is often interrupted, they are less able to concentrate at school. They then perform badly, and have behavioural problems. Consequently, their educational attainment suffers by comparison with that of children who are not from overcrowded homes.

The problem is clear, well known and well documented, and it is growing. Why has it reached this point? Overcrowding was, by most measures, in decline until the early 1990s. It is linked to a reduction in the availability of affordable housing of all types, which happened because the right-to-buy policy decimated the council housing stock and also, where there were preserved rights, that of registered social landlords. Perhaps more worryingly for the Government, the number of new social houses built has declined since 1997. The housing and planning research centre estimates that between 83,000 and 99,000 affordable homes need to be built every year in order to meet demand. Even if we add together Housing Corporation-approved development grant, the effect of the transitional arrangement on the local authority social housing grant and houses from planning gain, about 50,000 homes will be built in the next 12 months, which will meet half of the estimated need. The shortfall will be at least 33,000 homes and will probably be more like 50,000 homes.

Those are the problems. What are their solutions? All hon. Members who have spoken have rightly said that the housing Bill is an excellent opportunity to introduce a modern statutory definition of overcrowding such as that outlined in the Bill introduced by the hon. Member for Edmonton. If I have the privilege of serving on the Committee that considers the housing Bill, I will try to ensure that such a definition is brought forward.

I understand that Ministers have some difficulties with a new definition. The Minister for Housing and Planning has said that the definition cannot be modernised in the housing Bill because such matters

"cannot be raised in isolation from other factors. Some of the current proposals would have the effect of imposing a quite unrealistic demand on the resources of the local authorities and diverting them from the excellent decent homes programme and their responsibilities to homeless families, who often live in far worse conditions than overcrowded households."—[*Official Report*, 22 October 2003; Vol. 411, c. 631.]

I have some sympathy with his views.

There is a way to deal with the problem. We could put a definition in the Bill with a sunrise clause stating the number of years before the new standard is implemented, which would give the Government breathing space in which to commit extra resources or to deliver extra affordable homes to allow the standard's introduction not to cause perverse effects. No one in the Chamber wants a new definition to cause perverse effects.

If the Minister for Housing and Planning is arguing that the definition should not be included in the Bill because it will immediately cause perverse effects, a sunrise clause is a possible solution that he should examine seriously.

Ms Keeble: Will the hon. Gentleman accept that overcrowded families often become homeless, which is one way out of their problems?

Matthew Green: I accept that. The current definitions also cause perverse effects. I am attempting to give Ministers a means by which they can accept a new definition without causing themselves problems.

The supply of affordable homes lies at the heart of the matter. Every time an affordable home is built, it has a double effect on reducing overcrowding. If some people are moved out of an overcrowded home, the problem is solved for two households.

The Government are not doing enough on supply, and the answer involves more than throwing more money at the system. Planning gain is one of the major ways in which we can deliver more affordable homes. The hon. Member for St. Albans discussed a site in his area that contains 30 per cent. affordable homes. I say, "Well done," but that is not going far enough.

Mr. Pollard: It is 35 per cent.

Matthew Green: I thank the hon. Gentleman for that correction.

In some parts of the country—for example, my constituency—local authorities have made that figure 50 per cent. on sites containing two or more houses. One problem is that the Government's guideline suggests applying the percentage rule to sites containing 19 or more houses. We must apply that percentage throughout the country. Given the growth in house prices, there is sufficient affordability in the system for planning gain to deliver the extra houses. The Government must be stronger in driving through a higher percentage on all sites to ensure that planning gain is recovered from the system. We need not only a few local authorities situated here and there doing that but large numbers of them in high-demand areas. Otherwise, developers will avoid developing in one area and shift across to the next one. That is where the Government can have a significant impact.

Mr. Love: Indeed, the Mayor of London carried out a detailed study on the matter. It showed that a 50 per cent. target was feasible in many parts of inner London, but other parts of inner London and parts of outer London could not sustain such a target. I have sympathy with the hon. Gentleman's comments, but success will depend on the region.

Matthew Green: The proposal would be sustainable in south Shropshire. I suspect that the study should be reviewed.

Finally, we must give councils the choice to scrap the right to buy in their areas, because we must stop the decline of social housing. The Government have taken some action, but they have not gone far enough. Give councils power to replace the right to buy with a right to

invest in social housing. That will inject more capital into the registered social landlord sector and provide more affordable housing.

3.10 pm

Mr. Geoffrey Clifton-Brown (Cotswold): This has been an excellent debate. I congratulate the hon. Members for Northampton, North (Ms Keeble), for Regent's Park and Kensington, North (Ms Buck), for St. Albans (Mr. Pollard) and for Bethnal Green and Bow (Ms King). It is a pity that we did not hear from the hon. Member for Edmonton (Mr. Love). I congratulate him on his Housing (Overcrowding) Bill, his persistence as chairman of the all-party homelessness and housing need group and the work that he has done on the subject. It is common ground among us all that something must be done about the problem.

I came across an interesting article by James Gleeson and Maya Martinez. The headline conclusion was that

"London has three times the overcrowding problems of elsewhere in England, with one in 20 households now affected, according to 2001 census data."

There is doubt about whether the census data understate the scale of the problem in London, but they do make the point that while the problem is getting worse in London, it is probably getting marginally better in the rest of the country. The article comes up with a shocking statement that although

"only 2 per cent. of white families in London live in overcrowded conditions, for ethnic minority households the figure is over 14 per cent.—climbing to around 25 per cent for some Asian groups."

The point has already been made about the severe effect on children. We know that the problems of families who are homeless or living in overcrowded conditions are, in some instances, becoming much worse. Indeed, in his excellent speech in the House to introduce his Bill, the hon. Member for Edmonton said that

"until the late 1980s, the number of overcrowded households fell steadily year on year. In the past decade, the acute shortage of affordable accommodation has meant that many families have found themselves severely overcrowded but with little possibility of a move to larger, better-quality, family-sized accommodation."

He went on to say that

"500,000 households are overcrowded, of which about a third are in the capital."

Those figures have already been given by the hon. Member for Ludlow (Matthew Green).

The hon. Member for Edmonton then made the point that I have just made about child overcrowding. He stated:

"Many families experience severe effects on their health, welfare and well-being as a result of overcrowding. According to recent research, there is a high prevalence of skin disorders and infectious diseases. Owing to a lack of space, children are at much greater risk of having accidents, and the stress of living in such cramped conditions can place a severe strain on family relationships."—[*Official Report*, 22 January 2003; Vol. 398, c. 323–4.]

I am sure that we all totally agree with that. The question is: what is to be done?

The hon. Member for Bethnal Green and Bow rightly asked the following question:

"To ask the Deputy Prime Minister on how many occasions since 1985 he has *(a)* received a report from a local housing authority and *(b)* directed a local housing authority to prepare and submit a report on the extent of overcrowding in their district, under section 334 of the Housing Act 1985".—[*Official Report*, 19 December 2002; Vol. 396, c. 956W.]

I am sorry to get slightly technical, but it is important to recognise that there are powers under section 334 of the Housing Act 1985, which allow local authorities to undertake a survey of overcrowding in their area, draw up a report for the Secretary of State on the nature and extent of the problem and make proposals to provide the required number of dwellings. No reports appear to have been drawn up or submitted to the Secretary of State since those provisions were consolidated, and no Government have taken specific action to address the housing needs of those in overcrowded accommodation.

We need to take action to know the extent and scale of the problem. I hope that one outcome of today's debate will be the Minister telling us that she is taking real action to secure concrete data on the problem so that we know where it exists, how severe it is and which houses do not meet the 1985 standards, let alone the English housing condition survey standards. We need to have a handle on the problem, and once we have, as the hon. Member for Ludlow rightly said, we need to introduce primary legislation that will enable the Secretary of State by regulation to introduce a standard that can be incorporated over a period of time according to what resources are available.

We also need to apply that to the private sector. In making these remarks, I am conscious that whatever we do with the private sector, we need to encourage more private sector investment in the residential sector. That is an important way of being able to produce more affordable homes. On page 17 of the report on overcrowding from the Select Committee on the Office of the Deputy Prime Minister, it is stated:

"Proportionately more private rented homes are in poor condition than in the other housing sectors. Ownership is highly fragmented: most landlords rent out only one or very few homes, and have little chance to become expert property managers. Many turn to letting agents for help but agents' standards of confidence and probity vary greatly."

We have to think very carefully about how we are to deal with the private sector to help it to overcome such problems.

Although the Select Committee dealt with overcrowding and recommended a standard, the Government do not seem to have responded. The report was excellent, and it is an excellent way of going about our business to have the housing Bill subjected to pre-legislative scrutiny in that way. I quote what the report says on overcrowding at paragraph 32:

"Clauses 123–128 amend existing legislation on overcrowding in HMOs. Oona King MP's memorandum noted the effects of overcrowding on the health, welfare, education and employment prospects of occupiers. Yet as we heard from Shelter the problems caused by overcrowding outside of HMOs cannot be identified by the HHSRS"—

the housing health and safety rating system.

The report continues:

"We recommend that the Government take forward Shelter's recommendation that the Bill be used to modernise the current statutory overcrowding standards."

Members on both sides have suggested that the Bill could be an ideal opportunity to address the problem. We need to hear from the Minister whether it will be so used. If not, I do not think that we can wait another 18 years. The

[Mr. Geoffrey Clifton-Brown]

standards—or, at least, the mechanisms for gaining an indication of what the problem is—were laid down in the 1985 Act. We look to the Government for action on the problem. [*Interruption.*]

Mr. Deputy Speaker: Order. A Division has been called in the parent Chamber so we will suspend for a maximum, I hope, of 15 minutes. However, if participants in the debate return within that time we can start early, as soon as they are assembled.

3.17 pm

Sitting suspended for a Division in the House.

3.29 pm

On resuming—

Mr. Deputy Speaker: We have lost 12 minutes, so we need to award 12 minutes' injury time.

Mr. Clifton-Brown: I feel rather like a contestant on "Just a Minute" when the whistle has blown meaning that I have 10 seconds left. In those 10 seconds, I shall just quickly sum up what I think needs to be done.

We must introduce more measures to encourage the private sector to invest in its existing housing and new housing. We need more measures to encourage the public sector to build more affordable houses, and in that respect we have already produced proposals to extend the right to buy. We need to deal with the problem of empty houses. Mention has been made of 750,000 empty houses. We need to deal with the powers that we have in the 1985 Act and part 7 of the Local Government Act 2003 in order to require local authorities to draw up housing strategies that include the issue of overcrowding. We should require regional housing boards to give priority to tackling overcrowding in developing the housing investment strategy. These recommendations come from Shelter.

A new housing poverty indicator should be developed as part of the Government's measurement of child poverty and that should include an overcrowding element. Overcrowding should be included among the indicators used for the index of local deprivation. I appeal to the Minister to tell us how a new definition could be introduced into the Bill, over what time scale it could be introduced and how much it would cost. The Government have been addressing the problem for some time. Now is the time, if I may say so to the Minister, for action.

3.31 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I pay tribute to my hon. Friend the Member for Northampton, North (Ms Keeble) for securing the debate on this issue. When she was a housing Minister, she took a close interest in the matter. It is an area on which a series of hon. Members have spoken, drawing on considerable expertise, as well as constituency experience. My right hon. Friend the Minister for Housing and Planning has agreed to meet my hon. Friend to discuss the issues. I am sure that we shall discuss the issues further, and we shall respond in due course to the Select Committee's report, to which hon. Members have referred.

We have to recognise that overcrowding can cause serious problems for families. My hon. Friend referred to examples concerning children unable to do their homework. Hon. Members referred to health problems, family relationship problems, significant traumas and stress that can arise, and, particularly those from London, described the circumstances of their constituents. My hon. Friends the Members for Bethnal Green and Bow (Ms King) and for Regent's Park and Kensington, North (Ms Buck) referred to examples from their constituencies of distressing cases of overcrowding.

It is estimated on the basis of the 1935 measures that 25,000 households are statutorily overcrowded. On the bedroom standard used by the survey of English housing, an estimated 2 per cent. of households—about 500,000—would qualify as overcrowded, mostly in the social housing sector.

Mr. Love: My hon. Friend mentioned that those were estimates of statutory overcrowding and overcrowding according to a more liberal standard. Would she give consideration to the Department's carrying out some more focused research into the levels of overcrowding and the impact that it has on all of the issues that we have discussed, such as health and education?

Yvette Cooper: I am happy to consider research issues. My hon. Friend the Member for Edmonton (Mr. Love) has done a great deal of work as part of his research for his private Member's Bill. Hon. Members will be aware that the Government try not to overburden local authorities with the collection of data, given the amount of data that they already have to provide.

The Government know that a significant number of overcrowded households are in London. My hon. Friend the Member for Regent's Park and Kensington, North was right to say that it is different in other parts of the country. London has specific housing problems. We must recognise that there is a problem but be very honest about how we address it. Overcrowding is not an isolated problem; it is often a symptom of wider problems, such as under-supply of affordable housing, as many hon. Members have said.

Families may be living in cramped conditions because they cannot afford to move to a larger flat or home, or because the demand for social housing is too great and too many other families are waiting for a home. They may be homeless families, or families in bed-and-breakfast or temporary accommodation. Overcrowding is part of the more significant problem of housing supply, which must be addressed, in London in particular.

Homelessness acceptances are another aspect of the same problem. They have increased to almost 31,000 in London. Bed-and-breakfast numbers have been reduced as a result of specific action taken by local authorities to address the problem of families stuck in cramped and inappropriate accommodation. It is one of the most severe aspects of the London housing problem. We must recognise that overcrowding is part of a wider issue, which involves meeting the decent homes target.

The underlying problem is the need for affordable housing supply, particularly in the capital. That is why the sustainable communities plan set out a major investment programme expanding the provision of affordable housing in London and the south-east. The Government have established investment programmes in housing supply across the board with 200,000 homes in addition to those already planned. There has also been significant investment to increase the number of affordable homes, supporting the London Housing Board strategy of investment in key worker homes.

The hon. Member for Ludlow (Matthew Green) raised the issue of planning gain. We are keen to use planning gain to expand the numbers of affordable housing units. That is why we are considering further section 106 agreements and consulting on empty homes, which was an issue that was raised by my hon. Friend the Member for St. Albans (Mr. Pollard).

We have the wider Kate Barker review—

Matthew Green *rose—*

Yvette Cooper: I am aware of the lack of time, so if hon. Members will allow me to make progress, I will give way to the hon. Gentleman if I have time.

Overall, £5 billion will be invested in affordable housing between 2003–04 and 2005–06. That is double the investment in 1997. As hon. Members have said, the matter is partly about resources. The Government are substantially increasing the investment in affordable housing across the capital and the south-east.

Improvements are being made to the most extreme aspects of the problem. Rough sleeping has been reduced by two thirds and there have been significant reductions in the number of homeless families with children who are in bed-and- breakfast accommodation. We must consider how we address all aspects of the problem—temporary accommodation, homelessness, houses not meeting the decent homes standard, and overcrowding.

Ms Oona King: Will my hon. Friend give way?

Yvette Cooper: If I can specifically address the issues concerning overcrowding raised by hon. Members and if I have time, I will give way.

My hon. Friend the Member for Regent's Park and Kensington, North specifically asked for changes to the statutory definition of overcrowding. It is not acceptable to defend a 1935 definition of overcrowding that is out of date. I have some sympathy with many of the points that hon. Members have raised.

I want briefly to explain the Department's concern about the proposals that have been made. We are investing resources in the London housing problem as fast as we are able. Changing the overcrowding standards will not create any extra homes or expand the housing supply any faster. The concern is that to set statutory definitions at a particular level would be to divert resources away from addressing the issue of bed-and-breakfasts, the homelessness problem and the wider problem of decent homes. As we invest in the London housing market, we need to ensure that, as well as tackling problems surrounding the bed-and-breakfasts and homelessness, we tackle overcrowding problems. We need to consider further how we can ensure that overcrowding is addressed alongside bed-and-breakfasts and homelessness.

Mr. Clifton-Brown: Will the Minister give way?

Yvette Cooper: I am conscious that I have just one more minute. I am willing to respond further after the debate, but I want to make some final points.

We recognise the strengths of hon. Members' arguments. As we try to expand the affordable housing supply in London and the south-east, we must recognise the needs of all the different groups. We will be having further discussions about these issues over the next few months. Our approach has been to say that all the issues should be addressed together as part of local homelessness and housing strategies. We need to consider further how overcrowding is addressed as part of those strategies. Certainly, putting those strategies on a statutory footing will strengthen the case for that.

We are also considering the matter as part of the housing health and safety rating system. I recognise that hon. Members have raised concerns about that, but it is important to bring overcrowding into the health and safety system in a stronger way than before. The guidance to local authorities will make it clear that, for example, GP or hospital referrals will be relevant to the hazard assessment. I recognise that there is considerable concern from hon. Members about the matter, and my right hon. Friend the Minister for Housing and Planning and I will have continued discussions with them.

I hope that I have explained the Government's concerns on the issue and I congratulate hon. Members again on raising such important questions. [*Interruption.*]

Mr. Deputy Speaker: I thought for one moment, as I was coughing, that we were going to have a by-election as well as a leadership election. Hon. Members must forgive me. I feel fine now.

Housing (Islington)

3.42 pm

Jeremy Corbyn (Islington, North): I am grateful to you for granting this debate on housing in my borough, Mr. Deputy Speaker. I have agreed with the Minister that my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) will also contribute to the debate.

The context is simply this: although the inner-urban constituency I represent projects an image of wealth, metropolitan chic, cappuccino bars, wine bars and places where Labour leaders do deals, unfortunately, the reality for a large number of people who live in the borough is not quite the same. Islington's is very much a tale of two halves. Many of the people whom my right hon. Friend and I represent are extremely poor and live in seriously overcrowded accommodation.

The problems of housing in my constituency are the reverse of the problems in other parts of the country. We have a massive shortage of housing for rent, either by the council or by registered social landlords. We have a huge housing waiting list and problems of children and families living in bed-and-breakfast accommodation or short-term leased accommodation. Few families are rehoused off the waiting list, and only those in serious housing stress have any chance of being rehoused. In the past few weeks, a bombshell has been delivered to us in connection with the condition of one of the major estates in my right hon. Friend's constituency: the Packington estate. He will speak about that later.

I will briefly cite three sets of statistics that will help to outline the nature of the problem. The first relates to homelessness acceptances. In 1997—the first year of the Labour Government—949 families were accepted in my borough. By 1999, that figure had risen to 1,298. In the latest year for which information is available, 1,314 families were accepted. That is a 400-plus increase in the number of families that the local authority accepted for homelessness.

The second set relates to temporary accommodation. In 1998, there were 737 families in temporary accommodation in my borough. In 2001, there were 1,481, and the number this year is roughly the same. In other words, the number of families in temporary accommodation has almost doubled. Some of that accommodation is deeply unsuitable, but all of it is very expensive, and it costs the housing benefit budget a great deal of money.

The third set of statistics relates to new lettings. In 1997, there were 2,000 new lettings. In 1999, that number had dropped to 1,500. In 2001–02—the last year for which Islington council could provide statistics—there were 1,084 new lettings. In other words, there has been a huge increase in the number of homelessness acceptances, an increase in the number of families in temporary accommodation, and a halving of the number of new lettings made available. We have just had a very interesting debate on housing overcrowding, and I must say in parenthesis that roughly 6 per cent. of all council accommodation in London is more than seriously overcrowded. I do not have figures for my constituency, but the evidence is that it is massively overcrowded.

Behind those bald statistics lie many tragic stories. My right hon. Friend and I could give a great many examples of families living in grossly overcrowded accommodation. In August, I visited a family with four children living in a registered social landlord housing block that was grossly overcrowded. The family were living in a one-bedroomed flat in very poor conditions. I asked the eldest girl how she did in her GCSE exams. She said that she had tried hard and found them difficult, but had found it impossible to study at home because there was simply no room to do so. How on earth can she be expected to achieve as well as the child of a middle-class family with his or her own personal computer and everything else? We condemn her for underachieving in school, but we should condemn ourselves for allowing her to live in such conditions. A few days ago, I visited another family with four children in a two-bedroomed flat on a local authority estate. One of the children had serious learning difficulties and definitely needed her own bedroom and decent facilities. What offers are available to her?

Very few options are available to such families, except, too often, that of moving outside London. The bald figures make it easy to suggest that people should move away, given the empty properties in the north-east and north-west and the overcrowding in London. However, it simply does not work like that. Jobs, education, family connections and communities are involved. I want some recognition of the massive housing needs in inner London, especially in my borough, and Government assistance to help to solve the problem.

There are also problems associated with the right to buy. In an average year in my borough, some 700 to 800 properties are sold, valued at an astoundingly low price despite the Government's decrease in the amount of discount available. Even in the last year for which figures are available, the average sale price was £71,000. Many of those properties are then sold on a few years later, and if one reads the property press, one will see the very high prices that even ex-local authority stock now fetches. There are probably some 10,000 families on the registered waiting list in my borough, but in the last year for which figures are available, only 214 properties were made available for new rent. That means that the number of properties made available for rent is roughly one third the number of those that are sold, and that the numbers of people in homelessness and in short-life rented accommodation have increased. The information that I have is that we, as a society, are spending an awful lot of money subsidising housing benefit for people to live in substandard, overcrowded private rented accommodation, when we should be investing far more in rented stock.

I ask the Minister to comment on some aspects of the problem. The Government have provided a very large amount of money for the improvement of existing council stock in Islington. I think that about £140 million has been provided in the past four years. I am grateful for that money—the new roofs, windows, doors and security systems, and landscaping and other improvements to some estates are very welcome, and I appreciate them. However, I hope that he recognises that any future cuts in the major repairs allowance will impact badly on people in the remaining estates that

have not been improved or repaired. Those people look to MPs and the Labour Government to provide them with better housing conditions. I hope that he will be able to persuade the Treasury of the value of investment in good-quality homes—in particular, for young people to grow up in.

My concern is that amid all the problems, very little is being built or developed. That is happening for several reasons, one of which is that the planning gain issue allows only a quarter of new developments to be for affordable rented housing. I am not very keen on those words and prefer the words "council housing", but never mind; that is the legal term. Miraculously, most developments in Islington come in at 14 units, so the 25 per cent. rule simply disappears—hence the present tiny numbers for development.

The council is unwilling, unable or at least not very keen to develop new properties. Since the Liberal Democrats gained control of Islington council in 1999 they have been obsessed with selling any property that they can get their hands on in order to lower the council tax slightly—although it still went up a great deal this year. They do not appear to have a housing strategy, and I should be grateful if the Minister commented on why the council is allowed to sell vacant council property and any other saleable building that it can get its hands on when there is a desperate housing shortage and housing needs should be addressed.

I attended a meeting organised by the Federation of Islington Tenants Associations a couple of weeks ago to debate a transfer to an arm's-length management organisation. It is unpopular among the tenants, and attendance at the meeting was quite good. The tenants take the view that the local authority is best placed to be the landlord because it is the most accountable body, and they are deeply concerned that the council is apparently allowed to go ahead with an ALMO application without holding a ballot of all the tenants. I should have thought that at the very least a proper ballot consultation with all the tenants in the borough should have been insisted on.

Estate transfers are a further issue. I believe strongly in the provision of public sector housing for people in housing need. Council housing has, by and large, done good work and provided good homes. When my right hon. Friend the Member for Islington, South and Finsbury chaired the local housing committee in Islington, there was a considerable increase in stock, as there was when the Minister for Children was housing chair and bought a large number of street properties. Many of those were expensive to rehabilitate and repair, but provided excellent homes for families in housing need. It is therefore with some concern that I note the major proposal for the transfer of the Tollington estate to North British Housing—or Places for People, which is its arm's-length subsidiary.

I have had meetings with Places for People and raised several concerns. Last week I was at a public meeting of tenants on estates that my right hon. Friend the Minister for Housing and Planning visited in the summer. They were concerned about losing accountability and about the fact that in order to pay for the demolition and reconstruction of part of the estate, whereby they would end up with flats that might be of better quality but would be no larger, 300 properties would be built—on an already overcrowded estate—for sale on the open market. I ask the Minister to consider seriously whether expecting tenants to pay for the reconstruction of their estate through the sale of land for the construction of properties that are to be sold on the open market is a sensible way to tackle the housing problems of a densely populated inner-city area.

As for the issues surrounding the performance of the company concerned, I have in front of me a letter about the way in which the Housing Corporation has placed Places for People under supervision because of concerns about its corporate governance at group board level. We should be seriously concerned if the largest estates in the borough are to be subject to a housing transfer application when the board of the housing association itself has been placed under supervision because, I understand, of mismanagement. Many tenants will vote against the transfer because of concern about the worse conditions overall that they think will arise, because of higher density, because of the record of the organisation concerned, and above all because of the loss of accountability in the way in which their housing is run.

We had a Labour Government in the 1920s in which John Wheatley played a great role in the construction of council housing—we have a John Wheatley house in Islington in recognition of his role. After the war, we were able to conquer much of the housing shortage. The Labour Government of 1974 to 1979 had a very good record on innovative, good-quality housing developments. I just want the children of working-class families in my borough and elsewhere in London to have the chance of having somewhere decent to live.

That requires us to grasp the nettle. We should not hand housing over to expensive, private sector solutions. Instead, we should invest in good-quality housing so that more and more people do not face the prospect of living in short-term bed-and-breakfast accommodation or, because it is their only offer of housing, having to move far away from where they have grown up and from their families and communities. We need investment in inner-city communities for those communities to thrive. I make that plea to the Minister today on behalf of the people in housing stress in my borough.

Mr. Deputy Speaker (Mr. Frank Cook): The hon. Member for Islington, North (Jeremy Corbyn), who is presenting this so far splendid debate, has been kind enough to alert me to the fact that he and the right hon. Member for Islington, South and Finsbury (Mr. Smith) consulted the Minister with a view to intervention. That is fine and all in order, save that we must be careful not to overrun. I would be remiss in my duties were I not to alert everyone to the fact that this debate must finish at 12 minutes past the hour.

3.57 pm

Mr. Chris Smith (Islington, South and Finsbury): Thank you for allowing me to contribute to the debate, Mr. Deputy Speaker. I am very grateful to my hon. Friend the Member for Islington, North (Jeremy Corbyn) for giving me the chance to speak briefly.

[Mr. Chris Smith]

I strongly endorse the passionate case that my hon. Friend has made for the need for substantial new investment in housing in our borough. Week after week, he and I meet constituents in desperate housing need—people living in overcrowded conditions in inadequate accommodation, in flats that are in urgent need of repair and renovation, on estates that have seen better days and from which many people wish to move away. It is now extremely difficult for the children of existing council and housing association tenants to have any chance at all of remaining in the borough in anywhere other than the parental home. The need is urgent.

I am grateful to the Government for the substantial additional investment in the borough during the past six or seven years. The money for housing work in the borough has been more than doubled, but it is still not enough. I hope that the funding will increase in the coming years. There are two urgent needs to be met. The first is the improvement of existing estates. Some £400 million-worth of repair, improvement and maintenance work is required to bring the estates up to the standards that the Government expect by 2010. The second need is to create new accommodation for people in need of it.

Having made that general plea, I want to raise one specific issue relating to the large Packington estate in my constituency. Only in the past three or four months has it been discovered that that estate was built on a large-panel construction basis. It contains gas systems and it is six storeys high. It has only just been discovered—although it should have been discovered 30 years ago—that the estate does not meet the health and safety requirements introduced following the Ronan Point disaster some 30 or 35 years ago. Following consultation with the Health and Safety Executive, the council has decided that, in order to abide by the regulations, the Packington estate must be demolished and redeveloped.

The estate is very large, with hundreds of flats, and the tenants will face substantial upheaval. I received a letter recently from a 73-year-old man who has lived on the Packington estate for 43 years. He faces being completely uprooted at a time in his life when that is the last thing that he wants, and the same is true of many tenants on the estate. However, the Packington's tenants are not the only ones for whom there will be problems: tenants everywhere else in the borough will face real difficulty, because the rehousing requirements from the Packington will pre-empt the resources available for rehousing and new accommodation for people who need it across the rest of the borough. The decreasing figure of 1,000 or so new lettings that my hon. Friend cited for the past year will be reduced even further as a direct result of the demands that the Packington redevelopment will create.

I hope that the Minister will discuss the Packington estate with the borough as a special case, and perhaps raise the need for special funding treatment to ensure that not only is the redevelopment the best for the Packington tenants, but it does not have a seriously adverse impact on the remainder of the borough's housing stock.

4.1 pm

The Minister for Housing and Planning (Keith Hill): I begin, as is conventional, by congratulating my hon. Friend the Member for Islington, North (Jeremy Corbyn) on securing this debate on matters that are important for all who live in Islington. This is not the first time—far from it—that he has raised the issue of housing in the borough and the problems that many of his constituents face in securing good-quality housing at an affordable price.

I am also aware of the deep concern felt by other London Members about the matters that my hon. Friend has raised. Not least among them is my right hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), who drew attention to two key issues: the need to improve existing estates to the decent homes standard, and the need for new homes. He raised his concerns about the Packington estate and its future. I undertake to pursue the matter and will be in touch with him shortly.

I am conscious of the relative brevity of the time available to me, but I cannot resist first responding warmly to the points about capital investment that my hon. Friend the Member for Islington, North made. It must be said that he has often been critical of Government policy on funding for housing, so the fact that he now congratulates us on the money that we are putting into housing improvements is an encouraging sign that our policies are, in his view, perhaps just beginning to bear fruit.

Since coming to office, we have more than reversed the decline in housing investment over which the previous Administration presided, to such an extent that funding in 2004–05 will be about three times the sum that was provided in 1997–98. Last week, my right hon. Friend the Deputy Prime Minister announced £2.1 billion—a huge sum—over the next two years for housing in London to meet our commitment to provide more affordable housing in the capital. That will provide more than 10,000 affordable homes each year, including homes for the key workers we need to deliver high-quality public services, and will help to bring existing homes up to a reasonable standard of decency. The total spend will of course be considerably more, because of private finance that can be levered in by housing associations.

I turn now to the issues surrounding decent homes and private sector investment that my hon. Friend raised. Even with the massive increase in investment in London's housing since the Government came to power, it is clear that there is no realistic prospect of the backlog of work required of authorities such as Islington in order to meet the decent homes target being met by public subsidy alone. Increasingly, we need to lever in more investment from the private sector.

There are a number of ways in which local authorities can attract private funding to enable them to meet the decent homes objective. The three options available are: setting up arm's-length management organisations, also known as ALMOs; private finance initiative schemes; and stock transfer. My right hon. Friend the Deputy Prime Minister has repeatedly made it clear that those are the only options. Each of them makes the best use of the available resources by separating local authorities' strategic housing responsibilities from their role as

landlord. That provides a strong incentive for better performance, ensures a sharper focus on the council's distinct housing functions, and helps to guarantee tenants a greater role in the future management of their estates.

Islington council has considered the various options and decided that seeking ALMO funding is the best way to attract additional funding. It successfully bid in the last ALMO bidding round, and in August was offered £24.9 million in additional Government support for 2004–05 and 2005–06, with the possibility of further allocations in subsequent years subject to a satisfactory Audit Commission inspection of the ALMO once operational. I know that some in the borough—my hon. Friend may be one of them—see the ALMO as a backdoor form of privatisation. I want to assure him that that is not the case. ALMOs provide improvements to housing stock and the housing service by the front door. Council homes will remain council owned, and tenants will remain tenants of the council.

Although a tenants' ballot is not a legal requirement for an ALMO since there is no change of landlord, the necessary statutory approval for the ALMO to start work will not be forthcoming unless I am satisfied that the majority of tenants across the borough understand the implications and support the proposal in general. Officials in my Department and an independent tenant adviser are working with the council to help tenants reach an informed judgment, and to develop a mechanism to test tenants opinions and address their concerns.

I would also like to assure my hon. Friend that Islington's ALMO allocation is not set in concrete. It is a provisional allocation based on information known at the time of the bid. ALMO funding is allocated two years at a time, and allocations can be revisited if circumstances change. For Islington, and other ALMOs in the latest round, we have explicitly acknowledged that allocations may need to be reviewed if the eventual decisions on the distribution of management and maintenance allowances—on which we consulted this summer—have a significant effect on the overall level of resources available to ALMO authorities.

I now turn to the more specific issue of stock transfer. Islington is considering some smaller-scale stock transfers to supplement investment for the improvement of social housing. Tenants benefit from stock transfer because provisions are built into the new landlord's business plan for proper maintenance and future repairs. Homes are subject to a programme of catch-up repairs to bring them up to a modern standard. That investment is possible because, as private sector organisations, registered social landlords can borrow outside the public sector borrowing constraints, unlike local authorities. Increased investment also means that any backlog of repairs can be carried out and better living conditions achieved more quickly than if the properties had remained in local authority ownership.

Earlier this year, my hon. Friend raised concerns with my predecessor about the proposed transfer of the Tollington estate in his constituency. As he said, I visited that estate in July. I realise that the refurbishment programme will cause some disruption to tenants, but the council and the proposed new landlord are consulting tenants on a range of proposals to keep disturbance to a minimum. There are also plans to improve the existing community facilities on the estate. Nevertheless, we will agree the transfer only if a ballot of tenants shows that a majority supports it. My hon. Friend has recently written to me about the funding arrangements for the transfer and the forthcoming tenants' ballot. I have sent him a detailed reply covering both issues.

In the time remaining to me, let me say more about the central issue of investment in housing, which was raised by both my right hon. Friend the Member for Islington, South and Finsbury and my hon. Friend the Member for Islington, North. At the beginning of my speech, I mentioned the considerable increases in investment in housing in London. We anticipate that the number of social houses constructed in the next two years will be 50 per cent. greater than the current number. However, there will continue to be competing needs within London, and we are determined to ensure that resources are distributed in the best interests of our communities.

That is why we introduced new arrangements in the communities plan for regional housing boards to advise on how resources should be allocated to address strategic housing priorities in each region. The London housing board faces an extremely difficult task, and I congratulate it on the way in which it managed to get the key London players to work together to publish a regional housing strategy in July, which set out proposals to tackle London's housing problems. The scale and complexity of meeting housing demand in London merits a new approach. Costs, supply and demand are spread unevenly across London. Joint working between boroughs on a sub-regional and regional basis is essential. The London housing strategy strongly endorses a sub-regional approach. Sub-regional partnerships have been established in London, and all sub-regions are producing housing strategies.

Islington played a key role in developing the north London housing strategy, which I had the pleasure of launching last month. On the strength of the London housing strategy and the board's funding recommendations, we have decided to allocate almost £1.5 billion for affordable housing over the next two years, of which £371 million will be for key workers. My hon. Friend raised concerns that the direction of money to key workers will mean that fewer new houses will be available for social renting to tackle homelessness in London. We do not underestimate homelessness in London, but that will not be the consequence of the policy.

Wind Turbines (Dorset)

4.12 pm

Mr. Robert Walter (North Dorset): I am delighted to have the opportunity to introduce the debate on wind turbines in Dorset, and in particular in my constituency. I am grateful to the Speaker's Office for making this time available. I found out only yesterday that I had secured this slot because somebody else dropped out.

The topic is important, but when I speak about it, I am often accused of being a nimby. There are proposals on the table to erect up to 35 wind turbines, each more than 100 m tall, in the lower Winterborne valley in my constituency. The site is located between Blandford Forum and Dorchester and is very close to the villages of Winterborne Kingston, Winterborne Zelstone, Anderson and many other smaller settlements. The proposal worries constituents from all over my area. There is also a proposal to create a wind farm at Cucklington in Somerset, which is in the constituency of my neighbour, the hon. Member for Somerton and Frome (Mr. Heath), who is present today. That would have a significant impact on villages in my constituency, and in the general area of the Blackmoor vale, which runs through both of our constituencies. Villagers in my constituency including residents of Buckhorn Weston, Kington Magna, Stour Provost, Silton and Bourton are concerned about the development.

I am not a nimby. I am not against shopping centres or car factories; I just do not think that they should be built in the lower Winterborne valley, and I do not want wind turbines, those industrial monsters, coming into the Winterborne valley either. They have their place, but it is not in this most beautiful part of England. In our area of southern England we have a national park, the Dorset heritage coast and several areas of outstanding natural beauty, and the sites chosen for the development are the filling in the sandwich between those areas, which is one of the reasons why some of them have been chosen. The arguments would be just as strong and the issues would be the same if we were considering an area of outstanding natural beauty or a national park.

The Government's 2003 energy White Paper spells out good reasons for and sensible methods of reducing the environmental pollution arising from electricity generation. It encourages us to reduce consumption, increase conservation and equipment efficiency, clean up dirty processes and turn towards renewable sources in an attempt to secure a 60 per cent. reduction in carbon emissions by 2050. However, it appears to be obsessed by the technology of onshore wind power, which, although well established and relatively cheap, is still subsidised through the renewables obligation. It is by far the most controversial source of energy, because of the impact of massive numbers of ever larger turbines on the British countryside, which apart from being home to millions, is a priceless, high-quality asset. It is also, particularly in Dorset, home to an international tourist industry.

To date across Britain there are already about 1,000 wind turbines, which disfigure some of our finest landscapes to meet less than 0.5 per cent. of our energy needs, and even that capacity has to be backed up by conventional sources ready to be brought on line when the wind fails to blow—often in the coldest winter weather when demand is at its greatest. There are proposals for turbines of unprecedented size—more than 100 m in height—which, because they reach for stronger winds further from the ground, are to be targeted in areas previously said to be insufficiently windy, as is true of the sites in Dorset and Somerset.

The Government's UK all-renewables target for 2010 is to increase output from the present 3 per cent.—nearly all of which comes from hydroelectric schemes in Scotland—to something like 10 per cent. In July, the Secretary of State for Trade and Industry announced the round 2 offshore wind initiative, which will produce half that total, leaving only 2 per cent. to come in seven years from all other sources. That includes existing consents and the many other rising technologies, such as marine currents, solar and biomass.

That being so, I believe it is unacceptable that the consultation draft of planning policy statement 22 on renewable energy in England is forecast to dismantle protection for the buffer zones around nationally designated areas, and to instruct planning authorities to assemble ambitious and irreparably damaging target scenarios for thousands of immense wind turbines. The largest projects will be propelled to consent outside the democratic planning system by the Department of Trade and Industry-controlled Electricity Act 1989. That will lead to the destruction by Government decree of our finest countryside for no reason other than the appeasement of the onshore wind power industry and the establishment of green tokenism by a Government. That is deeply offensive to all lovers of the countryside.

The Minister for Energy, E-Commerce and Postal Services, on a week-long tour of the country examining renewable energy, yesterday issued a press release in which he said:

"We have placed the environment at the heart of energy policy."

He added that we all now understand better our impact on the natural environment, and spoke of climate change and its effects, but he ignored the visual impact of these developments. In its policy position statement issued last month, the Campaign to Protect Rural England stated:

"The English countryside will not be immune from the damage done by global climate change caused by excess greenhouse gases such as carbon dioxide in the atmosphere . . . Unlike conventional fossil fuel power stations, wind turbines can generate electricity without producing carbon dioxide."

It went on to say:

"CPRE believes there is a role for wind energy in providing electricity in the UK, but their intermittency and major visual impact limit the potential contribution of onshore turbines. Their location and extent need to be carefully controlled."

The CPRE concluded:

"At sea, wind turbines can operate at higher efficiency and will have reduced impact on cherished scenery. But we cannot rely on wind power alone to provide for our energy needs. There needs to be much more investment in harnessing a range of more predictable and reliable sources of renewable energy, such as the tides."

The issue does not just affect the UK. In a policy statement issued in February, the International Federation of Industrial Energy Consumers said about renewable energy in the EU:

"IFIEC welcomes the attention being given to renewable energy technologies, which should have a role in Europe's future energy supply options. It is important, though, to keep a balance between technological progress, security of supply and environmental protection issues."

It highlighted some special aspects of the promotion of wind power that are relevant to the case I am raising by stating:

"It must not be forgotten that wind power has an important limitation. The usage of the installed capacity is highly unstable and insecure being totally dependent on wind conditions at any given time. Thus, the average volume of power generated from wind farms is far less than the design capacity."

The IFIEC added that the

"uncertainty associated with wind generated power means additional costs",

because

"installed wind power capacity can not replace any other installed capacity. Due to the insecure generation volume, it is always necessary to back it up with reserve generation capacity. This means dual investment in generation capacities"—

the "other installed capacity" being, possibly, carbon fuels. Other reasons for the additional costs were that

"grid capacity has to be installed for the potential maximum load",

even though that will "hardly ever" be achieved, and that the

"decentralised locations of wind farms leads to inefficient investments".

The IFIEC concluded:

"All these mean additional costs for the electricity utilities and grid operators, which are then passed to the consumers through the electricity price."

I have several questions for the Minister about the developments in Dorset. Wind turbines operate for only 28 to 30 per cent. of the time, so there has to be back-up capacity to meet the grid's needs for the remaining 70 to 72 per cent. of the time. Do the Government agree with that statement? If so, what is the most suitable method of generating electricity to fill that gap? How much does the provision of back-up power for the remaining 70 to 72 per cent. of the time reduce the environmental benefits of using wind power? What is the level of subsidy to electricity generated by wind turbines, taking into account the guarantee of access to the grid and the need to meet the cost of keeping back-up capacity?

Do the Government support the position that, under the Electricity Act 1989, the big wind turbine companies are entitled to bypass local planning authorities if the theoretical maximum generating capacity of a group of turbines exceeds 50 MW? Is not the true capacity of such a group 28 to 30 per cent. of that theoretical maximum? In the event that the Government consider it in order to bypass local planning authorities, how can groups comprising substantial numbers of my constituents appeal against either a decision in my local case, or any Government decision to grant planning permission under the 1989 Act? I make no excuse for telling the Minister that several groups work in and around my constituency; for example, Dorset Against Rural Turbines, of which I am the honorary chairman, and Save the Vale, in the north of my constituency.

Mr. David Heath (Somerton and Frome): The hon. Gentleman has spoken about Save the Vale, which extends into my constituency, covering Cucklington, Stoke Trister, Pen Selwood and other villages in the Blackmoor vale in Somerset. Does he agree that whatever the merits of wind turbines—I actually think that there are many—they cannot override normal planning considerations of landscape value? Would it not be better to have a national and a local strategy for identifying the right sites in planning and landscape terms than to leave such decisions to an opportunistic and adventitious application process?

Mr. Walter: I agree with the sentiments the hon. Gentleman expresses. He is absolutely right to say that local people should have a say in the matter, and the process should not just be negative. Some positive strategy should come either directly from central Government or through the regional offices. Sadly, that seems to be lacking at present.

Finally, can the Minister tell me how wind turbines are perceived in other European countries, particularly in Germany and in Denmark and other Scandinavian countries, which appear to have halted their development?

Government policy on renewable energy, including the carbon emissions reduction targets that we discussed, is to be applauded in principle. However, in practice, through the choice of onshore wind turbines in unsuitable locations as a quick and easy option, that policy is causing utter mayhem by creating an artificial race, by distorting the marketplace and by destroying the countryside and entire communities' amenity value. There have been high-profile examples in Cumbria, and now in my own constituency, with the largest ever applications from National Wind Power and Your Energy for 32 turbines more than 100 m high.

There are significant weaknesses in the Government's policy, including false savings in carbon emissions; wind variations causing onshore wind turbines to work for less than 30 per cent. of the time, thereby requiring back-up capacity and resulting in no savings in CO_2 emissions; liabilities to the taxpayer and consumer in cost and capital grants; and, most particularly, concerns about the preservation of the countryside and about community well-being. Increasing use of inland and lowland sites ruins the vanishing countryside and seriously affects the well-being of many communities in Dorset and elsewhere.

If wind turbines have to be used, they should be put offshore, as recently announced in a major Government policy initiative. We should aim to reduce excessive consumption through better education and greater awareness, and revise or delay the targets that have been set in order to allow more time, as the hon. Member for Somerton and Frome suggested, for a comprehensive approach that uses other energy technologies that are coming on stream, such as biofuels, biomass, tidal, wave and solar.

4.28 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I congratulate the hon. Member for North Dorset (Mr. Walter) on securing this debate. He has a strong interest in the issue in his capacity as the chairman of Dorset Against Rural Turbines. As he generously revealed, my hon. Friend the Minister for Energy, E-Commerce and Postal Services is unable to be here because he is going round Britain promoting renewable energy strategies.

[Nigel Griffiths]

I welcome the hon. Gentleman's very strong support for the principles of the Government's policy on renewable energy. Renewable energy is at the heart of the Government's energy policy. The White Paper "Our energy future—creating a low carbon economy" reinforces our commitment to renewable forms of energy. The Government have set four energy goals: to put ourselves on a path to cut the UK's carbon dioxide emissions by some 60 per cent. by 2050; to maintain the reliability of energy supplies; to promote competitive energy markets in the UK and beyond; and to ensure that every home is adequately and affordably heated.

Renewable forms of energy will contribute to the achievement of all those objectives, in particular the reduction in carbon emissions, and to assuring future security of energy supply by diversifying the sources of electricity on which we can rely. They will also create new businesses and jobs, not only in energy generation, but in component construction and support services. In our White Paper, the Government confirmed our target of 10 per cent. of UK electricity being supplied from renewable sources by 2010, and set the aspiration to double that share to 20 per cent. by 2020. The main vehicle for reaching the target is the renewables obligation, under which electricity suppliers are required to supply a specified and growing proportion of their sales from eligible renewable energy sources. In addition, the Government are to provide nearly £350 million over the next four years supporting renewables that are not yet commercially competitive.

The 10 per cent. target is ambitious because we are starting from a low base. In 2002, only 1.7 per cent. of the UK's electricity was generated from renewable sources eligible for the renewables obligation. However, we are doing all we can to meet the target. Both onshore and offshore wind development will be critical to achieving that. Onshore wind power generation is an established technology and will make a major early contribution, while offshore wind developments are a growing industry with a vast potential. While I note the hon. Gentleman's preference for wind farms to be located offshore, both offshore and onshore wind developments are needed to form a balanced and significant input to the targets of 2010 and beyond.

We expect that wind energy will provide the vast majority of the growth necessary to reach our 2010 target, and will make the largest contribution to it. Our total wind capacity is close to 600 MW, while other projects together offering more than 1.25 GW capacity have received consent, and there are more in the pipeline. Achievement of the 2010 target would mean that UK wind-generating capacity could power one in six households.

The hon. Gentleman raises the subject of wind turbines proposed for the Winterborne area of north Dorset. My Department is aware of a proposal by National Wind Power Ltd. to apply for consent under section 36 of the Electricity Act 1989 to construct and operate 23 wind turbines at Muston Down with a combined capacity of about 65 MW. It is also aware of a smaller scheme proposed by Your Energy for a wind farm comprising 11 turbines at Lower Winterborne and the possibility of another smaller one in the same broad area. Those will require permission under the normal planning regime. I understand that the Lower Winterborne proposal is being considered by the local planning authority.

Let me set out the procedure for proposals for power stations with capacity greater than 50 MW. Such proposals are considered by the Secretary of State for Trade and Industry under section 36 of the Electricity Act 1989. When granting such a consent, the Secretary of State can direct that planning permission be deemed to be granted under the Town and Country Planning Act 1990. National Wind Power has not yet submitted an application for consent to build a wind farm at Winterborne. In the event of a relevant local planning authority objecting to an application, the Secretary of State has a statutory obligation to call for a public inquiry into the application to be held. In considering an application, the Secretary of State takes into account the environmental impact, the views of the local community—including the relevant local planning authority and individuals—and the advice of statutory bodies such as the Environment Agency, the relevant countryside and nature conservation bodies, and heritage bodies.

In view of the possibility of other proposals neighbouring the one proposed by National Wind Power, the Department of Trade and Industry has requested that the environmental impact assessment statement, which accompanies the application, should consider the cumulative impact of all proposals in the vicinity. As the hon. Gentleman will appreciate, until an application is made and the views of those commenting on it are considered, I cannot say what decision will be taken. Likewise, it would be inappropriate of me to comment on those proposals in detail. The only assurance I can give him and his constituents is that their views, together with all other interests that arise in relation to development proposals, will be fully considered before any decision on an application is taken.

The Government are concerned about the landscape of Britain—it is in no one's interest to spoil it. Although we want to increase the use of renewable energy installations to reach our renewable energy target, that does not mean that we want development to take place where it would be inappropriate. The Government provide guidance to local planning authorities to help them to assess proposed wind farms and other such installations. That is included in planning policy guidance note 22 on renewable energy. That guidance will be updated, and the new guidance, called planning policy statement 22, is due to be published by the Office of the Deputy Prime Minister as a consultation paper in early November. It will reflect the advances made in wind energy since the current guidance was published, and it will incorporate wider Government policies on energy, specifically carbon reduction. Similar legislation exists for Scotland and Wales, and all the guidelines clearly state that visual and other impacts should be considered in the siting of wind turbines.

Wind farm developers are required to consider all environmental aspects of wind energy projects, including those raised by the hon. Gentleman. Most small wind farms, and all large wind farms, are required to produce an environmental impact

assessment, which covers all the issues as part of the application for planning permission. The environmental impact statements produced as a result of those assessments are available to the public. Landscape architects are often consulted on the layout of wind farms, and they aim to ensure that the farms seem coherent and do not appear cluttered in the landscape. They consider the effect of the turbines against the skyline and from important viewpoints or beauty spots.

It has been suggested that the benefits of onshore wind farms are dubious, but I am advised that that is far from true. There are more than 80 onshore wind farms in the UK and together they provide enough electricity to power almost 400,000 homes. That is a useful contribution to our energy supplies. It is true that the electricity produced from wind power is more intermittent than electricity from power stations that run continuously. On average, an onshore wind turbine has a load factor of about 30 per cent., while the figure is a little higher offshore. That intermittency has implications for the design and operation of the electricity network, but we should keep a sense of proportion. Wind farms in the UK are geographically dispersed throughout the country and tend to be located in areas with a high wind resource. That dispersion significantly reduces the intermittency factor of wind-driven generation, since it minimises the possibility of all wind farms failing to generate electricity at the same time.

It should also be remembered that traditional generating plants, such as gas or nuclear, undergo occasional shutdowns for essential maintenance. That type of generating loss is more difficult to cope with than the intermittency of wind, because the amounts of electricity involved are typically of a greater magnitude. When the effect of that type of shutdown is compared with the intermittency of dispersed wind farms, the variation in output from wind generation is minimal. Furthermore, key research is continuing into storage technologies that will support intermittent generation and provide power to the network when conditions are less favourable, as will hybrid generation plants. Such developments will improve the overall performance of wind generation and limit the reserve necessary to maintain electricity supply in the event of either the accidental loss of a generating unit, or higher than expected demand.

As the proportion of intermittent generation increases, the cost of maintaining stable supplies also increases. We accept that those costs need to be managed in new ways, and we are already funding research into that through the DTI's renewable energy programme and the Engineering and Physical Sciences Research Council's sustainable power generation and supply, or SUPERGEN, programme. As part of our current capital grant programme, in 2002 we allocated an additional £4 million to facilitate the demonstration of new control, storage and metering technologies.

It is important to address the concerns that have been raised regarding public attitudes towards renewable energy, including wind farms. The DTI commissioned research into public attitudes towards renewables, and the findings are broadly encouraging. Overall many people have favourable views on renewable energy, and the vast majority feel that the Government should promote its use. Those who are more knowledgeable tend to be more positive. Although the research identified a number of concerns about visual impact and impact from noise, it is interesting that those who currently live in the vicinity of a wind farm tend to be more positive than the general public.

We have concentrated on onshore wind energy this afternoon. As I said at the outset, we expect the bulk of the increase in renewable energy capacity to be from wind power. It is also important to say a little about developments offshore. In July, the DTI invited the Crown Estate to offer sites in the Thames estuary, the greater Wash and the north-west to developers in a competitive bidding process. The deadline for submitting proposals was 15 October, and the bids are now being assessed. I am pleased to have been informed that the initial indications from developers are promising. In the meantime, the projects resulting from the first round of offshore licensing are moving ahead.

I mentioned my hon. Friend the Minister for Energy's renewables tour. On Monday he visited North Hoyle, off the coast of north Wales, where the first major UK offshore wind farm will come onstream next month. Last week, he announced that four more offshore wind farms have received planning consent: those are at Lynn, Inner Dowsing, Cromer and Gunfleet Sands, all of which are off the east coast of England. Yesterday, at the British Wind Energy Association annual conference, he announced the award of six capital grants, totalling £59 million, to developers of offshore wind.

We should not, however, ignore the potential of other renewable sources to make their contribution, particularly in the longer term beyond 2010. The Government therefore support a wide range of renewable technologies, including biomass, solar photovoltaics, and wave and tidal energy, through the renewables obligation, our capital grants and the research and development programmes—

It being eighteen minutes to Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Thursday 30 October 2003

[MR. JOE BENTON *in the Chair*]

Trade and Development (WTO)

[Relevant documents: Seventh Report from the International Development Committee, Session 2002–03, HC 400-I, and the Government's response thereto, Fifth Special Report, Session 2002–03, HC 1093.]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Gareth Thomas.]*

2.30 pm

Tony Baldry (Banbury): The International Development Committee welcomes the opportunity to debate its report on Cancun. It is a pity that the House has not had an earlier opportunity to debate the fifth World Trade Organisation talks. The Select Committee published its report on 14 July; the Government published their response to it a couple of days before Cancun and complimented the Committee on how the report

"successfully gives a balanced picture of the major challenges facing many developing countries and the international community in their efforts to make trade rules work for development."

In light of the evidence given to the Committee a couple of weeks ago by the Secretaries of State for International Development and for Trade and Industry, it would appear a good time to take stock of what happened in Cancun, and what needs to happen to reach an agreement that benefits the poorest of the poor. I am sure that many of my colleagues on the Committee will have their own interpretation of our report on Cancun, including those of us who were fortunate to be there, such as myself and the hon. Members for Putney (Mr. Colman) and for Glasgow, Maryhill (Ann McKechin). To take stock of the WTO talks, the Committee had an evidence session with the two Secretaries of State two weeks ago, and it will publish a further report before Christmas on the WTO post-Cancun.

Stepping off the plane returning from Cancun, I felt that it was clear that a blame game had started in the UK press about what and who had led to the collapse of the WTO trade talks. The United States and the European Union were cited by most broadsheets and commentators as responsible. It was noticeable that in the evidence to the Committee, neither Secretary of State wished to level blame at any negotiator's door. On the US, the Secretary of State for Trade and Industry observed that

"the United States certainly does not wish to be responsible for the failure of the Doha round, and Ambassador Zoellick himself played an extremely important part in helping to launch that round in the first place . . . on Tuesday, Perez del Castillo chaired an informal meeting of the heads of delegation at the WTO in Geneva. It is the first full WTO meeting that has happened since Cancun. He set out his proposals for moving things forward, and I am glad to say that the United States, although cautious, did say that it was willing to engage, including on the discussions on agriculture".

Finally, on the WTO negotiations, the Secretary of State said:

"We have certainly not done an assessment of our failure to reach agreement at Cancun precisely because it is not the end of the story."

That, I think, is a fair reflection of what the two Cabinet Ministers wanted to put across to the Committee: in short, that no one negotiating group was to blame and that it was futile to look for blame; that a large part of the problem at Cancun was a shortage of negotiating time; and that we should now be looking forward. I certainly agree with them that we should now look forward. However, that will require us to learn the lessons of Cancun and understand why the negotiations failed.

An internal post mortem paper, seemingly prepared by the DTI, concluded:

"At the heart of the collapse was a clash between the approach of the EU and US and others, expecting a traditional brinkmanship-style negotiation, and the approach of many developing countries who were not willing to play this game, and were prepared to hold out if they weren't satisfied."

According to a report cited in *The Guardian* newspaper last week, the UK Government's assessment of the talks is:

"We need to recognise privately that we may not get agreement on a basic framework by mid-December, and that much of our work may in practice be providing the groundwork for later rejuvenation of the round. We need to develop a longer term game plan for getting the Doha round back on track if it stalls in December and undertake in parallel some fundamental and strategic forward thinking about trade policy in a world where Doha has stalled. It may simply not be possible to get the process back on track, and we may be dealing with fundamental changes in the dynamics of the WTO. This means that we should be careful to keep expectations modest so as to avoid setting ourselves up for a second failure at Geneva in December."

The question, therefore, is what exactly "modest expectations at Geneva" means. Surely it would not mean the resurrection of any of the Singapore issues.

It is good news that the EU eventually did at Cancun what the Select Committee recommended and removed investment and competition from the Doha agenda. Paragraph 98 of the report states:

"The UK Government is committed to improving the capacity of developing countries to negotiate effectively in the Doha Round. In responding to suggestions that this valuable commitment might be undermined by including the Singapore Issues on the agenda, DFID states that the 'significant benefits' which the Issues offer for developing countries 'should be set against the costs of negotiating and implementing the proposed agreements.' In the absence of reliable estimates of either the costs or the benefits, and in the face of opposition from many developing countries who argue that pushing the Singapore Issues will not lead to a genuine development round, we urge the Government not only to stop promoting the inclusion of the package of Singapore Issues on the WTO's negotiating agenda, but to persuade its EU partners and the Commission to do so too."

Our report further recommended in paragraph 101:

"Pushing for the inclusion of the Singapore Issues on the post-Cancun agenda is excessively hard bargaining. We trust that the Government's move to disassociate itself from supporting the Singapore Issues signals that the views of developing countries have been heard and acted upon. If there is no support for the Singapore Issues, they surely must be dropped."

[Tony Baldry]

Presumably—we hope—none of the Singapore issues should now be discussed further at Geneva, but frustratingly that does not appear to be the case. On Tuesday, the Committee took evidence from Trade Commissioner Pascal Lamy. We should bear it in mind that the EU negotiates as one on this issue, so he leads the negotiations for the EU. He said that on the Singapore issues he

"made this compromise when I thought it would move negotiations forward. I have withdrawn that offer."

That is bad news. Unless the UK Government can persuade their EU partners otherwise, the wasteful Singapore issues will still be discussed at Geneva, which is probably rather crazy. The Singapore issues took up half the green room discussion time at Cancun. As a consequence, there was insufficient time to discuss agriculture, but without progress on agriculture there cannot be a trade round.

Our Committee concluded at paragraph 59 of the report:

"At long last some progress has been made on CAP reform. But the UK must continue to exert pressure on its European partners—particularly France—to live up to the letter and the spirit of their WTO commitments, to reduce all agricultural support rather than only that which is defined as production and trade-distorting. Fifteen or twenty-five members of the European Union must not allow the fate of their Common agricultural policy to be determined by President Chirac, and sealed in horse-trading between France and Germany. In addition, the UK must insist, when the EU finally does reduce the amount of trade-distorting support it provides to agriculture, that the reductions include products of export interest to developing countries. The UK and the EU should, within the EU and the WTO respectively, be pressing for discussions on capping the Green Box, as proposed by a number of developing countries."

Surely that still stands, yet the noises coming from the Commission are not promising. Franz Fischler was reported in an interview with the *Financial Times* earlier this month as saying that WTO members should not "punish themselves" by mounting legal challenges to farm subsidies when the peace clause that shelters the EU and US expires at the end of the year. Commissioner Fischler added:

"So you have to decide what you prefer: a successful round, or that you press us to give up export subsidies."

It was clear from what the Commissioner said that the EU is unwilling to take the lead by tabling an improved negotiating offer, even if there is still a willingness to talk. The EU must make some movement on the issue, to give us the confidence that it is fulfilling the commitment not, in the words of the Secretary of State for Trade and Industry, to

"accept any proposal we believe will damage the prospects of developing countries trading themselves out of poverty."

If there is no movement by the EU at the next set of negotiations, we will still be left in the wholly unacceptable situation in which EU and US farmers receive more money in subsidies in 12 days than the whole of Africa receives in development aid in an entire year.

In paragraph 77 of the report we stated:

"Any agreement on agriculture must, at a minimum, pass two developmental tests; will it stop dumping, and will it allow developing countries to protect themselves from any continuation of dumping? On both counts, despite making some progress, the Harbinson draft fails, as will the CAP reform agreed recently. A development-friendly outcome on agriculture must pass these tests, must not make the poor pay for the poorest, and must:

a) Reduce tariffs and tackle tariff peaks and escalation.

b) Extend duty-free and quota-free access to all LDC exports into all developed countries.

c) Ensure that tariff barriers are not replaced by other protectionist barriers.

d) Include binding timetables to reduce and in time eliminate domestic support and export subsidies of all types."

It is difficult to see how anything less will not, as in the words of Ministers, damage the prospects of developing countries trading themselves out of poverty. Although the Secretary of State for Trade and Industry suggested to the Select Committee that the CAP deal

"would be very good news for developing countries",

that does not reflect reality. If it did, why not communicate the benefits of the deal more effectively to developing countries?

The Government published their response to our report just as the Cancun talks were starting. In it they said:

"We welcome the recent agreement on TRIPS and public health which shows that the WTO can adapt to the needs of developing countries. It has also removed one of the major obstacles to progress and will hopefully provide some of the political impetus needed to drive the negotiations forwards.

The Committee's report is also especially timely given the forthcoming 5th WTO Ministerial Conference in Cancun, Mexico, from the 10–14 September. The government is working hard to ensure that Cancun produces a result that we can call a success. This should include substantial progress on agriculture, and extended special treatment for different countries. Our view is that the Cancun meeting will inject fresh impetus into WTO negotiations and help to push negotiations forward towards our long-term aspiration of improving global trade rules.

Only through a long-term commitment to reform and sustained dialogue with our international partners, can we realise our ambition of making trade work for all countries, and especially the poorest."

The Government made that response the week before Cancun. At Cancun, UK officials had a core script of approaches to take. In the opening bullet points, they state:

"The UK is determined to work hard to influence a Cancun outcome which really delivers on the Doha mandate to:

Agree a framework for ambitious reductions in agricultural subsidies and import tariffs—necessary to create sustainable economic benefits for all, including developing countries.

Help developing countries secure better access for their exports through an ambitious framework for reductions in trade barriers on industrial goods.

Work towards providing an adequate framework for flexibility in WTO agreements to ensure that developing countries can implement them at a pace appropriate to the levels of development, so called rules on special and differential treatment.

The government is determined to ensure that the decisions taken at Cancun and throughout the Doha negotiations will assist developing countries. In particular it is vital that decisions taken in Cancun do not limit the potential for developing countries to trade themselves out of poverty."

That is all excellent stuff, so why did it not happen?

I was in Cancun, as were many other hon. Members present today. I was there as the Chairman of the International Development Committee, but I also represented the House at a specially convened meeting of the Inter-Parliamentary Union, along with the hon. Member for Glasgow, Maryhill—a conference that drew together parliamentarians from around the world. My witness account of what happened at Cancun will be subjective and, of necessity, incomplete. It is not possible to be everywhere at once, and one will not witness every event.

The first thing that struck me, very forcibly, at Cancun and in the run-up to it, was that there was no leadership. If Britain, the EU and the rest of the developed world really intended to deliver on the Doha declaration, it was always going to be a massive agenda, as the Government's objectives made clear. It would require substantial shifts in attitudes and a willingness to make concessions and listen to other people's points of view. I was fortunate enough to represent an earlier UK Government at meetings of the Council of Ministers and other international conferences, and my experience is that for progress to be made, political leadership commensurate with the task is needed.

Apart from making a handful of telephone calls a week before Cancun to some key players such as Brazil and India, President Bush took no part in the negotiations. An ambassador, Robert Zoellick, led the US delegations, and the EU's negotiating team was led by Commissioner Pascal Lamy. It was said that during the summer Zoellick and Lamy spent a long time in negotiation and discussion with each other but almost no time talking to their counterparts from developing countries, and there was far too much to do in the few days available at Cancun for complex negotiations to take place. As the Secretary of State for Trade and Industry commendably and candidly said to the Select Committee a couple of weeks ago, there were only 48 hours of detailed negotiations, and when 146 countries are involved, that is not enough.

The various groups of players had difficulties, and the way in which they responded to them did not always help. To give focus to trade negotiations and their importance for those living in poverty, non-governmental organisations frequently select a commodity to highlight the difficulties of the developing world in competing, for example, with agricultural subsidies from Europe and the United States. In the past, they have highlighted coffee; hundreds of thousands of producers in Africa and in central and southern America are dependent upon that commodity, and coffee prices have fallen through the floor in recent years.

The coffee story is complicated. The main reason that coffee prices have dropped is not because of generous subsidies by the US or the EU to their own farmers but because far more coffee is being produced than is being drunk. Recently, Brazil, a less developed country, has substantially increased its production of industrial coffee, and on the other side of the world, Vietnam, which has not hitherto been a coffee producer, has come into the coffee market in a substantial way. That is why, more than anything else, coffee farmers in the highlands of Ethiopia and across Malawi are finding life extremely difficult.

This time at Cancun, non-governmental organisations chose cotton, not coffee, to highlight their concerns. On cotton, the story is much more stark and clear cut. West and central African countries with 10 million cotton farmers are estimated to be losing as much as $1 billion a year in foreign earnings because exports of subsidised cotton by the US have squeezed their sales and lowered world prices. Cotton prices fell by half over the five years between 1997 and 2002.

Four of the poorest countries on earth, Benin, Burkina Faso, Chad and Mali, got their act together at Cancun to tell their side of the story. They asked WTO Ministers to agree a timetable for eliminating subsidies and to pay them compensation while the subsidies were phased out. The US is spending some $6 billion on cotton subsidies, and as *The Economist* concluded:

"Benin, Burkino Faso, Chad and Mali managed to get cotton included as an explicit item on the Cancun agenda. Their grievances were simple and justified. West African cotton farmers are being crushed by rich countries' subsidies, particularly the $3 billion plus a year that America lavishes on its 25,000 cotton farmers, helping to make it the world's biggest exporter, depressing prices and wrecking the global market.

The West African four wanted a speedy end to these subsidies and compensation for the damage that they had caused. Though small fry compared with the overall size of farm subsidies, the cotton issue, (like an earlier struggle over poor country access to cheap drugs), came to be seen as a test of whether the Doha round was indeed focused on the poor."

No one was happy with how the issue was dealt with. The US found itself in the spotlight on cotton. The EU, which produces only 3 per cent. of the world's cotton, was happy to step away from protectionism in this matter, so the US was on its own. The difficulty in having a delegation that is led by an ambassador, contains no politicians and is simply a team of trade negotiating officials, however competent, is that they are not used to being lightning conductors for dealing with a media feeding frenzy.

In response to the clamour on cotton, members of the American negotiating delegation at Cancun simply retreated to their hotel and holed up. We did not see them. It simply is not possible to conduct meaningful trade negotiations or any other negotiations from the comfort of one's hotel bedroom. One has to be out there listening to people and talking to other delegations. The draft text that emerged halfway through the Cancun meeting was a huge disappointment. The promises on cotton were vague, pledging a WTO review of the textiles sector, but with no mention of eliminating subsidies or of compensation. Worse, it suggested that west African countries should be encouraged to diversify out of cotton altogether, which is pretty insulting.

The failure to reach a result at Cancun is a serious setback. West African countries showed some flexibility at Cancun in terms of the end date for trade-distorting cotton subsidies, but their producers cannot

[Tony Baldry]

wait until the end of the round for action, especially if it is delayed beyond 2005 and implemented over five to 10 years. By then, one of the very few competitive sectors in these desperately poor countries would be dead, which is why cotton was put on a separate track in the first place.

The text presented on 13 September, which was rejected by the vast majority of WTO members, should be discarded as a basis for discussion. To move towards a solution as soon as possible, the negotiation group on cotton issues, created at Cancun, needs to be reconvened as soon as possible to look at alternative options. Of course, the phase-out of all trade-distorting cotton subsidies would require substantial efforts on the part of the US, the main subsidiser of cotton, and the EU. Potential difficulties for cotton producers in wealthy countries, especially small producers, must be taken in account, but those concerns should not be used as an excuse for inaction.

Although clearly insufficient, the proposed reform of the EU cotton sector is a useful first step. The US should also rise to the challenge and come up with constructive proposals for its own cotton subsidies. Any meaningful initiative would be helpful to resolve the current deadlock on cotton. It is pretty insulting to be told by the US and others, "We're terribly sorry, not only are we not going to reduce our subsidies to our farmers, but the only help that we'll give you is to try to help you to stop producing cotton altogether."

The EU had problems of process and of credibility. In addition to the EU and the existing 15 member countries, a number of accession states, such as Hungary and Poland, which will shortly be joining the EU, were also there in Cancun. A number had special interests, such as the future of the sugar regime with reference to sugar beet. There was also a large contingent of Members of the European Parliament. MEPs clearly felt that, as this was an area of specific EU competence, they should be there to hold the Commission to account. However, I suspect that the effect of all this is that Commissioner Lamy and his team simply did not have sufficient thinking or negotiating time to spend with other players from the developed world and the multitude of participants from other countries.

Commissioner Lamy and his officials spent much of their time scurrying around telling MEPs and Ministers from EU member states what was happening. There was also a serious credibility problem almost from the first day in that a leading international development NGO, ActionAid, produced a Commission document, which was never denied nor disowned and which clearly stated that effectively it was for the Commission publicly to say that it wanted to help the interests of developing countries, but privately to pursue what it perceived as EU mercantilist interests. Any confidence that developing countries might have had in America was lost because of the US stand on cotton. Similarly, the EU lost much credibility as a consequence of that leaked document.

For the developing countries, the shortage of time at Cancun also presented a real difficulty. Cancun witnessed for the first time the emergence of a co-ordinated standpoint by a number of developing countries, variously called G20, G20-plus, the Group of 21 and G23. Regardless of its name, this group could not and cannot be ignored, and I believe that it surprised itself with its impact on the talks.

The improved co-ordination and coherence among developing countries achieved through G20 is a positive development and must be built on. The new political landscape should be regarded not as a threat, but as an opportunity to move forward in a more focused and effective way, overcoming the difficulties involved with negotiations among 146 members. The difficulty for those countries is that it is hard to agree an endgame. Even when the EU and US began to shift reasonably significantly, by taking a number of the Singapore issues off the table, G20 and other developing country groups were unable to respond. They had got used to saying no, but they were not sure what they wanted to say yes to.

Those countries should not be blamed for that, because it is not easy to co-ordinate a line to be taken by 21 or more countries from almost every continent. It is hard enough for the EU, 15 of the most developed countries, with all the assistance and bureaucratic machinery of the European Commission, to get its act together. It is much more difficult for 21 or more countries without those organisational structures. Notwithstanding the success of the agreement on trade-related aspects of intellectual property rights, or TRIPS, a few weeks before, there was too much to be done in the available time, given that there was not enough leadership early enough, there was a huge agenda, and almost every deadline up to Cancun had been missed.

Following the Doha declaration, developing countries were rightly and justifiably looking for evidence that the developed world was taking notice of them, and there was precious little of it. On the key issue of agriculture, there was no evidence that the US was backtracking from its recent Farm Bill, or that the EU was prepared to offer any more than the modest recent so-called CAP reforms, which will keep EU subsidies on agriculture unchanged for many years.

It is a sobering fact that millions of people live on less than $1 a day—that is what $1 will buy in New York, not in their own country. In contrast, every cow in the EU receives a subsidy of about $2 a day. The average gross national income of Ethiopia is $100 a year, whereas a cow in the EU receives a subsidy of more than six times that—more than $600 a year. The rhetoric of the UK Government, the EU and the WTO negotiators made the right noises about the Doha declaration and the need to assist developing countries. However, when they came to be judged on their deeds and the positions that they took on agenda items, the reality did not match that rhetoric.

At the end of the conference, when it was clear that the talks were collapsing, a number of delegations and NGOs applauded, which was a mistake. It was a mistake to consider the collapse of the Cancun talks as advantageous to developing countries. In our report, the Select Committee unanimously concluded that,

"we disagree strongly with those who would like to see Cancun fail; reflection and reform are desirable, but failure at Cancun would be very bad news for developing countries."

There are two principal, interrelated reasons why the failure of the process at Cancun is bad news. Recently, multilateralism has been substantially undermined. Multilateralism should be the international community trying to work together, but multilateral institutions, from the UN downwards, have been undermined, most strikingly by what transpired over Iraq. However, the WTO is a good example of a multilateralist institution. Every country has a vote and, in theory, a veto. The failure at Cancun gives strength to those in Washington and elsewhere who argue against multilateralist institutions and the US working through them.

Further bad news for developing countries is that the US will now almost certainly pay lip service to the WTO while, as Ambassador Zoellick made clear, embarking on bilateral negotiations with individual countries, which will inevitably be one sided. The US will favour bilateral trade deals with favoured nations, which is likely to lead to a fracturing of the global trading system and a growing sentiment of protectionism in the US.

Discussions will continue in Geneva, and there is hope that this WTO round can meet its 2005 deadline. However, lower-key talks in Geneva will not have the same urgency as a summit of 146 nations, and that takes us back to leadership. If there is to be any meaningful movement on completing or taking forward the Doha development round, the developed world will have to make it clear that it is now willing to make meaningful concessions, especially on agriculture, that will bring real benefits to the developing world. Put bluntly, the US, the UK and others will have to make it clear that they are as serious about waging war on poverty as they are about waging war on terrorism.

In Europe, commissioners and officials are talking up their alibis and excuses for there not having been more progress. Pascal Lamy has described the WTO as a medieval organisation, but I am unclear about which aspect of the middle ages he feels it reflects. Just as the US, the UK and other critics say that their involvement at the UN is limited because the UN needs reform, so too we hear the cry that it is not the players that need to change, but the institution itself that is at fault and needs reform.

I hope that the EU can kick-start some change, but the difficulty in the crucial issue of agricultural reform is that several EU states—not just France and Germany, but countries such as Spain and Ireland—are content that so little progress has been made. G20 countries such as China, Brazil and India could help to kick-start the process by saying whether they would be willing to accept some interim compromises. It was recently reported in the *Financial Times* and elsewhere that the South African Trade Minister, speaking on behalf of the G20 countries, said that there was still plenty of life in the talks, but only if the EU and the US made moves in their direction. That does not leave one overly optimistic.

I urge Europe to make moves, but it will do so only with the prompting of Governments such as the UK's. If Europe wants to display leadership and to help developing countries, it should take the lead in reigniting the international trade talks that collapsed at Cancun. The failure at Cancun is threatening to torpedo the rest of the Doha trade talks. The US is picking poorer nations off one by one in unilateral negotiations, while trade blocs, especially in Asia, are planning their own regional deals. There could be difficulties if poor countries abandon the peace clauses under which they voluntarily refrain from litigation over subsidies. The UK has all but given up on rekindling the talks before the US presidential elections, and I suspect that it is hoping to use its presidency of both the EU and the G8 group of industrial nations in 2005 to kick-start the process.

In theory, there is still a mid-December deadline for sorting out the unresolved issues from Cancun, but the honest acknowledgement to us by the Secretary of State for Trade and Industry in her latest evidence that the last two years of WTO negotiations have been a "missed opportunity" leads one to pessimism.

We have a duty to try again. A new factor from Cancun was the emergence of a welcome new force of the G20, which refused to lie down and be squashed by the G8 steamroller. The EU should suggest a five-year timetable to end all farm subsidies and dare the US to do the same. The US claims to be against subsidies for free market reasons. President Bush came into office planning to reduce farm subsidies but then caved in to Congress and hugely increased them. Europe is the worst offender and therefore has most to gain from taking the initiative.

Our report rightly pays testament to the efforts of the UK and the Department for International Development to support developing countries. If that aim is pursued by the Government, they may not be put in the position where they have to accept proposals that damage the prospects of developing countries trading themselves out of poverty. The real test of the trade round is whether, at the end of the day, the Doha development round is really a development round.

3.3 pm

Mr. Tony Colman (Putney): It is always a pleasure to follow the hon. Member for Banbury (Tony Baldry), who has put forward the cross-party view of members of the International Development Committee.

I pay tribute to those who did the advisory work for us. It is a team effort, but I want to draw attention to Alan Hudson and Sheila Page from the Overseas Development Institute, who worked with us on the report. No less a person than Eveline Herfkens, who is Kofi Annan's special ambassador to campaign for the millennium development goals, waved around our report, unprompted, at a meeting that she addressed in Cancun. That is an example of how the report of a House of Commons Select Committee can echo around the world. Several delegations, particularly from developing countries, also referred to it.

As the hon. Member for Banbury said, my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) was also present, as was the right hon. Member for Suffolk, Coastal (Mr. Gummer). However, I was the only official delegate—if I can describe myself as such—from the United Kingdom delegation. I say that not in terms of pride, because I had hoped that all the others would be present at the discussions, too, but from the point of view of what I am about to say. As the hon. Member for Banbury said, regular briefings were

[Mr. Tony Colman]

given by Commissioner Pascal Lamy to Members of the European Parliament as negotiations continued, but Members of the state Parliaments of the European Union were excluded. I took up that matter with Commissioner Lamy yesterday when he gave evidence. He said that it was the decision of each member state Government that individual parliamentarians who were serving on the state delegation should be excluded from such briefings. Will the Minister consider whether the UK Government would have any objection to parliamentarians being part of such briefings?

Mr. Simon Thomas (Ceredigion): The hon. Gentleman might be interested to know that I was fortunate enough to attend the world summit on sustainable development, when we received similar briefings from the UK Government. Parliamentarians who were not part of the official delegations were allowed to attend the briefings. It seems that the UK Government have an open door in such matters, so perhaps it is the European Union, not the UK Government, which is holding hard.

Mr. Colman: Trade is dealt with specifically at European Union level. Pascal Lamy made it clear that in that case, he is reporting to the European Parliament, not to parliamentarians of each Government. Obviously, the situation at the world summit on sustainable development, which I also attended, was different. However, will the Minister still see whether matters can be sorted out? Clearly, parliamentarians from member states should not be at a disadvantage compared with Members of the European Parliament.

I am only attempting to fill the gaps in the excellent tour d'horizon given to us by the hon. Member for Banbury. Will the Minister to pick up on sustainability impact assessments of trade agreements? That is something that the trade commissioner brought forward in the meetings before the start of the Cancun summit. It was dealt with particularly by Robert Madelin, of the European Commission trade directorate-general. In fact, he considered what impact trade liberalisation could have on individual countries. The Prime Minister of Senegal was present at the meetings and said how helpful that had been to him.

However, I was backed by different officials when I said that if such impact assessments are made, that should be done jointly between the developing country and the European Union, and that the developing country should be able to say which consultant should do the work, and comment on the assessment before it goes into the public domain. Officials told me subsequently that they were hoping to follow that up, and that Pascal Lamy had said that he thought the methodology of the impact assessments still needed to be looked at. Will the Minister take such matters on board?

My second point concerns the announcement at Cancun made by Shengman Zhang, the managing director of the World Bank. He announced new moneys that would be available for developing countries if they had a shortfall in their budgets because they had reduced their tariff barriers and had a problem in meeting the millennium development goals. Can the Minister explain the extent to which the World Bank is continuing to undertake such work, or whether it is holding it on the back burner? It is extremely important that if developing countries take forward the trade liberalisation agenda, they are not disadvantaged by the problems that that can cause for their budgets.

The hon. Member for Banbury referred to the Derbez text, which appeared on the Saturday. We had some four days of negotiations with nothing on the table. Then the text came out, and we had only 24 hours of negotiations. I differ slightly with the hon. Gentleman, because the view expressed to me was that there was much in the Derbez text that could lead to an agreement—that is, much on agriculture, non-agricultural manufactured goods and special differential treatment, but clearly not on the Singapore issues or cotton. There is much in the text that we should start from, so I disagree with the hon. Gentleman, who feels that we have to start completely from scratch.

Tony Baldry: I clearly did not make myself clear. I was referring specifically to the parts of the text relating to cotton.

Mr. Colman: Then I support the hon. Gentleman. However, I would correct him slightly on one other matter. On the Thursday evening, after the hon. Gentleman left Cancun, two plane-loads of United States Congressmen and Congresswomen arrived, including the chairmen of all the key committees, so there was quite heavyweight representation on the Friday, Saturday and Sunday. I understand that had the discussions moved on to agriculture, a new text was due to be tabled on the Sunday, after the Singapore issues had been dealt with.

On the Singapore issues, there is an extremely important letter in today's *Financial Times* from Jean-Pierre Lehmann, the founding director of the Evian group. He has taken up the point that I raised in the Select Committee about the fact that late in the evening of Saturday 13 September, Pascal Lamy was still refusing to unbundle the Singapore issues. To me and to many watching, clearly seeing that the issue could not be agreed on, that seemed a crazy way forward. I agree with the hon. Member for Banbury that it was extremely depressing to hear that Pascal Lamy feels that the offer has been removed from the table. Those are not the actions of someone who wishes to move the agenda on. I agree that there must be leadership, and that crucially, it should come from the European Union and the Government.

I would like to focus on two subjects in the report. Obviously, one relates to paragraph 77, which is on the issues surrounding agriculture and the need to remove not simply tariffs but phytosanitary tariffs. In early September, and at my own expense, I visited Kenya, where I heard that major work was being done with subsistence farmers, who were banding together in quasi co-operatives and supplying the major supermarkets in the UK through a supply chain. I found myself stumping around the foothills of Mount Kenya in extreme weather, visiting shamba after shamba of Kenyan farmers who were devoting between 10 and 25 per cent. of their shamba to growing green beans for the supermarkets of Britain.

I pay tribute to Silas Kinoti, Salome Mugatia, Jane Karimi, Sabastian Kinyua and Francis Koome. I visited each of their shambas, and was extremely impressed by the work that was going on, because they were producing not only for us but for their family, the village, Meru, and Kenya. It was extremely important to think about bringing together ways of developing crops, seeds and agricultural techniques used here and agricultural techniques that have been used for generations in Kenya, in order to deliver a significant green revolution on the back of globalisation.

The co-operatives were being brought together by Flamingo Holdings, an interesting company in which the CDC—the Commonwealth Development Corporation—has a small shareholding. That is an example of globalisation working for the poor, and it is absolutely right that it should.

The second subject, which came alive for me last night, is mode 4 of GATS—the general agreement on trade in services—which is mentioned in paragraph 120. I was extremely moved by the speech that Cardinal Oscar Rodriguez of Tegucigalpa in Honduras made last night to the all-party Catholic Fund for Overseas Development group. He said that hundreds of thousands of the poor of Honduras were being trafficked—and that they were coming back from the United States in their hundreds of thousands. He wants there to be formal agreements for the movement of people, and for those formal agreements to relate to training and skills. That is what is covered by mode 4 of GATS.

Ministers' response to our report contains this statement:

"While the net potential benefit for developed and developing country economies of freer labour movement is widely accepted to be large and positive, there are still likely to be a few unwelcome effects on a number of developed country domestic interest groups. These must be understood if they are to be properly mitigated."

I agree with that, in relation to some of the issues that have been raised in newspapers such as the *Daily Mail*. However, on the other side, this is also an issue that relates to the movement of people between north and south, and to the need for doctors, nurses, teachers and other trained people who could develop the economies in the south. Many of them wish to move—for example, from the United Kingdom to South Africa—but cannot do so because there are strict restrictions on whether they can make that move.

In Kenya I met two of my constituents who were going to South Africa. One of them was trained as a surgeon and the other as a theatre nurse, and a South African hospital had asked them if they would give a year of their lives to working for it—but they had no work permits. That situation is being repeated again and again. There is a problem: many developing countries feel that it would be wrong for them to make a mode 4 GATS offer encouraging people to come from the north to work for a limited period—GATS mode 4 can last for one to three years—in order to deal with many of their major problems by fulfilling certain needs. This is also a problem on a south-south basis. For example, it is extremely difficult for a Ugandan nurse to work in Kenya, or for a Kenyan nurse to work in Uganda.

The International Development Committee's next area of work will be on international migration, so I have no doubt that we will return to this subject.

Mr. Andrew Robathan (Blaby): Would the hon. Gentleman like to comment on the reports this morning in the newspapers—and on the radio, I think—about the Kenyans withdrawing work permits from expatriates who are working in their country, and who are probably developing its agriculture, industry and tourism? The Kenyan Government are now trying to cut back on all expatriate work permits.

Mr. Colman: I am pleased that the shadow Minister has drawn the attention of the House to that matter. The only reason why I did not bring it up is that I have sought clarification from the Kenyan Government, and I have not yet received it. If I manage to catch Mr. Speaker's eye in next week's debate on Africa, I intend to raise the subject, because what is happening does not make sense. Kenya is a country that has been reborn: it has a different attitude to development and governance and it wishes to create 500,000 new jobs a year, so it is extraordinary that that statement was made. However, I think that all Members would agree that the newspapers do not always get things right.

Tony Lloyd (Manchester, Central): Does my hon. Friend agree that one of the concerns of the relatively new Kenyan Government is the amount of corruption that they have had to deal with in Kenyan society? One of the problems they faced was that work permits were being sold. That is what, at least in part, lies behind the present actions.

Mr. Colman: I have explained why I do not want to address this matter in detail now. However, I will say that the *Financial Times* described that as a possible reason for those actions. It is important for the House to hold its condemnation in suspension until it learns more of what is going on. I understand that the Minister is getting advice from his officials; if he is able to comment on this matter at the end of the debate, that would be very helpful.

The hon. Member for Banbury has covered everything. In winding up, I shall quote the Minister for Trade and Investment, who dealt with the negotiations for the first four days, before the Secretary of State arrived on the Thursday, and held the fort admirably. In the speech that he made for the Government to the full plenary, he said that it was important for us to

"help to drive prosperity and opportunity around the globe and above all in the developing world. The poor of the world have waited too long for governments to agree to create the economic opportunities, the jobs, and the hope they need. We must not fail them."

We failed them in Cancun. The next meeting is on 15 December, and we must not fail them again.

3.20 pm

John Barrett (Edinburgh, West): It was originally intended that a single report be produced in July 2003. However, the Select Committee decided, following a suggestion from the hon. Member for Putney (Mr. Colman), that we should produce two reports, one before and one after Cancun. In the light of events, that was clearly a wise move.

[John Barrett]

International trade has the potential to lift millions out of poverty and contribute to a stable and secure world. Instead, the north dumps food on developing countries and maintains barriers that severely restrict their access to our markets. It is important that this debate recognises and confirms the importance of those issues.

Ideally, a debate would have been held before the summer recess and the ministerial conference. Such a debate would have been useful in considering the detailed issues facing the ministerial conference, what the Government and the EU were hoping to achieve and, more importantly, how they were intending to achieve it. However, we are discussing the report that the Committee wrote after that conference. That report and its timing were decided before Cancun.

. To make matters more interesting, we are meeting during the Select Committee's latest inquiry into the outcomes of Cancun. Just this week, we have taken evidence from Commissioner Lamy. It is not surprising that the debate should centre on what happened last month—apart from the Secretary of State's statement to the House, this has been our first real opportunity to debate the issues.

It goes without saying that the events at Cancun were at best disappointing; some would say that they were a complete disaster. Not only did they leave people questioning the point of the World Trade Organisation, but they left developing countries without the tools that they desperately need to lift their people out of grinding poverty.

It is only because we realise the immense prizes to be won from fairer trade that we get so frustrated and angry when progress is slow—when the institutions that could deliver progress fail us and the people in some of the poorest countries in the world, the talks collapse and real opportunities are lost. That is what happened in Cancun. We had a real opportunity for real change: to change the rules that force millions into poverty and to improve their lives. That chance was lost, and the welcome progress that was made on agriculture was lost in the ensuing collapse of the talks. It is not productive to point-score, but it is important to consider who was responsible. We can never let the shambles of Cancun happen again. We have to learn from what went right, what went wrong, who was responsible and why. Cancun will not be a total failure if such lessons are learned.

The importance of trade to developing countries is well documented. As Oxfam told us during our evidence sittings, if Latin America, Africa and southern and eastern Asia increased their trade exports by just 1 per cent., that would be enough to lift 128 million people out of poverty. In Africa alone, it would generate more than $70 million, five times what the region receives in aid. Those are extraordinary statistics, which those wishing to end global poverty should always remember.

Overseas aid is an important issue, and many Liberal Democrats want the Government to set a timetable for raising UK overseas aid to the magic level of 7 per cent. of GDP. Trade remains the great vehicle for developing countries to meet the millennium development goals, which are becoming more like aspirations than firm targets. If we are to meet those goals, the ability of developing countries to build their economies, increase their exports, and improve their GDP and incomes will have to be drastically improved by bringing down the barriers that they face. Such arguments are well known not just in this place, but in the communities that we represent.

In the relatively short time that I have been a Member of this House, I have noticed a stark increase in awareness about trade justice, which has been illustrated by the thousands of postcards that each of us receive, and the hundreds of thousands of people who have come to Parliament to speak out. The trade justice lobby in this country is a force to be reckoned with and it is one that is being sustained between its parliamentary visits.

Jeremy Corbyn (Islington, North): The hon. Gentleman has received several cards and delegations on this issue, but I have not received any letters from those people who lobbied before the WTO summit saying that they regret the fact that there was a breakdown. Many of them have told me that they viewed the breakdown as a victory for the southern countries that were trying to assert their right to development over the interests of western Europe and north America. I do not understand why the hon. Gentleman is so upset about the failure to reach an agreement that would have been unfair to the southern countries.

John Barrett: Like the hon. Gentleman, I agree that the failure to reach an agreement is better than reaching a bad agreement, but it is not as good as reaching a good agreement. That was the failure. Had a good agreement been reached, it would have been far better than the eventual collapse.

Many of my constituents are not happy with what happened in Cancun, which in itself is no great surprise. What is significant is that those who have written, telephoned or e-mailed are not the usual suspects; they are not the people who regularly contact me as their MP. In fact, many have never contacted me before, but the organisation and co-ordination between these people is increasing. I recently tabled early-day motion 1830 on the campaign to get fair trade accreditation which is being run by Edinburgh university and other universities throughout the UK. That grass-roots campaign will ensure that the issue of trade, especially fair trade, will not go away. Those people will continue to press Parliament and the Government until action is taken.

So what of Cancun and the Select Committee's report? The Committee set down seven main challenges for the Government, ranging from agricultural reform to GATS and reform of the WTO. On one of those issues at least, progress was made and, ironically, sealed up before Ministers even got together in Mexico. I am talking about the Committee's call on the United States Government to stand up to their pharmaceutical lobby and reform the TRIPS agreement, a set of rules that left many developing countries unable to treat those suffering from HIV/AIDS or tuberculosis.

The deal struck by the US and other countries, including South Africa, Kenya and India, to allow for the production of cheap generic drugs for developing

countries was a massive step forward. However, as my hon. Friend the Member for Richmond Park (Dr. Tonge) has repeatedly stated, the mechanisms for delivering decent health care must also be put in place. Drugs themselves will not solve the problem. Preventive action, along with proper medical supervision, must be provided if we are to win the battle against illness—a war that, regrettably, we are currently losing. Nevertheless, the reform of TRIPS was vital, which is why the announcement in August was so welcome.

Unfortunately, progress stops about there. Progress on the reform of agriculture, which formed the centrepiece of our report, was lost when the talks collapsed. That was particularly disappointing in light of the small progress, but progress nevertheless, that was made on the CAP. It leaves developed countries still subsidising their home industries by billions of pounds every year, while developing countries struggle to break through. Such double standards and hypocrisy should cease. Eventually, the EU and the US, the worst offenders, will have to realise that fair trade, not free trade, is urgently required.

A lot has already been said this afternoon about the Singapore issues. As the hon. Member for Banbury (Tony Baldry) pointed out, we warned the Government in blatant terms that pushing the Singapore issues could bring down the whole process. In our report, we said:

"The Government should unequivocally drop its support for opening negotiations on the Singapore Issues. These issues would overload an already full agenda. They are not wanted by most developing countries. And it is questionable whether the WTO is the right forum for agreements on investment and competition. The Singapore Issues are not developmental priorities."

Those warnings, which were repeated by NGOs and developing countries themselves, were pretty clear. The opposition of many countries to discussing the Singapore issues in Cancun could not have come as a surprise. In fact, I wonder whether they could have been more forewarned. Despite the warning, little notice was taken. On the last day, the position of the EU shifted with offers to give up investment and competition, although several countries said that an offer to drop transparency was also made—a commitment that seems to have disappeared since then. However, such actions proved to be too little and far too late. The practice of brinkmanship, as CAFOD described it to the Committee, is no way to do business in the WTO, and the EU must have learned that to its cost.

What was the role of the Government? The Secretary of State for Trade and Industry said that she wanted to put her and the Government's energy into CAP reform, but why was it not realised that CAP reform at Cancun was at risk, directly because of the Singapore issues? The channels of communication between the Government and the EU seemed to be ineffectual, perhaps even non-existent. The EU is supposed to be a union of member states. If there is no system for member states to feed into and affect the actions of their representatives, it makes a mockery of both institutions.

The UK and the EU aside, Cancun also brought into question the structure and, for some, the whole point of the WTO. To discuss the internal workings of the WTO and their reform may be beyond the scope of today's debate, but it was interesting that Pascal Lamy said this week that the president of the WTO has less power to make decisions than the Chair of our Select Committee.

What is not beyond the scope of the debate, however, is the question of why reform is necessary. Perhaps for the first time, developing countries got their act together and proved an unprecedented match for the traditionally strong WTO players such as the US and EU. The formation of the G22 group was significant, and it was a move that seemed to worry, and even shock, the traditional WTO powers. The least developing countries, African Union members and African, Caribbean and Pacific countries realised that they were stronger together than apart.

Mr. Colman: Does the hon. Gentleman agree that that move, which gives a greater voice to developing countries, was supported by the UK Government?

John Barrett: I agree. One positive aspect from Cancun may be that those developments took place. People were forced to form alliances that will, we hope, take the agenda forward.

The WTO and its member countries are on new ground, one on which the practices of the past are no longer applicable, but Cancun also showed that attitudes on both sides will have to change if progress on trade is ever to be made. For the US and the EU, the formation of the new groups should be welcomed not feared, while developing countries must realise that with influence and strength comes responsibility. The countries that seemed to take glee in the failure of Cancun are misjudged. As I said before, no deal is better than a bad deal, and deals of the past surely make that clear to us, but no deals are still worse than good deals, which can help the most vulnerable in our world people who are crying out for our help so that they can go forward to help themselves.

We must never let the shambles of Cancun happen again. That requires a will that I appreciate extends beyond the scope of the Minister and the Government, but I hope that they can play their part in creating that will, so that the momentum that took us to Cancun is not lost permanently. I hope that the Committee's new inquiry into the lessons of Cancun will be able to play a part and that the next time we debate the issue, we can do so in more positive circumstances.

3.33 pm

Ann McKechin (Glasgow, Maryhill): I welcome the International Development Committee's report, which was both timely and well received in many quarters. I also concur with the comments made by the hon. Member for Banbury (Tony Baldry). The Committee's report is as relevant after the failed Cancun summit as it was before it. As has been mentioned, I had the privilege of attending the parliamentary conference in Cancun as part of the Inter-Parliamentary Union delegation. That conference ran parallel to the main ministerial conference, and accordingly I was able to view the summit at close quarters, although I left just before it collapsed.

There has been much comment on why the talks failed, and what should be done next, and I would like to offer my own reflections on my visit. To be honest, few people were optimistic before Cancun, beyond an earnest hope that we could keep multilateralism alive in the current global political climate, and perhaps

[Ann McKechin]

make some modest progress. As the hon. Gentleman said, the World Trade Organisation director general, Dr. Supachai, intervened personally to try to make progress on cotton subsidies for some of the world's poorest nations in west Africa, as a symbol that the conference was concerned about the needs of the developing world in this trade round—but even he failed with that modest proposal.

On the question of process, we must undoubtedly stop future summits being the trade equivalent of a travelling circus. With the failure to meet any of the agreed negotiating deadlines, the summit was immediately burdened with an overloaded agenda, which encouraged a game of high-stakes poker among the participants. That situation worked particularly against less developed countries, as their priority issues, such as special and differential treatment, were downgraded in the talks.

All states must commit themselves to ensuring that most of the hard negotiating is carried out throughout the year, back in Geneva. The ministerial conferences should be viewed principally as an opportunity for Ministers to meet, exchange views and discuss future priorities, rather than as a high-stakes negotiating forum. Such a change in process would also permit greater democratic input and scrutiny from nation state members and increase the transparency of negotiations. If there is one thing the WTO needs, it is surely to improve its public image and strive for greater democratic legitimacy.

At the summit there was a feeling of chaos, with moods swinging from modest optimism to sudden failure. The first couple of days were wasted in posturing rather than genuine talks, and there was unhappiness that the process was driven by chairmen rather than by member nations. Many poorer nations felt that the chairs of the initial working groups failed to reflect the concerns of developing nations in the draft text, and were very annoyed about the attempt to link investment talks with agricultural issues. The African parliamentarians' statement said:

"The Green Room negotiations remain undemocratic, non-transparent and highly exclusionary to many developing countries and yet critical decisions are being taken there. It is difficult to know who is involved, what is being discussed, where these meetings are being held and the implications of the outcome of such meetings."

The move at the summit to leave the working groups open to all members is certainly welcome, but much more should be done. The WTO should in future ensure that the facilitators of working groups are neutral, the chairs are elected, and there is far greater transparency in the mechanics of the negotiations.

As well as an overloaded agenda, the central problem was that both the European Union and the USA came to the negotiating table with comparatively little to offer. Accordingly, the Doha approach of ensuring that poor countries' priorities were resolved first, rather than forcing them to make damaging trade-offs, was unlikely to succeed. I spent some time attending the plenary session of the ministerial summit; admittedly, it was not the most exciting occasion. Many of the major players did not stay for long, but smaller and often poorer nations attended it as they waited for the draft text. The language of the speeches, especially those of the EU Ministers and the accession states, was interesting. There were far too many defensive arguments about common agricultural policy reforms, rather than about the needs of developing countries.

The French Trade Minister spent much of his speech arguing about the cultural value of French agricultural life and the possibility of referring it to UNESCO; the Italian Trade Minister argued about the unique quality of Italian soil. I am afraid that such language continued into the parliamentary conference, where Mr. Daul, the chair of the European Parliament's Agriculture Committee, tried to defend current EU policy. He said that the EU should not blush, because it was part of nature that required it to subsidise its agricultural policy.

I congratulate the hon. Member for Banbury, who by good fortune was the first person from the floor to be called after that speech, because he said, "Mr. Daul is quite right. We should not blush, we should just hang our heads in shame, because in a period of two weeks we subsidise farmers in the EU as much as all the aid that is given to Africa." One does not have to wonder how all that must have sounded to delegates from the poorest nations, where agriculture represents the main source of employment for overwhelming numbers of their people.

In contrast, I congratulate the Minister for Trade and Investment, who placed great emphasis on the need to concentrate on the development agenda, and did not mention the Singapore issues. Sadly he was just about the only exception to the rule. The EU must consider the language used by its member states, as well as by the Commission, if it wants trust in the negotiating process to be restored.

As for negotiating tactics, the EU must quickly learn some hard lessons from the summit's failure. I believe that the resolve of the newly formed G21 grouping was underestimated by EU negotiators, as was the anger of the less developed countries at the lack of real progress on their priorities. It was clear from the declarations of the mini-ministerial conferences earlier this year in Africa and Asia that there was absolutely no support for the Singapore issues from the majority of member states. Despite the statement in the Government's response to the Select Committee report that a substantial number of developing nations see the potential benefits of framework agreements, 90 states indicated their opposition to those issues at the summit. They were viewed by many as a distraction from the main issue—agriculture. However, Mr. Lamy and many individual EU states attempted to use them as the key to achieving a settlement, in a high-risk strategy which, as we know, did not work.

I welcome the Government's commitment to dropping two of the most contentious issues. However, given the current fraught relationships within the WTO, perhaps I could ask them to consider dropping the remaining Singapore issues until the developmental priorities have been dealt with. They are viewed by many member states as an obstacle to progress, and the EU should instead concentrate on how better to tackle issues such as export subsidies.

As the hon. Member for Banbury said, there was a similar lack of political will from the US side. As I said earlier, even the efforts of Dr. Supachai himself could not broker a deal on cotton for west Africa that would have amounted to a mere 5 per cent. of current cotton subsidies. Frankly, that was a disgrace, and will probably lead directly to thousands of African cotton farmers facing bankruptcy—although prevention would have been easier than trying to find a cure. US negotiators made it clear that they did not envisage any other substantial concessions in this round until after the next presidential elections; in the meantime they will revert to relying on bilateral negotiations that will inevitably weaken the ability of the poorest nations to negotiate.

What of the way ahead? The Cancun collapse is a symptom of the instability of the WTO system as it has been emerging lately. A multilateral system must be based on the perception by its members of shared benefits. Once a large proportion of the membership feel that the system demands only "give" from their side without any possibility of "take", the system is bound to become unstable. Instability in the system will hurt all the member countries, whether big or small. Restoring trust in the system is vital.

All sides must recognise that, with agriculture in particular, there is now a south-south divide as well as a north-south divide. The G21 emphasises the need to reduce tariffs and export subsidies, but the main priority for the poorest, least developed countries will remain special and differential treatment. Any settlement must take into account both sets of needs.

The emergence of the G21 and its ability to show a united front at the summit should force both the EU and, in time, the US to recognise the need to change their negotiating positions. The forthcoming expiry of the deadline on the peace clause will probably concentrate minds more rapidly in the EU, as the prospect of a damaging referral to the WTO disputes panel is unlikely to be far away. Given the current political make-up of the US Administration, and its tendency to isolationism, it is vital for the EU to recommit itself to a multilateral system of negotiation and reject proposals to concentrate on bilateral negotiations. It should instead press for a new timetable in which the priorities of developing countries are tackled first, and it must show political will in considering substantially greater offers. A fixed timetable on ending the dumping of agricultural produce should be a priority.

The effect on the US is not likely to be so immediate. However, although the US may have a multitude of bilateral and regional arrangements, when it comes to enforcement of commitments regarding goods and services, it has to take shelter in the WTO framework. It has made tremendous gains in the Uruguay round in all those areas and it continues to enjoy those gains. Given that background, the threat by the US to give up or underplay the WTO route does not appear serious, if the business community there holds any sway over Government policy.

The WTO secretariat, too, must change its approach and style of functioning. A clean text, as used in Cancun, can facilitate negotiations only if the preparation process has been open and transparent and there is a fair and objective balance between the differing positions. The institutional machinery of the WTO must show, without a trace of doubt, that it is not influenced by the major developed countries. It must be neutral and objective, and clearly appear to be so. Much damage has been done by the perception that the machinery is used by the major developed countries to advance their own narrow interests. The machinery should work for the system, not for individual countries, however powerful.

In the longer term, the WTO must work towards far greater cohesion of its policies with those of other international bodies, such as the International Monetary Fund and the World Bank, particularly as they affect developing nations. It should consider adopting the millennium development goals as a guiding principle and start a process that allows it to review existing policies and assess new proposals independently on the basis that development needs are truly a priority, both now and in future.

I share the Government's disappointment at the failure of the talks, but like them, I recognise that Cancun was not the end of the process. This has been a difficult year to promote international agreement in any field, but the needs remain and the arguments for fairer trade are just as strong. I urge the Government to meet the challenges ahead and to restore the process so that it can work for all.

3.47 pm

Mr. Simon Thomas (Ceredigion): I am pleased to have an opportunity to take part in the debate. I begin by paying tribute to the seventh report of the International Development Committee, which is the basis for the debate. The report turned out to be prescient in considering the issues that were likely to be the stumbling blocks at Cancun and in examining some of the ways round those issues. I pay tribute to the hon. Member for Banbury (Tony Baldry) and the other members of the Committee for producing the report. If all Select Committee reports were as useful, prescient, informative and combative as this, perhaps the main Question being debated in the House today would be well worth supporting, but that is another debate altogether.

What emerges from the report and what has happened since Cancun—I shall concentrate on what has happened since—is that we have seen a change in the WTO negotiating system. However, I do not think that the EU has taken that change on board yet. Nor am I convinced, although the Minister may convince me later, that the UK Government have taken it on board. I speak as a critic of many of the things that have happened at the WTO and under the general agreement on tariffs and trade in the past, and to my mind there was a sea change at Cancun. It was a very important event, which could take us a step closer to trade justice, not a step away from it. We should consider Cancun not a wasted opportunity, but a signpost through the route that we should be taking for the future.

The hon. Member for Glasgow, Maryhill (Ann McKechin) saw the emergence of the G20-plus or whatever they were—the exact number may be debated—and of the G33 as a south-south divide, but we should see it as the south-south interpretation of what the WTO should be achieving. For the first time,

[Mr. Simon Thomas]

instead of individual countries being pushed around in the WTO negotiating system, those countries have come together and spoken clearly for themselves, their populations, their priorities and the priorities of developing countries as a whole.

Paradoxically, failure at Cancun showed how the WTO could work in future to make progress on trade justice. It showed how the WTO was different from the organisation that many anti-globalisation protesters criticise. They say that that body should not even exist. However, those of us who have taken the view that some sort of body should rule on world trade were at least encouraged by certain aspects of what happened at Cancun, because it showed that it was possible for a body such as the WTO to have a better balanced approach to the issues, and for developing countries to state their views clearly and to hold firm and fast to their negotiating position.

It is now incumbent on the developed countries of the world—we, of course, address these remarks in particular to the UK Government—to take on board the lessons of Cancun and to ensure that the development agenda, which the hon. Lady referred to as the Doha development agenda, and that vision are at the forefront of proceedings in Geneva and in forthcoming negotiations.

I want to concentrate on a couple of issues that I hope the Government will consider. From the evidence given to the Select Committee over the past couple of weeks, particularly that of the Secretary of State for Trade and Industry on 22 October, it is clear that the Government have accepted that two of the Singapore issues—international investment and competition policy—are now off the agenda. However, as the hon. Member for Banbury mentioned, Pascal Lamy gave evidence this week and stuck to the other two Singapore issues—transparency in Government procurement, and trade facilitation—as well as the first two. No movement has been made and no lessons have been learned from Cancun.

The position that the EU was prepared to negotiate, albeit at the last moment, should be the starting point for the next set of negotiations. To be frank, not starting from the EU's position on the last night in Cancun shows bad faith in the G20 and the other countries. That underlines the fact that the traditional negotiating positions taken by developed countries, of brinkmanship and pushing matters to the last minute, did not work at Cancun and will not work in the future. We should have the good grace to accept what happened at Cancun and, at EU level, drop at least the two outstanding Singapore issues, and preferably all of them. Will the Minister tell us whether the Government are prepared to drop both those Singapore issues, as earlier evidenced to the Committee, or to go further and drop the Singapore package altogether to make progress on other issues?

Another important issue is agriculture. The report makes a compelling case for the elimination of agricultural subsidies in the north, in the context of increasing subsidies in the American case, and the maintenance of subsidies in the EU case. I was interested to hear what the hon. Member for Glasgow, Maryhill said about some of the remarks made in the plenary sessions. I represent a strong agricultural constituency, and that has a cultural impact because the Welsh language is strong in Welsh farming. We must ask ourselves what happens when we decouple agricultural payments from cultural issues. The answer lies in a statement made by Nicholas Stern, the chief economist and senior vice-president of the World Bank, on 4 April:

> "It is quite understandable that rich countries want to improve the lives of low-income people in their own rural areas, especially those who work on the land. But there are many ways to do this that do not rely on subsidies linked to output."

We must stick firmly to decoupling to ensure that we can move the agriculture round further in the WTO. The recommendation in the report makes it clear that developing countries have the right to protect specific products that are vital for their livelihoods and for food security in those countries. It is crucial that developing countries have that protection and that subsidies in the north are eliminated. The G33 made a clear case at Cancun for special and differential treatment.

The other issue that developing countries want to be upfront on the agenda, and not hidden behind the Singapore issues or anything else, is the general agreement on trade in services. The report concurs with concerns that many of us, inside and outside Parliament, have about the impact that GATS has had on individual developing countries. We are especially concerned to ensure that the least developed countries are able to protect their domestic economies and develop them in line with their objectives, and not necessarily for exploitation by developed countries. The question that arises for the UK Government is whether they would support the idea of carrying out an assessment of the impact of GATS on the millennium goals and the implications for services within those developing countries. Are the Government prepared to take time out from the GATS process to consider its impact on developing countries so that we can have a better understanding of it?

Although some success can be achieved from the failure of Cancun, there is a danger that there will be greater reliance on bilateral trade negotiations. Cancun showed that multilateralism can or at least has the potential to work in favour of developing countries. Our history shows us that bilateralism rarely works in favour of developing countries; more often than not it leads to their exploitation. I hope that the Government will commit themselves to pursuing a multilateral approach and even go as far as to rule out, if necessary, bilateral trade or investment agreements until we are able to complete the Doha round. That would be a fairly crucial show of faith by the Government.

One question that remains after the failure of Cancun—a failure by developed rather than developing countries—is how developed countries can use their wealth to support growth and facilitate development in developing countries. Successful development in that regard rests on two things. First, we need a climate that facilitates investment and growth. Secondly, we need to empower poor people so that they can participate in that growth. To date in the WTO and in general we have concentrated forcibly on the first. We have concentrated on investment issues and growth issues. We have sought to make the agenda at WTO negotiations look like a northern or developed world agenda.

When it comes to the development of poor people and their direct empowerment within this process, it took the G20 and G21 at Cancun to wake us up to the need for that to proceed. Nicholas Stern of the World Bank said:

"It is hypocritical to preach the advantages of trade and markets and then erect obstacles in precisely those markets in which developing countries have a comparative advantage."

That hypocrisy does not go unnoticed in developing countries and the big message from Cancun is that developing countries noticed that hypocrisy and united to take action against it. We must learn from that.

I hope that the Government will press the Commission to drop all four new issues—the Singapore issues—from the negotiating mandate in Geneva until we can solve the main Doha development vision. We should look at CAP reform and why it is not progressing on a yearly basis. I am pleased that the Government have said that they will go ahead with decoupling but I understand that it leaves a long period of time when the EU as a whole will still be paying huge subsidies, not only for cows, which the hon. Member for Banbury mentioned, but to other agricultural sectors.

We need to reaffirm our belief in that rules-based system of trade, and we see the opportunity presented at Cancun to work the WTO in a truly democratic manner. It started to show signs of taking a refreshing approach on these matters and of being a genuinely democratic body. But as other hon. Members have mentioned, there is a real need for reform.

Finally, we should recall the original concept of the Doha development round, which was, first and foremost, that it should be a down-payment on behalf of developing countries. Their priorities would be resolved first, so we would not have to keep asking them for damaging trade-offs, but that has not been done. We have not given the developing countries a "dowry" to enable them to start life as players in the WTO; instead, we have demanded concessions from them.

We need to return to the original vision of the Doha agreement. I hope that the Minister will say how he expects the Government to realise that vision, because that is what parliamentarians want, and as the hon. Member for Banbury said, it is what our constituents tell us they want.

4 pm

Mr. Kelvin Hopkins (Luton, North): I welcome the Select Committee report. Some fine informative speeches have been made in the debate, and passionately felt views have been expressed, which have helped me to develop my thoughts as the afternoon has progressed. I am not a development specialist, so I feel something of an outsider, but I have some suggestions that I hope my hon. Friend the Minister will note.

Cancun was a turning point: it was the first time that the poor world stood up to the rich and refused to be browbeaten. It was thus an historic event, which I welcomed very much. There has been plenty of evidence in the debate that the debacle was caused by the cynical action of the developed nations, specifically the EU and the US. A quotation from ActionAid said it all:

"The EU and US leave Cancun in shame, exposed as cheap conmen. The rich countries have only looked after their own interests and clearly never had any intention of offering anything of real benefit to developing countries. If the WTO can do no better than this, developing countries will simply question why we need it at all".

That is strong language, but many of us agree passionately with that statement.

It must be sickening for the poor nations to be lectured on the wonders of trade liberalisation in the face of the fierce agricultural protectionism of the rich countries. It is utter hypocrisy to force poor countries to open up their markets to the rich while the rich protect their own markets from competition from the poor. I totally support the action of the poor world at Cancun.

As we know from elementary economics, the supposed benefits of free trade derive from the theory of comparative advantage. If each country specialises in what it can do best, production is maximised to the benefit of all. That is the simple theory—but of course the poor can produce agricultural products, yet we are stopping them and forcing them to accept dumped produce from the rich countries in the very sectors in which they can make contributions to the world economy. That is iniquitous. That travesty of justice must be challenged, not by wringing our hands in anguish, but by trying to do something and finding a way forward.

With the common agricultural policy, so many Ministers have said, "Now we have reform," but nothing fundamentally changes. As I have often suggested to Ministers in European Standing Committee B, in early-day motions and elsewhere, we should seek not merely reform of the common agricultural policy but its abolition.

The only effective way forward is to repatriate agricultural policy to member states. Beyond that, we must switch subsidies from price maintenance systems to income support systems. Price maintenance systems drive the production of surpluses. If they are taken out of the picture, and farmers' incomes are subsidised directly, farmers will have no incentive to over-produce and there will be no surpluses to be dumped on world markets at rock bottom prices, destroying poor countries' markets.

Reform is a weasel word. What we want is abolition, and Britain is well placed to press for it. In a recent debate in this Chamber on regional policy, it was pointed out that every region of the United Kingdom, even the poorest, is a net contributor to the European budget, simply because of the operation of the CAP. Abolition is the way forward, and we have an absolute advantage in that respect. It has been said many times this afternoon that countries are acting from motives of self-interest. If we appeal to their better nature—and some of them do not appear to have a better nature—we will not be very successful. They have to be pressurised, and we can put pressure on the EU to seek abolition of the CAP, because we do not benefit from it in any way.

Beyond that, we have to press the other member states of the EU to adopt income support systems rather than price maintenance systems for subsidising agriculture. It is perfectly acceptable for France to want to preserve its rural culture and subsidise its farmers. We will not get very far by insisting that it abandon agricultural subsidies altogether, but we could say, "Switch all of the

[Mr. Kelvin Hopkins]

money you spend on subsidising production through price maintenance systems directly to your farmers. At that level, you can regulate the gradual reduction of farming in France and maintain your rural culture."

Ann McKechin: Can my hon. Friend confirm that there needs to be some EU control over the dumping of subsidised products on developing nations? Allowing each country to decide in turn might reduce the effect of dumping, but dumping could still occur.

Mr. Hopkins: I thank my hon. Friend for her intervention, but I was about to say that it should be legitimate for poor and rich countries alike to reject imports of subsidised dumped agricultural produce. I do not accept the shibboleth of trade liberalisation without question. It would be a quid pro quo, and a part of the buttressing of a new system of agricultural subsidies, to give countries the right to say that they would not accept dumped agricultural produce, but would pay proper prices.

There are other things that could be done by Britain acting alone. As we know, compared with other countries we are generous—although perhaps not generous enough—in giving aid to the third world. We do so directly through the Department for International Development, and that is efficient, effective and ensures that the aid goes to the right places. However, we also give some of our aid through the EU. That aid is distributed inefficiently and, we understand, from time to time with a degree of corruption. It also goes to the wrong places. Because of the influence of France, in particular, the aid goes to relatively better-off francophone countries round the edges of the Mediterranean, instead of to sub-Saharan Africa, for example, where aid is much more necessary. We should at least consider means by which we can reduce our contribution to the aid budget of the EU and instead distribute that aid through DFID. That would bring great benefit to the poorest nations in the world and enhance our already good reputation for supporting the poor of the world.

There are other ways in which the developed world exploits the third world, and I recently came across an example from the Caribbean. A friend went on holiday and stayed in a hotel owned by Americans, who brought all the food in from America. The hotel owners gave a minimal amount of employment to local residents at very low wages, so the benefit to the country involved was very small, while the benefit to the company owning the hotel was considerable, as were the profits to the producers of the American food brought in for the guests.

Enclave development, even in tourism, is still a factor, and we must challenge it. We have to say to third world countries, "If you want to insist that hotels use local capital, labour and food and pay proper wages, we should accept that." In many cases, of course, the developed world carries out enclave development simply to avoid labour laws that would make developers pay good wages and observe health and safety provisions. It does that to avoid environmental constraints, too; environmental laws in poorer countries are often waived to encourage investment. That is iniquitous. We have to say to the third world, "If you want to restrict what happens in your country and the amount of foreign involvement in your economy, that is perfectly acceptable." In fact, I would encourage that.

The trickery in world trade is of long standing. Indeed, in the past the EU has, through the Lomé agreement, used its power to pressurise and exploit third-world countries. That agreement was portrayed as a generous arrangement to help the third world, but what it actually meant was that west African countries that produce wood could not produce furniture, because that was a high value-added activity, and so had to be done inside Europe. They were forced to export their wood, but they could not export it to a neighbouring country because that country might have added value by sawing up the planks, or making components for furniture. It all had to be exported to Europe. The big value-added components of furniture manufacturing were therefore produced in Europe, and not in third-world countries. Those are the kinds of tricks that developed nations have used for generations to ensure that the poor stay poor and the rich stay rich. It makes a travesty of so-called trade liberalisation.

Liberalisation is not the way forward, and I challenge the view that it is the route to wealth and development. As Keynes and many other economists have pointed out, free markets left to their own devices tend to redistribute to the rich and away from the poor—they polarise the rich and the poor. It is only when Governments intervene in economies and redistribute that we see not just greater social justice and economic equality, but faster and stronger growth. The post-war world as arranged at Bretton Woods was fairly protectionist; it may have been more liberal than what we had before, but compared with what happens now it was protectionist. Countries had tariffs, exchange controls and their own currencies, which they adjusted for the benefit of their own economies. In that era we had the highest rate of growth in the history of the world—the highest employment, a growth in equality, a growth in welfare states and a growth in human welfare of previously unimagined proportions. It was a relatively protectionist world, not a liberalised world.

I suggest that if we go for full trade liberalisation and markets, rather than intervention, we will have a world that is not just more unequal and unfair, but poorer into the bargain. Some of the shibboleths built into the trade theories at the WTO are wrong and should be challenged. I hope that we can consider them in future debates.

4.12 pm

Tony Lloyd (Manchester, Central): I begin, as I must, by saying that the Select Committee's report is important, and it has enduring value because of how the world has failed to move on, as we saw in the run-up to Cancun.

We need to remind ourselves that we are not talking simply about a trade negotiation, or even about trade justice, but in many cases about whether communities live or die. That is the scale of the debate. Whether Cancun is a success or a failure is perhaps an arbitrary judgment. By any standards, the exchanges today have been important, because it is certain that a bad result in Cancun would have been massively worse than the non-

result that we got. The negotiating positions of the US and EU were such that they could have produced a bad result if they had had the power to drive through their agenda.

It is worth while recalling the recent words of the outgoing African Union commissioner for trade, industry and economic affairs, Mr Vijay Makhan, who was asked what Africa would do if things did not change. He said that Africa might have to reconsider

"whether it is worthwhile to stay in an organization that is not proving its worth."

That reflects the great pessimism in large parts of the world as to whether the WTO is prepared to take not just the mechanical, but the political steps to reform itself.

What was on offer at Cancun simply was not acceptable. The hon. Member for Banbury (Tony Baldry) competently and coherently explained some of the enormous difficulties, such as the impossible position held by the US on cotton, which could not have been accepted by many of the cotton-producing countries around the world. There must be an acceptance that 25,000 US cotton farmers cannot have their livelihoods subsidised in a way that puts at risk millions of people who depend on cotton in Africa and other parts of the world. It is obscene for us even to contemplate that.

However, our own European trade position was unacceptable. The position adopted in Cancun by Pascal Lamy, the EU Trade Commissioner, in terms of both the contents of the negotiation and the tactics, was one that—as the hon. Member for Banbury was quoted as saying in a different context—should leave us hanging our heads in shame. Not only did it do no credit to us, it was potentially massively destructive for the poor of the world.

The Singapore agenda was irrelevant at Cancun; it should not have been pushed forward. I echo those who have already said that this afternoon to my hon. Friend the Minister. I hope that we will not only knock away the two things that Pascal Lamy negotiated on and now wants to bring back into the negotiating forum, but kick all four of the Singapore legs out from underneath the negotiating table. They will not advance the interests of the EU or the US, or those of the developing world. Why they are there is a mystery to everybody—except, perhaps, Pascal Lamy.

We need to move forward from the Cancun agenda on some things. There are different positions that I want the Minister to comment on. I have already quoted the view of some in the developing world that they are suspicious of whether the WTO can be properly reformed. It is worth reflecting on the words of Yash Tandon, the director of the Southern and Eastern African Trade Information and Negotiations Institute, who was at Cancun and took part at the fringes of negotiation, and whose assessment was that all the members of his organisation were in favour of the WTO being preserved. There is a strong voice from Africa in favour of the WTO's continued existence, but only if we are prepared to take the necessary political steps to reform it.

There are strong words from Brussels to the effect that Pascal Lamy no longer wants to engage in this kind of multilateral debate, but wants to shrink back into bilateral negotiations. That may be good for the EU, but in the end it is not good for what the EU ought to represent in the world, and it is certainly not good for the poor of the world.

Will the Minister comment on what the EU now sees as its own negotiating stance? In this context the EU is not an alien body—we are part of it. Pascal Lamy speaks, or at least claims to speak, for the UK, and we therefore have a responsibility to insist that he begins to speak for an agenda that we are prepared to accept—which is not the one at Cancun. We also need to re-examine Pascal Lamy's negotiating tactics at Cancun. Everything was taken to the brink in a way that seemingly guaranteed the destruction of the negotiating round.

I want to put a number of specific points to the Minister. We in the EU must now get away from our opaque European process. The Minister is entitled to come back to parliamentarians and say, "Where was the interest about this in Parliament before Cancun?" That is a fair comment, which we in Parliament must take on board; we are responsible, too. However, the EU process is very opaque. MPs did not think that there was consultation in that negotiating round, not simply at Cancun where my hon. Friends were excluded even from the briefings, but in the run-up to the establishment of that negotiating position. We must insist that the EU's negotiating position is transparent so that Parliaments such as ours can examine and debate it; that would also help to move the agenda forward.

Within the WTO process, there is a demand from the developing countries for an end to the small-club nature of the WTO, where the big blocs get together in mini-ministerials and pre-cook the agenda. That was one of the problems at Cancun. The agenda was produced like a rabbit from the chairman's hat, but it was an extremely unacceptable rabbit. We can longer have that process. There must be transparency in negotiations, so that all parts of the world are treated as equals. Returning to what I said before, the interests of 25,000 US farmers cannot be seen as more important than the interests of millions of African farmers and the people who depend on them. There must be a more open approach to the process leading up to full negotiation rounds.

Overall, I share some, if not all, of the views of my hon. Friend the Member for Luton, North (Mr. Hopkins), who said that we must examine the basis of what the WTO is trying to achieve. Free trade in itself is not an absolute good. Trade liberalisation is often a beneficial direction, but not always the point at which we should arrive in the short term.

During the summer, I spent some time in central America, and I was made very conscious, as I have been for many years, of the marginality of the maize farmers in a place that depends on that crop. Those farmers can never compete with north American grain farmers even with time and technology, because the great plains of north America will always be able to out-compete in technological terms the capacity of the difficult agriculture of central American countries. We must recognise that to force unfair competition on to the marginal producers of the world is not about free trade, but about the destruction of the economic base and the livelihoods and lives of the poor of this planet.

[Tony Lloyd]

My hon. Friend is right: we have to rethink the politics of the WTO and consider how far we are prepared to push the trade liberalisation agenda. However, I am not opposed to liberalising processes. It is in the interests of the poor of this world to gain access to markets such as the EU and those in north America. That is where we should liberalise. We should first take the mote out of our own eye before we become overly concerned with difficulties elsewhere. That is the rethink of politics that we need.

Members have today rightly urged the Minister to recognise the importance of the new power groupings and the welcome creation of the G20, which is a group prepared to battle on behalf of the people whose voice has not been heard in the past. However, that cannot be allowed to happen at the expense of countries that are not members of either the rich or the G20. There are many more marginal countries around the world whose voice was not even a faint whisper at Cancun. The United Kingdom should now be prepared to espouse their view and echo their voice.

I conclude by saying that what happened at Cancun was regrettable, but not as regrettable as a bad trade deal that could have been disastrous for many people in the world. The challenge for the British Parliament and Government is to develop a negotiating framework that the EU, negotiating on our behalf, will pick up. It must be both fair and seen to be fair to the people of this country, the EU and, in the end, the whole world. That is a major challenge.

4.23 pm

Jeremy Corbyn (Islington, North): I join others in welcoming today's debate and the diligence and industry of the International Development Committee. The minutes of evidence provide an interesting textbook of attitudes towards third world issues, trade and social justice around the world, and I hope that it gets a wider circulation than it has had so far. It is a phenomenal piece of research work, and I pay tribute to the Committee for the huge range of specialist witnesses that it invited to give oral evidence and from whom it received written evidence. I do not agree with some of its recommendations, and I shall come to them later.

The run-up to the Cancun summit led to an almost unprecedented amount of public debate throughout the world about trade justice issues, and the enormous work put in by the trade justice lobby had an effect. Over the years, we have seen dozens of different groups trying to lobby Parliament, but seldom has there been a group that was so effective in raising consciences in such a short time. The trade justice lobby, along with all the aid organisations and churches and mosques in this country, had face-to-face lobbying with 550 MPs over three days. In other words, only 100 MPs escaped being lobbied during that time. That must be the highest hit rate ever. It is a real tribute to those who organised the lobbying. It was certainly effective and helped to inform and improve the debate here.

In common with others, I had a good discussion with a local trade justice organisation for an hour and a half at a local church in my constituency. I have known for years many of the people who attended. They have put huge efforts into trade and social justice. Two matters came out of that meeting, one of which was the phenomenal level of knowledge that exists among members of the organisations undertaking such campaigning and their deep sense of helplessness and frustration, because they, who live in a wealthy western European country, want to improve the lot of African, Latin American and central American farmers such as those my hon. Friend the Member for Manchester, Central (Tony Lloyd) was talking about. They cannot take action because we are locked into a trade system in which supermarkets buy, supermarkets sell and trade rules inhibit the ability of poorer farmers to achieve very much.

We must challenge strongly both United States and European policies, the most pressing of which is the dumping of food, especially by the US. I was astounded to learn that 1 million people there are employed in the surplus food production industry, the surplus food packaging industry and the surplus food export industry, to dump so-called food aid on central American and African countries to destroy their agriculture altogether.

BBC 4 produced a fascinating programme—broadcast at 3 am, a time when such programmes are often shown, so it was seen by a massive audience. It presented an interesting debate between Ministers from Zambia and officials from the United States Agency for International Development. The USAID officials said, "We're helping you people—we're giving you all this food," to which the Ministers replied, "No, you're not—you're destroying our very agricultural base, destroying our rural communities and directly contributing to the development of shanty towns around Lusaka and other places." We must get real about such matters. For all their talk of free market capitalism, in reality the Bush Administration—and the Clinton Administration before them—were heavily subsidising farmers to over-produce and destroy agricultural economies throughout the world.

The European Union's subsidy policy is massive. I do not have a problem with supporting farmers internally in a country for an internal market, but I have a problem with the huge level of subsidy that we place on exports of heavily subsidised EU food that has a similar effect on countries, economies and markets in the third world. Those who strongly support world free trade and trade liberalisation must contend with the environmental impact of such issues.

Sadly, my hon. Friend the Member for Putney (Mr. Colman) is not with us at present, but he spoke earlier about the farmers in Kenya who grow green beans. Good. I hope that they do well and that their families and the local communities are prospering—but where are those green beans being sold and who is eating them? Is it malnourished children living in shanty towns around Nairobi, or Somali refugees living in camps on the borders of Somalia, or are the beans being airfreighted to Waitrose in this country or to Carrefour or elsewhere in western Europe? At what environmental cost is that happening? What damage is being caused to our environment, and perhaps to the environment in Kenya, because we are insisting that Kenyan

development must be tied in to the consumer needs of western Europe? We must consider the environmental price to be paid.

Mr. Hopkins: I should be interested to know how much of the final selling price is received by the farmers. I suspect that it is very little.

Jeremy Corbyn: My hon. Friend is on to an important point. One could say that about many of the instant crop solutions, such as the production in Colombia of vast numbers of flowers for sale in New York and western Europe. There are plenty of other examples.

If we are serious about environmental protection, we must consider the damage that is done by transporting goods over large distances. It is possible that transport costs are actually too low, particularly for airfreight, which has a huge environmental impact.

I was not sorry when the Cancun summit broke down, because the alternative to its breaking down would have been a very bad agreement. A bad agreement was avoided in favour of no agreement, and no agreement is better than a bad one. But why did the summit break down? Was it because of the moral bankruptcy of the arguments that were offered by the United States and, to some extent, western Europe, or because the southern producer countries have come together in a unity that is almost unprecedented since the end of the cold war? Brazil, India and China are linked together, and many other countries are behind them. That meant that the Singapore issues were, essentially, dropped completely, and the food market issues were not agreed on or addressed.

There will now be another meeting and lots of quiet talking in Geneva in December, but my thought is that absolutely nothing will happen until after the US presidential elections next year. Many expensive trips will be taken by many officials around the world to ensure that nothing happens until after November 2004. I wish that our colleagues who go to these conferences—I welcome the fact they go, and I am just sorry that I have not been selected—would bring back a video of what actually happens. From the hon. Member for Banbury (Tony Baldry) we had the spectacle of officials scurrying off to their bedrooms and hiding for three or four days in order to avoid talking about cotton—one hopes that there were cotton sheets on their beds.

What happens, in the negotiations with the parallel parliamentary group and the Ministers, to the feeling of large numbers of people around the world that something ought to happen? One tries to follow the news but gets a series of conflicting statements that do not add up to any kind of report. Then, instantly, the whole thing collapses because somebody did not agree with somebody else. I appreciate that it is probably very difficult to follow everything that is happening, but some sense of the power of persuasion would be very useful.

Recommendation 12 in the Select Committee's report is very interesting. It says:

"We urge the Government to continue in its efforts both to promote rules and instruments such as strategic or Special Products and the Special Safeguard Mechanism ... to enable developing countries to safeguard their food security needs ... particularly whilst the North stalls on agricultural liberalisation".

That is a helpful and important recommendation. The Select Committee is saying that producer countries have a right to protect their own food production, despite pressure from much more powerful and much richer northern countries.

Mr. Simon Thomas: Does the hon. Gentleman agree that, although the recommendation does not address the issue, in the face of what is happening in the World Trade Organisation on genetically modified crops, it must surely mean that developing countries have the right to reject the GM crops that are promoted by the US Government and also the dumping of GM food in their countries?

Jeremy Corbyn: Absolutely. Earlier, I discussed the views of the Zambian Agriculture Ministers. One big issue of dispute between Zambia and the United States was the dumping of large quantities of GM soya products and other GM products, and the dangers of cross-fertilisation. I believe that we in this country may find out about the dangers of cross-fertilisation of GM crops on non-GM farmlands. I absolutely endorse the hon. Gentleman's comment.

Recommendation 18 deals with flexible market share in world trade. It is good that the Committee draws attention to the reality that, in countries such as Kenya and India,

"where some half a billion people live on less than a dollar a day",

they have little access to any kind of market to buy, sell or do anything else. Countries need to be allowed to maintain their own internal development.

The other important recommendation is recommendation 22, which acknowledges that the Singapore issues have been dropped altogether. I hope that we will not return to them, as they are about saying that any international company can invest as much as it likes in a southern country and return as much of the profits as it likes, and that it must be protected from any threat of public ownership by a national Government. As my hon. Friend the Member for Luton, North (Mr. Hopkins) pointed out, such companies often enjoy immunity from labour and pollution laws. What was the Singapore round doing other than to say that it was okay for international companies to behave in that way but that we would not tolerate such behaviour and environmental degradation in our own countries?

In recommendation 38, the Secretary of State says that the Government

"will not accept any proposals we believe will damage the prospects of developing countries trading themselves out of poverty."

Fine, that sounds very good, but it is not up to the United Kingdom Government to decide a development model for every country. Countries must have the right and the freedom to decide that for themselves. I hope that the Secretary of State thinks through the implications of her statement, which I agree with. I hope that it is followed through and that we do not return to the Singapore round and the issue of the return of profits.

The injustice of the matter is underlined by the way in which the EU sugar regime operates, for example. The EU is a massive producer of sugar, which is an exhaustive crop in western Europe: beet sugar requires

[Jeremy Corbyn]

high levels of fertiliser and pesticides to keep it going, and it is very expensive to process, yet we are now exporting 40 per cent. of the world's sugar and subsidising it to the tune of €500 per tonne. That is not justifiable in any moral or other sense. We are driving cane sugar producers in Africa and elsewhere out of business so that European sugar can be dumped on their markets. If, for example, we are talking about developing an African market, why are we dumping our sugar on Nigeria and Algeria when there should be African sugar available for those markets? That would be fairly logical.

ActionAid has its offices in my constituency, and I have a lot of time and respect for it. In its summary of the evidence that it submitted to the Select Committee, it states:

"Clearly the priorities of developing countries and the world's poorest people continue to be marginalised compared to the interests of the developed world. WTO members—particularly in the developed world—must act to ensure that Doha"—

that was the Doha round—

"becomes a genuine development agenda."

I do not think that Doha or Cancun produced such an agenda, but the growing debate around the world and the collapse of Cancun might lead to some rethinking and a greater sense of justice in future. We have an important role to play in the issue and the Select Committee report has given us a good start, with a great deal of information that will give impetus to the debate.

4.38 pm

Tom Brake (Carshalton and Wallington): Like many other hon. Members, I would like to start by welcoming the report and saying how much I look forward to the post-Cancun report. I regret that I was not at Cancun, as many others here seem to have been. My brief at the time was transport, so I was probably reviewing a bus or a train service.

Members of all parties have made many thoughtful and intelligent contributions to the debate. *[Interruption.]* It seems I will have to bring my remarks to a conclusion.

4.39 pm

Sitting suspended for Divisions in the House.

5.6 pm

On resuming—

Tom Brake: I hope to make a little more progress. I am sorry to disappoint hon. Members, but I have not in fact concluded my remarks.

Before the Divisions, I was commenting on the thoughtful and intelligent contributions from hon. Members of all parties during the debate. Many made the same points, which should help the Government in their negotiations.

The failure of the talks at Cancun is unlikely to serve the long-term interests of any country. It could do significant damage if the result is a series of bilaterals. The excellent report and what happened at Cancun highlight the need for several things to happen, the most notable of which is reform of the World Trade Organisation, and of the European Commission, and specifically of how they negotiate and operate. Reform of the UN may be needed, too, and, as many hon. Members have said, EU and US agricultural subsidies need to be cut.

I want to raise a couple of associated issues that are not immediately linked to Cancun but have an impact on the relationship between the UK and developing countries, which has been soured as a result of Cancun. On reform of the WTO, hon. Members will be aware that a number of key deadlines have been missed on issues that would make trade fairer for the poorer countries. That must be tackled if the WTO is to have any credibility. A lighter agenda and more generous timetabling would help. It would restore some credibility to the process if things started to be delivered—not necessarily on the scale that was talked about—and if certain milestones and agreements were reached.

Various reports suggested that the process could be delayed and the deadlines missed by at least two years. Does the Minister agree with that, and if so, what are the Government and other partners doing to try to pull back those deadlines?

The WTO's text did not reflect or take note of the developing countries' concerns about the inclusion of new issues. Does the Minister agree with the World Development Movement's statement that the only position set out at Cancun was that of the US and the EU? Nothing else was reflected. I wonder how the Government react to that, given that the Secretary of State for Trade and Industry had clearly stated that they would not accept any proposal that they believed would damage developing countries' prospects?

I am sure that the Minister wants the WTO to be more democratic. In a DTI document leaked to one of the newspapers, the need for root and branch reform of the WTO was discussed. How does he envisage such reform? Does he agree with Pascal Lamy, the EU Trade Commissioner, who said of the WTO:

"There is no way to structure and steer discussions amongst 146 members in a manner conducive to consensus. The decision-making needs to be revamped"?

If so, what organisational changes does he think would be appropriate?

Moving on to the way in which the European Commission negotiates and operates, the hon. Member for Putney (Mr. Colman) referred to the letter in today's *Financial Times*, in which Jean-Pierre Lehmann writes that Pascal Lamy should spend less time giving speeches and more time listening. He questions whether Mr. Lamy, who has said that the EU is flexible, has demonstrated in any way that that is so, particularly in relation to the Singapore issues, to which many hon. Members have referred.

Christian Aid, in its submission to the International Development Committee, said:

"the UK Government seemed to have a limited knowledge of what the European Commission was actually doing in the negotiations . . . The extremely weak lines of accountability between the EC and member states during Cancun posed a number of questions about democracy and accountability."

Does the Minister agree with that statement? If he does, what action can the UK Government take to try to influence the Commission in future negotiations, so that

the UK's point of view is expressed more forcefully and more representatively, and so that more information comes back during the negotiations? That would stop things being sprung on the Government, as they were in Cancun. The newspapers say that the UK was kept in the dark about the negotiations.

On the European Commission, does the Minister agree that Mr. Lamy made a tactical misjudgment in Cancun by making concessions too late, and is making another by pressing for the remaining Singapore issues to be kept on the agenda?

On reform of the UN—I mention this as an aside—I am sure that the Minister will have seen the proposal from the UN in today's *Financial Times* that there should be a UN forum for global dialogue on tax matters. Cancun has clearly fallen apart, and it is very unlikely that we shall soon discuss a UN commission to consider global tax matters, but has he had time to ponder that? Would that be the logical outcome of full trade liberalisation?

Many other hon. Members have referred to the issue of US and EU agricultural subsidies, and I do not need to dwell on that in detail. It could bring credibility back to the discussions if there were fixed timetables during which such issues could be addressed. Developing countries want developed countries to demonstrate credibility on the subject.

I understand that the Government intend to use the UK presidency in 2005, of both the G8 and the European Union, to kick-start trade talks. I wonder whether it is too early to ask the Minister to set out what that kick-start will look like, and how the process will happen.

I want to refer to two issues that are not directly linked to Cancun but have a bearing on our relationship with developing countries. There is the problem in the Democratic Republic of Congo. The Minister will no doubt be aware that a report has been published today by the UN experts panel on the activities of various UK companies and UK individuals in the Democratic Republic of Congo. According to the report, a number of UK companies have some serious questions to answer about their activities there.

If developing countries do not see the UK Government and others taking some responsibility for overseeing what their nationals and companies are doing in a developing country, they will have significant doubts about whether they are keen on trade liberalisation and opening up their countries to further foreign investment. Perhaps the Minister will comment on that and its relevance to the debate.

The final issue that has a bearing on today's debate is that of aid. In the absence of fairer trade and the boost that that can give to developing countries, we have to be more aware of aid and its significance. I wonder whether the Minister is in a position to confirm reports suggesting that, because of the funds required for reconstruction in Iraq, the aid programme set aside for middle-income countries such as Bolivia, Bosnia and Peru is being stopped or postponed. If so, what assessment has been made of the impact on those countries and on the programmes that the aid would have supported?

The Government must, as a priority, push the EU to move quickly to make serious efforts to restart meaningful negotiations. Many hon. Members have touched on the areas with which those negotiations should deal, particularly in relation to production and export subsidies in agriculture, to cotton, and to barriers to trade in manufacturing. There is a certain amount of urgency, given that by 31 December the so-called peace clause will lapse, and at that point the whole world trade system could collapse into a lengthy and damaging series of disputes.

As a matter of general principle, a multilateral system of rules-based trade is much better than a free-for-all that will penalise weaker countries in particular. The main negotiating powers—notably the EU—should approach a new stage of negotiations on a basis of consensus and consultation, rather than confrontation. There were no winners at Cancun, and there will only be losers if constructive talks are not resumed as soon as possible.

5.18 pm

Mr. Andrew Robathan (Blaby): I am sure that my hon. Friend the Member for Banbury (Tony Baldry) will agree that this has been a somewhat calmer afternoon than yesterday, perhaps without the excitement of the white-knuckle ride. It is also true, sadly, that today's debate will not receive the column inches that yesterday's events did. Not only is the issue important, but we have heard some interesting, sensible speeches today from all the way around the Chamber.

I particularly welcome this debate because I spent five years on the International Development Committee. We published a report back in 1999 or 2000 on the World Trade Organisation after Seattle. People will remember Seattle. This report is excellent, although it is a pity that Cancun was not discussed a little earlier, and has not been discussed on the Floor of the House.

The hon. Member for Putney (Mr. Colman) referred to the report's being used by other people outside the United Kingdom, and the hon. Member for Islington, North (Jeremy Corbyn), too, commented on its excellence. I was struck by the excellence of the earlier reports produced by the International Development Committee when I served on it—I am not saying that because I had any tiny part in it, although I did—and I recommend them to those who are interested in any of the subjects.

I congratulate in particular my hon. Friend the Member for Banbury, the Chairman of the Committee, on his sensible speech. One always congratulates one's hon. Friends, but his speech was very comprehensive. Although people sometimes say this but do not mean it, I do mean it when I say that I shall read it again. It brought out an enormous number of sensible points.

Following the debacle at Cancun, we need to look forward, as has already been said, and try to avoid making again the mistakes of which the report warned. The officials at the European Trade Commission have a perspective based on finance, and although that is entirely fair, their mindset when they go to negotiations is focused on winning those negotiations. Commissioner Fischler reportedly said to the developing countries:

[Mr. Andrew Robathan]

"You have to decide what you prefer: a successful round, or that you press us to give up export subsidies".

That reveals an extremely worrying attitude from one of Europe's key representatives.

In organisational terms, given that Pascal Lamy was representing the EU, it seems strange that we needed three Secretaries of State, a Minister of State, 32 civil servants and five advisers there. I am not criticising that, but it seems a little top-heavy, as we received no return. Further, my hon. Friend the Member for Banbury rightly drew attention to the pressure that Commissioner Lamy was under, attempting to keep all delegations from the EU informed. One wonders whether that time might have been better spent in getting on with negotiating.

I turn to the large topic of the common agricultural policy. I should perhaps declare an interest, because I am a farmer and I receive subsidies from the EU, although they are not all that large. I think that it is complete nonsense, and I should be very happy to give them up. I shall return to that later. We need more progress. It is not good enough to say that the CAP has been reformed, because we all know that that has not worked nearly well enough. The so-called green box subsidies—domestic agricultural support measures—in the US and especially in the EU, and the CAP, which we can influence, are classified as minimally trade distorting, but will continue to distort production and trade. I understand that green box subsidies are growing. Rural development payments may be less distorting than price support or direct payments, but they still enable farmers to be protected from market forces at the expense of farmers in developing countries.

As the hon. Member for Luton, North (Mr. Hopkins) said, there may be good cases for that, but they need to be examined. Yes, there has been progress on CAP reform but we have noticed that our European partners sometimes take a different view. I had not heard before the story told by the hon. Member for Glasgow, Maryhill (Ann McKechin), and I was quite shocked by what she said about the French and Italian Ministers and Mr. Daul. It is a worrying state of affairs if people who are representing us, in the form of the EU Commissioner, and people with whom we are in negotiation, can come out with such startling comments.

It is worth recollecting the figure mentioned earlier in the debate: the gross national product per head in Ethiopia is $100 a year, compared with the $600 a year subsidy that every European cow receives. That situation cannot be maintained. We are either serious about these negotiations, in which case we must take serious action on the CAP, or we are not. If the Government and the EU are serious about this trade round, we must surely start setting timetables and targets to eliminate those domestic subsidies. We need a substantial shift on the CAP, not merely the tinkering rhetoric that we have had since I got into Parliament in 1992.

Does the hon. Member for Luton, North think that the CAP is reformable? I am afraid I am not allowed to say that it is Conservative party policy, but personally I do not think that the CAP is reformable. I am sure that the Minister will comment on reform of the CAP. It is not his responsibility, and I am not blaming him for it, but I do not think that it has been anything like it should have been.

Will the Minister confirm the Government's commitment to tackling the issue, by working to remove distorting subsidies from our trade blocs, rather than entering into any further bilateral agreements? That issue was raised by the hon. Member for Islington, North.

Mr. David Drew (Stroud): I apologise for not being here for the rest of the debate, but some of us have been in Committee.

I am sure that this has come up, but although we can blame the EU—and I am fundamentally opposed to the CAP—the fact is that until the Americans deal with their agricultural subsidies, which are far greater than the European ones, there is no hope of real change.

Mr. Robathan: I agree, and I am glad that the hon. Gentleman raised the point. The difference between America and the EU is that we are a member of the EU and have some authority and influence on EU negotiations. At least, we hope that we do.

I will not speak on cotton, as that has already been dealt with, but let us consider the fact that Ghanaian cocoa attracts a duty of 6 per cent. if imported into the EU. One might say that such a percentage is not too awful, but when it comes to value-added processed cocoa—the hon. Member for Luton, North has mentioned the value-added aspect—coming through as chocolate, it attracts 60 per cent. duty. That is specifically designed to stop burgeoning industries in developing countries.

According to the International Development Committee's report,

"a combination of high EU . . . tariffs, and export subsidies . . . ensures"

that despite EU sugar costing nearly three times as much as its Brazilian, Colombian or Zambian competitors, the EU maintains a 40 per cent. share in the world export market. I understand that it costs $280 on average to produce a tonne of sugar in Brazil, Colombia or Zambia, but $660 per tonne in the EU. Will the Minister consider that, and come back to it when he sums up?

The Singapore issues have been mentioned frequently. I am sure we agree that tackling restrictive business practices is important. However, it is also true that developing countries lack the necessary experience. As the report rightly states, they require funding such as that which we propose through the advocacy fund. I know that the Minister will attack the advocacy fund, and say that the Government already produce trade capacity building measures. However, rather than making a partisan issue of it, he might look at the advocacy fund seriously.

Most of what has been said covered the points I wished to cover. However, will the Minister clarify the Government position on the Singapore issues? Are Commissioner Lamy's comments on the issues, mentioned earlier in the debate, an accurate

representation of the Government's position? Either Baroness Amos was right to say in paragraph 96 of the report that Singapore issues were not a priority, or Pascal Lamy was right to say that they are. Which is the case?

The Government, and the EU, have been saying the right things about Doha. From the speeches we have heard I think that we all—or almost all—want to see fair trade. In my opinion, trade that is free and fair is the best way forward. We have to be judged by our actions at EU level, in America, and in the British Government. The $2 a day subsidy for European cows that we have heard about must be dealt with, so that it helps the poor. I urge the Government to take the lead in Europe, and ensure that incidents such as the one illustrated by the hon. Member for Glasgow, Maryhill are not repeated.

I had lunch with the Indian high commissioner. India is fascinating, because it was a very poor country and, as the Minister knows, is our biggest recipient of aid. However, it is developing rapidly. The high commissioner said that he wanted free trade, to let the private sector get on with it, and to get Governments out of interfering with industry and business and trade issues. I hope that this is not a partisan issue. We Conservatives say that we want free and fair trade, and we believe it. We need trade liberalisation to proceed with an agreement on Doha. We need proper reform of the CAP, and the USA to change its policy on farm subsidies. The peace clause will expire at the end of December and, as the hon. Member for Putney said—I do not always quote Labour Members when I finish a speech—we must not fail the poor again. It is the responsibility of the Government and of everyone in this country to ensure that we do not.

5.30 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): I agree with the hon. Member for Blaby (Mr. Robathan) that this has been an excellent debate. Many powerful contributions have been made from both sides of the House. I welcome the Select Committee's report, published as a result of the work carried out in the run-up to Cancun, and the fact that the Committee will reconvene to examine future directions, post-Cancun.

I agree with my hon. Friend the Member for Islington, North (Jeremy Corbyn), that the huge lobbying effort made by the trade justice movement deserves our appreciation and respect. I also agree with the hon. Member for Blaby that it was helpful for there to be a number of parliamentarians in Cancun. I would have no objection to parliamentarians playing an enhanced role in such processes. It is good that the Inter-Parliamentary Union is taking such an interest in WTO matters.

The Select Committee's deliberations have provided, in addition to the opportunity for scrutiny of the Government's position, an important platform for the representatives of developing nations. I was struck by the fact that the Committee was able to interview the Prime Minister of Ethiopia, to get his view on the process in the run-up to Cancun. It also had the opportunity to talk to representatives of international financial institutions and key negotiators. It was successful in securing several sessions with Commissioner Lamy, who led the EU's negotiating team.

However, perhaps the most important aspect of the Committee's work was the opportunity that it provided for a range of NGOs to set out their critique of the current WTO rules. In doing that, it helped to build a wider interest in development issues and the global battle for poverty reduction. I say to the members of the Select Committee that we read their first report on this process with interest, and responded to it in detail, and we look forward to their next report.

One particular piece of analysis to which the Committee drew attention in the report—I believe that it was in a submission from Oxfam—and which bears repeating, is the fact that if Africa, east Asia, south Asia and Latin America were each to increase their share of world exports by 1 per cent., the resulting gains in income could lift 128 million people out of poverty. That is a dramatic example of the potential prize for the international community, if we can secure progress on getting fair trade rules.

In that context, the UK Government, Ministers from the Department for International Development and the Department of Trade and Industry, and the whole negotiating team were profoundly disappointed by the failure of the Cancun ministerial conference to reach the sort of agreement that hon. Members have expressed the desire to see. That failure will inevitably affect the poorest countries most, delaying the opportunity for economic growth and the increased prosperity that fairer trade rules will bring.

I reassure all hon. Members who raised this that we remain committed to getting meaningful multilateral negotiations back on track. I strongly share the view outlined in the report and restated by the hon. Member for Banbury (Tony Baldry) and by my hon. Friend the Member for Manchester, Central (Tony Lloyd) that those who cheered the lack of agreement at Cancun were entirely wrong in their analysis and that we must redouble our efforts to achieve progress. Hon. Members will understand that I do not want to get into a blame game and to consider in depth why we could not reach agreement and whether we should blame particular negotiators for that. We must concentrate on the need to ensure that senior officials in Geneva are mandated to take the tough decisions and to make the compromises needed to break the impasse when they meet on 15 December.

Our priorities for the round remain securing agreement on the issues that matter most to developing countries: agriculture, non-agricultural market access and special and differential treatment to help poorer countries to adjust to more open markets. I shall come to the new issues in a moment.

There was a deal to be done at Cancun, and I still believe that there is a deal to be done to benefit developing nations, but compromises will clearly be needed on all sides. It is apparent from the many conversations that have taken place with Ministers from other countries that some central players were willing to engage further. The comments of the WTO's director-general, Dr. Supachai Panitchpakdi, bear repeating:

"We seemed to be making progress. We were very, very close to a final agreement".

[Mr. Gareth Thomas]

Many developing countries and many of the least developed countries recognise the lost opportunity of Cancun. The hon. Member for Blaby referred to India, and it is worth repeating that the leader of the Indian negotiating team, the Indian Trade Minister, Arun Jaitley, has said that they are keen to return to the negotiating table soon. That is extremely important.

As my hon. Friend the Member for Manchester, Central said, one of the real gains that we saw at Cancun was the emergence of a much stronger voice for the developing countries, not just from the group of 21, but, importantly, from the new alliance for Cancun of least developed countries, the African, Caribbean and Pacific countries and the African Union countries. They have certainly been marginalised in previous WTO rounds. We must continue to engage with them to understand their positions better, and I am sure that the parliamentarians who were at Cancun can bear testimony to the number of meetings that, for example, the former Secretary of State for International Development undertook in order to do so.

We need to explore in more detail the scope for further compromise and agreement and we will continue to do so. We must continue to prioritise the issue of developing countries' capacity to take part in the negotiations and to benefit from the opportunities that fairer trade will give them. We remain strongly committed to continuing a major investment in exactly that. To that end, my Department has already committed more than £160 million to trade-related capacity building. That helps developing countries to recognise and exploit the opportunities from fairer trade, but is also about helping developing countries to increase their ability to negotiate in the WTO round.

I say gently to the hon. Member for Blaby, who referred to the Conservatives' proposal, that it would have been helpful if, before launching their initiative and putting so much rhetorical time into it, they had examined the series of ways in which the Government facilitate the opportunity for developing countries to boost their negotiating capacity. The issue is not about helping someone else to do the job of negotiating for developing countries; it is about helping developing countries to develop their own negotiating capacities. Some £160 million of support to that end and the wider end of allowing people to benefit from the opportunities of fair trade is powerful testimony to the Government's support for the process.

The Opposition could also have examined the White Paper on eliminating world poverty, in which we said that we would allocate £45 million by 2004 for those purposes, but we have gone considerably beyond that. I hope that they will recognise that in future.

The hon. Member for Banbury made a strong statement on the importance of multilateral negotiations and institutions such as the WTO. The hon. Member for Carshalton and Wallington (Tom Brake) also asked about the importance of continuing multilateral negotiations. We remain strongly committed to a rules-based multilateral trading system, which is important to both developing and developed countries. It is interesting to note that two countries that acceded to the WTO organisation at Cancun, Nepal and Cambodia, are both least developed countries, which will boost the block of least developed countries from 30 to 32. That is an interesting statement by those developing countries of the importance that they attach to the WTO process. Regional and bilateral arrangements can be a useful stepping stone on the route to multilateral liberalisation, but they are not a substitute for multilateral negotiations from which developing countries definitely stand to gain the most.

My hon. Friends the Members for Glasgow, Maryhill (Ann McKechin) and for Manchester, Central and the hon. Member for Ceredigion (Mr. Thomas) raised the question of the Government's stance on the new issues. Before Cancun, we made it clear that the new issues are not a development priority for us and that we must take into account the concerns of developing countries. Nevertheless, we are part of the European Union and we must recognise and support the EU negotiating position. The European Commission was well aware of our view about the new issues, and as all hon. Members will know, it offered to drop investment and competition completely on the final day of the negotiations.

Tony Lloyd: We are strengthened by negotiation through the European Union, but only if the EU's negotiating mandate suits the member states. In this case, it is clear that Pascal Lamy's negotiating did not suit Britain and many other states. Will the Minister reflect on how we can properly take back what we might describe as democratic control of the Commission?

Mr. Thomas: The Secretary of State for Trade and Industry has made it clear in the House that we believe that the EU's negotiating position should start from that point. We should not go back to where we were pre-Cancun, which reflects the concerns of hon. Members in this debate and more widely about the attitude of Commissioner Lamy.

Mr. Hopkins: My hon. Friend keeps saying what should happen, which is all wonderful, but things change only when someone takes action and forces things to happen.

Mr. Thomas: I go part of the way with my hon. Friend. There is always a need for leadership. Britain has played a role in various European Union and European Commission forums to restate our position on how we should move forward. Our view remains that we should start from the concessions that were made at Cancun to help us to move forward in the run-up to secure more detailed agreements, hopefully on 15 December.

My hon. Friend the Member for Glasgow, Maryhill gave an interesting resumé of American concerns about the initiative on cotton. We have been anxious to support the cotton-producing west African nations. That initiative highlights the need for reform of other Organisation for Economic Co-operation and Development cotton producers' trade distorting subsidies. Although it is a relatively minor part of the problem, we are looking at further reforms to the EU

cotton regime under discussion. We talked about building up the trade-related capacity. We have provided funding to the NGO that is working most closely with the four west African cotton countries to enable them to develop their negotiating position and to take that initiative forward.

On agriculture, we were at the forefront of the discussions that resulted in an historic CAP reform deal. Inevitably, any agreement on CAP reform is bounded by what is acceptable to others. That is, after all, the nature of negotiations.

Jeremy Corbyn: I assume that my hon. Friend will discuss the sugar issue at some point in his speech. I did not want him to move on to bananas without passing through sugar.

Mr. Thomas: If my hon. Friend will contain himself for just a little longer, I will come on to sugar. It is important to remember that the CAP reform agreement that we achieved in June led to a joint EU and American framework document on agriculture, which in turn provided for a first draft ministerial declaration presented at the start of the Cancun conference. Significant progress was made during discussions at Cancun, sufficient to enable the agricultural facilitator to produce a revised agriculture text.

I accept that it is regrettable that the focus then shifted to the Singapore issues. That revised text was never put to the test. It is perhaps a moot point whether an agreement on agriculture was close to being finalised. It is encouraging that a series of nations believe that an agreement was possible. It will be essential to re-engage on agriculture with developing country groups at an early stage to reassure them of our continued commitment to the Doha agenda and in order to secure agreement at the officials meeting on 15 December.

That CAP reform deal did not cover sugar—which is clearly of particular interest to my hon. Friend the Member for Islington, North—cotton, olive oil or tobacco. A further discussion document on sugar has been published by the Commission. It set out three options for reform: a series of cuts in price support, full liberalisation or the status quo. We believe that a strong case can be made to move towards full liberalisation for precisely the reasons alluded to by my hon. Friend. That has a series of implications for countries such as some of the African, Caribbean and Pacific countries, which have benefited from preferential access arrangements and which will clearly need support.

On cotton, the Commission has thus far proposed a 60 per cent. decoupling of subsidy. We will push in the UK for a greater percentage, with the option at least of 100 per cent. decoupling, which is consistent with the June agreement for other sectors. Olive oil, tobacco and hops are not major blockages to securing agreement, but we will be pushing for further reductions in subsidy in those areas.

Mr. Robathan: The Minister may think that this slightly beyond his remit, but given the money that we spend on trying to stop people smoking, is it not rather strange that taxpayers' money should be spent on subsidising the production of tobacco exports?

Mr. Thomas: As the hon. Gentleman will know, I have some sympathy with concerns about the range of smoking. He will recognise that we are moving forward on tobacco, and I hope that he will be content with the Government's position.

One important development in the run-up to Cancun that has been highlighted this afternoon is the deal on TRIPS and public health. That should give hope to all those who, like us, have been frustrated by the lack of progress in the broader Cancun round. It was a significant step forward and, as hon. Members know, it is not affected by the breakdown in negotiations at ministerial level. It is a demonstration that, with political will, the WTO can reach agreement on difficult issues of real concern to developing countries.

The hon. Member for Carshalton and Wallington mentioned reform of the WTO. It is true that we should consider the particular issue of reform, as two of the last three ministerial gatherings have not produced the type of agreement that we would want. As such, we should consider how to make the organisation work better. We start from the position of wanting to see an effective and transparent World Trade Organisation. A priority must be to consider the organisation of ministerial conferences, but we must recognise that we are dealing with an organisation that has to secure a consensus of 148 members. Many of the smaller members are strongly attached to the basic rule by which the organisation works of one member, one vote, and it can be difficult to reach agreement in those circumstances.

We must also be careful not to raise the suggestion of reform to such an extent that it excludes work on the substance of the issues currently before the WTO. We need to look at how we can make WTO meetings more effective, but that must not be at the expense of making progress on the real substance of the discussions.

My hon. Friend the hon. Member for Putney (Mr. Colman) asked about sustainability impact assessments, which are now part of the EU's preparations for trade negotiations. However, as he said, we are still working out how the assessments will work, and we are happy to consider his points. The hon. Member for Banbury repeated the suggestion that we should go for a cap on the level of support in the green box. We do not share that view. We must recognise that different subsidies have different impacts on trade, and the green box allows countries to provide support to reinforce the multifunctional role of agriculture.

The hon. Member for Putney also asked about the mode 4 talks. As we were debating this afternoon, officials were attending a meeting today with Cardinal Rodriguez of Honduras to discuss those issues and the concerns of several member states.

Jeremy Corbyn: A number of us raised the issue of the dumping of GM foods on third-world countries. Is that part of the discussions with the recipient countries of food aid?

Mr. Thomas: I am grateful to the hon. Gentleman for reminding me about GMOs. The Americans have

[Mr. Thomas]

tabled a challenge to the EU position, but we believe that the Commission is right to defend our position on GMOs. There must be a rules-based system through which we can decide those issues, and we think that our current position is effective and should be defended.

We need to recognise the successes achieved in the run-up to Cancun, especially the deal agreed on TRIPS and public health, the strong sense of a more powerful and effective voice from the developing world, and the fact that progress was made and the positions of the sides were closer after Cancun. Nevertheless we are right to be disappointed and frustrated at the lack of an agreement. That places a responsibility on all members of the WTO to secure progress at the officials meeting in Cancun.

The debate has been useful. I again take the opportunity to congratulate the Select Committee on its work, and renew the pledge to carefully reconsider the findings of its second report.

Question put and agreed to.

Adjourned accordingly at four minutes to Six o'clock.

Westminster Hall

Tuesday 4 November 2003

[MR. GEORGE STEVENSON *in the Chair*]

Equitable Life

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Kemp.]*

9.30 am

Richard Ottaway (Croydon, South): I start by declaring a past or latent interest: I am a former Equitable Life policyholder.

It is remarkable that, despite repeated calls, this debate is taking place almost a year after the last, and it is profoundly depressing that absolutely nothing seems to have happened during that year. A few well-meaning but narrow inquiries have made constructive remarks, but Lord Penrose plods along at his own speed while millions of policyholders and their dependants remain frustrated, firmly believing that an injustice has been done. The Government sit on the sidelines, saying nothing, suggesting nothing, stalling, and hoping that they can evade responsibility.

The problems of Equitable Life are well documented. In its heyday, it was one of the most respected life assurance companies of the 20th century. It closed to new business in December 2000 after a House of Lords decision in July of that year that criticised decisions made by the regulators and management over the preceding 25 years. We are talking about a scandal on a massive scale. Policyholders from all walks of life who were planning for their retirement put their faith in pension companies like the Equitable for one simple reason: although there is no such thing as a risk-free investment, they believed that they were protected from financial mismanagement because the pension companies were subject to scrutiny, supervision and regulation by the authorities set up by Parliament. It is not acceptable, as has been suggested, to say that policyholders should have been more alert or that their expectations were too high. It is the job of the regulators to monitor the probity of an institution in the financial services sector and to take appropriate action. The people expect that and are entitled to demand it.

The Equitable started to go wrong in 1975, when policyholders were guaranteed annuities at interest rates that subsequently proved unsustainable. Throughout the 80s, that policy continued even though interest rates on the investments that underwrote the policies were falling. The Equitable then made the ultimately disastrous decision in 1988 to continue to issue policies without guaranteed annuities, and to mix the two classes of policy into one financial pot. By 1993, interest rates had fallen to such a level that those with guaranteed annuities were clearly sitting on a far more valuable asset than those without. In response, the board lowered the bonus for those entitled to guaranteed annuities. By not lowering the bonus for other policyholders, all policyholders were, in effect, put in the same financial position. That was a recipe for disaster. In 1998, it was calculated that the liability for those with guaranteed annuity rates was in excess of £1.6 billion.

What on earth were the regulators up to? As long-term interest rates fell, the Equitable should have closed itself to new business involving policies that gave a guaranteed annuity rate, drawn a line under the business contracted on that basis and opened a new fund for policies without guaranteed annuities. That would have made it clear to all which funds were available to meet which liabilities. Why the regulators did not act is a central question for Lord Penrose. After all, if five Law Lords could work that out in a few days, why could the army of civil servants whose sole job it is to monitor such things not do so?

At the same time as the events I have described, the Equitable embarked on a bonus strategy that was deceptive and equally dangerous in its consequences. In simple terms, the Equitable consistently announced bonuses without having the underlying assets available to sustain them. A successful direct marketing campaign, hyped by over-bonusing, attracted a large number of new policyholders and an increasing flow of contributions from existing members. Through the 1990s, that gave the Equitable a level of growth that was without equal, but it was bound to end in tears. Even at the top of the bull market in January 2000, the fund was in deficit by about £2 billion, and it was £3.3 billion below policyholders' reasonable expectations.

Throughout that period, the regulator stood by and did nothing. It was a truly remarkable state of affairs. In the eyes of EMAG—Equitable Members Action Group, which is a most constructive and positive group—Equitable was effectively running a pyramid scheme. That is a point of view with which I have some sympathy. Perhaps the issue was so big that the regulators could not see the wood for the trees.

Equitable Life closed to new business in December 2000. The Government announced the Penrose inquiry in August 2001. It was set up on a non-statutory basis, and its brief was to discover the facts and establish what lessons could be learned. The then Economic Secretary to the Treasury—now the Financial Secretary—announced that Penrose would report as soon as possible. More than two years later, he still has not reported. In October 2001, the Government said that he would report in the second half of 2002. The Minister said in December 2002 that Penrose would report to Ministers in summer 2003; and in March 2003, that the report was expected in June. In May, Lord Penrose said that he could not report in June; in September, the secretary to the inquiry said that the report was nearly finished. In October, there were suggestions that the report could be delayed by litigation among those involved in this sorry saga; last week, Lord Penrose said that that was not the case. Now, there are suggestions that the report might not be published until the new year.

I draw back from demanding an inquiry into the inquiry, but it is incumbent on the Financial Secretary to explain what is going on. I put to her three specific questions of which I have given her prior notice. First, is she satisfied that the inquiry has had sufficient resources to do the job that it was required to do? If she is, will she explain the delay? Secondly, are witnesses refusing to co-operate? If they are, will she undertake to

[Richard Ottaway]

put the inquiry on a statutory basis, so that Lord Penrose has the power to call witnesses? Thirdly, will she confirm that, immediately upon receipt, she will publish the report in full and that she will reject the arguments of those who seek to block publication on the grounds that the report could prejudice the outcome of their legal battles? The significance of the last point will not be lost on those who suspect that the Treasury would be only too happy if it was prevented from publishing a report that pointed to regulatory failure and opened the floodgates to compensation. In his statement last week, Lord Penrose made it clear that his job is to investigate the facts, not to determine fault: he will describe or comment on the role of those involved, but stick to the facts. In the light of that crystal-clear statement will the Financial Secretary confirm that the report will be published in full on receipt?

The Chairman of the Treasury Committee, the hon. Member for Dumbarton (Mr. McFall), has written to me expressing his disappointment that he is unable to attend today—the Treasury Committee is sitting at this moment. However, he confirms that once the Penrose inquiry is published the Treasury Committee will continue its inquiries, which is greatly to be welcomed.

Mr. Patrick McLoughlin (West Derbyshire): My hon. Friend has followed this story more closely than any other hon. Member. This is his third debate on the subject and many of us are incredibly grateful to him for that. Thousands upon thousands of people await the outcome of the Penrose inquiry to see where their future lies. My hon. Friend described vividly the delay in getting the report ready; does he agree that any delay in publication will be unacceptable?

Richard Ottaway: My hon. Friend has sat through our previous debates on this issue, and he makes a powerful point, which I am sure is not lost on the Financial Secretary. Millions of people await the outcome of the report, so that they will know exactly where they stand.

Before discussing the role of the parliamentary ombudsman, I should like to make one point about the role of the former directors. There is no doubt that extraordinary decisions were made by past board members. Those decisions are now the subject of litigation. Whatever we may think about the actions of those people, I believe that the decision to sue is a diversion from the exposure of the regulatory regime. Bankrupting former board members will raise a few millions, but that is peanuts in the global scale of Equitable's problems. If there is a remedy, it lies in the criminal law. My advice to the current board is to drop the litigation against the former directors and move on to expose the regulatory failures.

The report by the Parliamentary Commissioner for Administration has had a very different voyage. Initially the ombudsman announced that he would not investigate the complaints put before him. However, during the debate held here in Westminster Hall in October 2001—our second debate on the subject—hon. Members on both sides of the House made it clear that the ombudsman should remember that he reports to Parliament, not to the Executive, and that his refusal to investigate smacked very much of the wishes of the Executive. To his credit, the ombudsman recognised the force of this argument, and announced an investigation a few days later. That followed publication of the Baird report, which emerged from the Financial Services Authority's own internal inquiry. Like all good internal inquiries, it found that whoever was to blame, it certainly was not the FSA.

Jane Griffiths (Reading, East): The Baird report demonstrates that the die was cast for Equitable before 1999, and figures available to us show that that die was almost certainly cast before 1997. The hon. Gentleman referred to events as long ago as the 1970s. Where does he think the responsibility ultimately lies?

Richard Ottaway: I suspect that the hon. Lady is verging on making a political point. I wish that the Financial Secretary had made that point. The Labour Government continued precisely the same policy as the previous Government, so if the hon. Lady is suggesting that the previous Government got it wrong, she must acknowledge that the present Government have got it wrong too. Before she makes interventions like that she should come clean about exactly where she is coming from. There is a point to be made about the Baird inquiry, however, which is that it was limited in its scope and it did not look at the earlier problems.

The period covered by the ombudsman's inquiry has gone up and down. He initially announced that he would examine only the period January 1999 to December 2000, as the Baird report did. Then, in March 2003, his successor told the Public Administration Committee that she did not rule out pre-1999 investigations. In July, she published her report in which she ruled out further investigations. Now I read reports that once Lord Penrose has published, the ombudsman will consider further investigations. Perhaps this is all part of life's rich tapestry, but Parliament, to which the ombudsman reports, should have clarification of the matter rather than have to read about it in the press.

There have been many criticisms of the parliamentary ombudsman's report. Many people believe that the FSA's decision to allow the Equitable to continue to write new business despite knowing its parlous financial state was an error. For reasons that I find unconvincing, the parliamentary ombudsman found otherwise. Her view that the Government Actuary's Department is not within her remit is puzzling, and there are questions about her views on the definition of solvency and the test of a prudent regulator. However, the nub of the matter is that the ombudsman spoke in her report of a mismatch between the public's expectations of a regulatory regime and the light-touch approach of the regulators. That is the heart of the matter.

The ombudsman came down on the side of the establishment. The implication was that the policyholders should not have expected the regulators to notice and act on the financial chaos at the Equitable. The regulatory touch was so light that it was almost non-existent. If that is the Government's definition of regulation, their approach needs to be revisited—either that or the ombudsman was wrong. The real problem is whether the ombudsman, with limited resources, is the right person to conduct such an inquiry. It is perfectly

legitimate for MPs to put complaints such as those about the Equitable to the ombudsman. However, if the inquiries to be made are so technical, a review of the ombudsman's role in such complaints is justified.

The Financial Secretary must recognise that while the saga continues, hundreds of thousands of policyholders are affected. Billions of pounds have been lost and the elderly suffer; meanwhile the guilty men go free. These matters must be drawn to a head, and the Government must be seen to act decisively. We cannot be fobbed off with excuses and lame explanations.

9.46 am

John Barrett (Edinburgh, West): I congratulate the hon. Member for Croydon, South (Richard Ottaway) on initiating this morning's debate. His introduction provided a clear and concise history of events. People who have been confused by ongoing events, as I have, should read his speech because it provides a clear summary. Many hon. Members, including me, have been applying for a debate since the publication of the ombudsman's report. The Government should have allowed us an opportunity to discuss the report after it was produced, in Government time, before the summer recess. I am glad that hon. Members of all parties agreed with me and signed my early-day motion calling for such a debate; unfortunately, little notice was taken of it.

Today we have our latest opportunity to debate the ongoing quagmire that is the Equitable Life scandal, which has already been described as a "scandal on a massive scale". Many people would agree with that. It is our first chance to debate the matter since Ann Abraham produced her report, and the subject is topical, with stories about Equitable Life again appearing in newspapers as we anxiously await Lord Penrose's report. We should not go over old ground or rehearse old arguments, but it is important to consider what has happened since the last debate, to examine the ombudsman's report, and to look ahead to see what help remains to be given to the millions of people who trusted others with their finances only for that trust to be betrayed.

The ombudsman's report was a major disappointment and left many of my constituents worried and distraught about their remaining options and recourse for action. I found many of the report's conclusions surprising and confusing. I do not say that lightly. MPs and our constituents must be able to trust the ombudsman to root out maladministration. That trust must remain after a report is published, but it has been seriously dented on this occasion. I could not justify to my constituents the decision of the ombudsman not to award compensation, given that the Government in their role as regulator were at best negligent and careless, and at worst downright incompetent almost to the point of recklessness, while Equitable was being so badly mismanaged. Worse still, those of us who question the ombudsman's conclusions have been left further confused by the admission by the ombudsman's lawyers that further investigations by her offices may be necessary following the Penrose report, despite earlier statements that she would take no further role.

Such changing positions only make a complicated and difficult situation worse, leaving policyholders more confused and frustrated. Furthermore, as my hon. Friend the Member for North Norfolk (Norman Lamb) has pointed out, especially in his role as a member of the Treasury Committee, the sheer number of different investigations that are taking or have taken place should in no way mean that those policyholders who had the foresight or even the luck to choose one route have a better outcome than those who followed another. It is clear to me that all policyholders who have suffered at the hands of Equitable Life should be compensated; they deserve nothing less.

Looking to the longer term, perhaps the whole process has given the Government food for thought about the system for complaining about financial services. It is safe to say that there is room for massive improvements—changes that the Treasury would do well to consider. I do not envy Lord Penrose: many people, including many hon. Members, are pinning their hopes on his report, and although I understand the impatience for publication, it is important that haste does not come in place of thoroughness. However, Lord Penrose has had plenty of time. Although I read the recent intriguing news stories about the Penrose inquiry with interest, the resulting speculation has served only to increase people's expectations even more. Such heightened expectations are widespread, but the fact that Lord Penrose has again contacted Treasury and Department of Trade and Industry officials must not encourage people to draw early conclusions, before the report is made public.

I sincerely hope that when the day of publication comes, as much of the original report will be published as possible. We know the arguments that will be advanced for deleting some aspects of the report, but hiding behind the argument of commercial confidentiality will not win over any policyholders, especially with Equitable having been closed to new business for the past three years. The Financial Secretary must be warned that the anger that policyholders are showing now will be nothing to their anger if the report appears in any way to be a cover-up to protect not commercial sensitivity but the credibility and reputation of the Government. The inquiry process and the attempts to obtain justice by the policyholders of Equitable Life are coming to a climax. Much is expected of the Government, who should be trusted to be the defender of their interests. I am not sure that that trust exists now, but the Financial Secretary and the Treasury have a chance to build that trust in the way in which they act over the coming months.

I have a few questions that I hope the Financial Secretary will answer. Why has there been a delay in the Penrose report; will the full report be published; what can we expect next; and what is the time scale for what is about to unfold for the very many disappointed policyholders throughout the country?

9.52 am

Chris Grayling (Epsom and Ewell): I apologise to my hon. Friend the Member for Croydon, South (Richard Ottaway) and to the Financial Secretary for my late arrival.

I shall make a few comments on behalf of the many constituents of mine who have written to me, to the ombudsman and to Lord Penrose to express their great concern about what has happened to them and their

[Chris Grayling]

pensions, and about the circumstances surrounding this sorry affair. All of us as constituency MPs can judge the strength of feeling on an issue by the number of letters that we receive. Even the most high-profile issue arousing concern in a constituency does not necessarily generate many letters, but I am sure that I am not alone in having received a large number of letters from people in my constituency whose retirement prospects or retirement income have been ripped apart by this sorry affair, and who feel profoundly let down and rightly seek answers about what has happened.

That is where the Government's key responsibility lies in the weeks and months ahead. Those people's expectations of retirement have been fundamentally changed by the unhappy events at Equitable Life. Their future will be altogether different from the one that they expected, so it is not unreasonable of them to seek absolute and clear answers and a true and open explanation of what has happened from the Government, who are ultimately responsible for setting the frameworks for regulation of the financial services sector, and who have played a central part in the regulation of Equitable Life and the sector as a whole.

My hon. Friend was right to talk about the mismatch that was highlighted by the ombudsman between public expectation of the role of regulation and the light-touch approach. Conservative Members do not want regulation to be imposed on industries that is onerous and that makes it impossible for them to work. None the less, there are public expectations about the way in which the Government will handle the response to the Penrose report and release its findings into the public arena, and the Government must deal with and meet those expectations.

There is no doubt that there was a major management failure at Equitable Life, and that in the eyes of policyholders the regulatory framework—and those responsible for regulating the industry—did not deliver the expected level of supervision. One of the fundamental jobs of Lord Penrose—and of the Government in their response to Lord Penrose's report—is to answer those people's queries, criticisms and unhappiness, and to set out what can sensibly be done to ensure that these events cannot happen again. That, at the very least, is what the Government owe to the pensioners who have lost out.

Every hon. Member present—including, I suspect, the Financial Secretary—will have received letters from pensioners saying that they feel profoundly let down by the company. With hindsight, and with the application of common sense, one can see that some of the actions that the company took—selling guaranteed annuity rate policies and, in effect, looking forward to a future in which nothing could go wrong—were clearly flawed. Those actions should not have been taken, and it is arguable that regulators should have taken a view about them much earlier than they did.

It is not only the circumstances of product development, product selling and the financial position of the company that have aroused so much concern. I am currently receiving letters from people who direct their anger at the Government. Many of my constituents believe that the Government are seeking to cover up the detail of what has happened. It will be for the Government to disprove that. There have been too many stories about the possibility that the Penrose report may not include the full picture of what took place—too many stories of information not being included for commercial reasons, and suggestions that the report may be suppressed in part or in full. I am receiving letters from constituents who now believe that the whole picture will not be revealed. I wanted to participate in this debate so that I could say to Ministers that that must not happen. The people who have lost out must understand the reasons for what has occurred. Lord Penrose must give a full and accurate picture.

I have concerns, expressed by my hon. Friend the Member for Croydon, South, that the Penrose inquiry might not have the power that it needs to get to the bottom of what happened. I hope that, despite the fact that he cannot compel witnesses to attend or give evidence, Lord Penrose will have been able to gain access to all the information that he needs and that he will be able to produce an incisive and accurate report on what took place.

It is important that the report be concluded, published and fully in the open as soon as possible. Many people who come to see Members of Parliament in their surgeries are looking for closure—for answers. They have to deal with their own personal situation, but they want to know that the overall issue that has caused their personal situation has been dealt with. Speed, clarity and openness are therefore of the essence. I hope that at the end of this debate the Financial Secretary will give a clear public commitment to my constituents and those of other hon. Members that when the Penrose report is ready, it will be published quickly and in its entirety, that the Government will set out clearly what lessons need to be learned, and that there will be no attempt to cover up any failings in the Treasury or in the regulatory system. We should have a full and open debate about what went wrong, learn the lessons and change the systems to ensure that such difficulties cannot arise in future.

We need to give a true, open and honest picture to my constituents and those like them around the country who have suffered as a result of this appalling affair. I hope that the Financial Secretary will be able to give those undertakings, and I look forward to the arrival of the Penrose report on the desk of every Member of Parliament in the very near future, so that we can write back to those who have written to us and give them at least a sense that the pressure on the Government appears to have made a difference, and the Government are taking a sensible and responsible attitude and addressing the issues that Lord Penrose has raised. That is my message to the Financial Secretary, and I look forward to her assurances at the end of the debate.

10 am

Dr. Vincent Cable (Twickenham): I congratulate the hon. Member for Croydon, South (Richard Ottaway). I have been involved in all the debates on Equitable Life. He has always been present and actively involved, and he has maintained a consistent support for the policyholders. I congratulate him not only on what he said today but on his consistent interest in this very real problem.

I also congratulate EMAG. The issue is complex and it has dragged on for a long time. It would have been easy for our adversely affected constituents to become

demoralised and to lose track of the plot. They and we owe a great deal to EMAG for the way in which it has continued to marshal support and to brief us.

I introduced an Adjournment debate on Equitable Life a year ago. I was prompted to do so by two considerations. First, Equitable Life cut payments to 50,000 annuitants last autumn—nominally by 20 per cent., although in practice for many it amounted to 29 per cent. The hardship was particularly difficult for those annuitants, because they had no flexibility whatever. Their anger—like that of the other policyholders—is just as live and real now as it was then. That has been communicated by my hon. Friend the Member for Edinburgh, West (John Barrett) and by the hon. Member for Epsom and Ewell (Chris Grayling). My other purpose in introducing the debate a year ago was to prod the Government into giving some suggestion of when the Penrose report would appear. It is eloquent testimony that a year later we are still waiting and there is no expectation that the report will appear within weeks, let alone days.

The ombudsman's report has been the major development during the past year. I agree with the hon. Member for Croydon, South that it was unsatisfactory. I hesitate to criticise the ombudsman, because constitutionally we need a back-stop organisation. We all have constituents who complain bitterly about real, or sometimes imagined, failures of Government. They must have an objective, impartial body to appeal to, and they must have confidence in that body. Constituents sometimes come to our surgeries carrying an unfavourable ombudsman's report, shaking with anger, wanting the ombudsman to be investigated, and we have the job of explaining that the report is the end of the story: the appeal process has finished, they have had their say and a reputable body has given a definitive view on the matter. However, if we are to be able to say that, we must have confidence in the office.

My confidence in the ombudsman has been shaken by the way in which this particular inquiry was conducted and concluded. As the hon. Member for Croydon, South said, there were fundamental failings in the report. It dealt with precisely that period in which the Government were not involved in regulation. It was narrow in scope, and consideration of the role of a key player in the story—the Government Actuary—was ruled out. The ombudsman adopted a definition of regulatory responsibility that was, frankly, bizarre, narrow and limited, and assumed that the regulators are purely concerned with solvency. She did not appreciate the philosophy of "twin peaks" regulation, which has run through the creation of the FSA. The report reflected the belief that it is the FSA's responsibility solely to maintain light-touch regulation and, above all, it concluded that there was no case for reopening the issue, even if Penrose were to find substantially against the Government's role in regulation. I understand from the press that that judgment has changed, and that the ombudsman will reopen the case, but I have not been informed of it in writing. Our constituents and we are owed an explanation as to where the ombudsman resides on the matter, as none of us is clear about it.

The trouble is that when one complains about the ombudsman it can sound like a whinge; however, it is worth our examining the speech made last week by Sir Gordon Downey, whose role as Parliamentary Commissioner for Standards, which is a parliamentary institution, cannot be questioned or bettered, and who gave in three short pages a brilliantly concise description of the problem and the failings of the ombudsman's report and the structure of the Penrose inquiry.

Sir Gordon, in his eloquent summary, defined five precise ways in which there was clearly a failure of regulation. He made the point, first, that the Government allowed unguaranteed policies to be sold as low-risk investment, with the fact concealed from the people taking out those policies that there were obligations to the guaranteed policy holders; secondly, there was a period of over-bonusing the guaranteed policies at the expense of new investors; thirdly, an attempt was then made to correct the balance by introducing differential bonuses, which were subsequently found to be illegal; fourthly, there was a period in which Equitable Life was clearly being allowed to trade with insufficient reserves; and, finally, Equitable Life was allowed for a long time to publish misleading accounts. Sir Gordon, a highly experienced public official with experience as a regulator, commented:

> "If this does not amount to maladministration, I really do not know what does."

That summarises the whole case.

There were investigations of the position of the FSA in the Baird report, and before discussing the Penrose report—and while we are waiting for its publication—I ask the Financial Secretary to explain what the FSA's role is now. It appears to be acting as a kind of shadow director: it has regulatory responsibility for the rump company and things are happening that are of great concern to policyholders and to our constituents. As I understand the present position, there is an assumption—indeed, an agreement—that something in the order of £900 million will be paid out in compensation to various aggrieved groups, including several thousand people who were mis-sold managed pensions, many of whom were effectively cheated out of their GAR policies. There is an understanding that they will be compensated, but they have not been paid yet; the potential beneficiaries do not expect to be paid at least until the end of next year.

What is the FSA's role in all that? Is it encouraging Equitable Life to achieve a prompt settlement? Is it doing nothing? How does it define its current responsibilities? How does the Financial Secretary, who has oversight of the FSA, see her role in this matter?

Mr. Stephen O'Brien (Eddisbury): The hon. Gentleman, whose industrial manufacturing background I share, has raised an interesting and crucial point about the possibility of the FSA in its current role being seen to be a shadow director. He, too, knows the grave issues that that raises about potential responsibility and liability. Has he had any advice that has helped him to establish a causal link between being a shadow director taking decisions now, and the likelihood of that leading either to future liability or to compensation?

Dr. Cable: I have not had any such advice. The hon. Gentleman puts a proper question, but it takes us into legal terrain with which I am not qualified to deal. However, I believe that the FSA is turning a blind eye to

[Dr. Cable]

what is happening and leaving Equitable Life to make the decisions itself, even though there is a public policy interest involved.

When the Penrose inquiry was established, many of us argued that its foundations were weak. The Government defined the terms of reference of the inquiry even though it was to examine Government behaviour, and they decided that it should report to Government, not to Parliament, even though it was to examine the failings of Government. No time limit was set, and we have seen the elasticity of the timetable stretched to breaking point in the past few years. Moreover, there is potential for key information to be suppressed in the name of confidentiality, even though, as my hon. Friend the Member for Edinburgh, West made clear, there is no justification for information to be suppressed on grounds of commercial confidentiality.

I have written a letter to the Financial Secretary to the Treasury, to which I hope she will respond today, asking precisely what can and cannot be excluded from the report, in the context of "maxwellisation"—the process whereby officials are given prior notice of references against them and an opportunity to respond to them. I asked the Financial Secretary whether that would lead to the deletion of material about which we should know, and what sort of safeguards operate to ensure that the maxwellisation process is not used as a cover for censorship. We need reassurances on those matters, if the Penrose inquiry is to form a meaningful conclusion to this sorry episode.

Currently, there are two major inquiries examining the failures of the Government, both of which are being conducted by High Court judges. The fact that those inquiries are taking place under High Court judges is a sorry reflection on Parliament, because Parliament has the power to conduct such inquiries itself. The contrast between the two inquiries is striking: the Hutton inquiry has been a model inquiry in terms of speed and transparency, standing in gross contrast to the sluggishness and opacity of the Penrose inquiry. I hope that, even at this very late stage, the Government will try to conduct themselves with decorum and improve the sorry reputation that they have earned as a result of the way in which they have the conducted the process.

10.12 am

Mr. Stephen O'Brien (Eddisbury): For the sake of good order, I declare a tangential interest, in that I have a life assurance policy with Equitable Life. I hope that I shall not have to cash it in.

I warmly congratulate my hon. Friend the Member for Croydon, South (Richard Ottaway) on having secured the debate. I know that he would wish to join me in thanking all our colleagues who sought en masse to have a debate on this subject. I also take the opportunity to pay tribute to my hon. Friends the Members for Christchurch (Mr. Chope) and for Hertsmere (Mr. Clappison), who worked so diligently in the early period of this tragic saga to ensure that the role of the Parliamentary Commissioner for Administration was well understood and utilised.

As has been said, we last debated Equitable Life on 27 November last year. If it was timely then to have a debate on this serious matter, it is a scandal that the Financial Secretary and her boss have presided over such a protracted and delayed process that we are here again today. About 1 million of our fellow citizens, many of advanced years, who did the right thing in their earning lifetime to provide for their non-earning time and not to be a burden on the state, have suffered and continue to suffer grievous financial damage through no fault of their own. Their security has been irreparably harmed. That is a grave matter, as the debate has already shown, and it affects all Members of Parliament, all of whom have constituents blighted by the appalling debacle of Equitable Life.

We heard from my hon. Friend the Member for Croydon, South about the catalogue of delays. He raised the interesting notion that the situation warrants an inquiry into the inquiry. I hope that the Treasury Committee can perform a useful function in examining the process and ensuring that we do not again have to endure the appalling length of time that it has taken to reach even this pre-report stage. As the hon. Member for Twickenham (Dr. Cable) pointed out, the process stands in stark contrast to the conduct of the Hutton inquiry.

My hon. Friend also mentioned the need to consider putting the inquiry on a statutory footing, even at this late stage, if the inability to compel witnesses to attend causes any difficulty. Like others, he noted that it would be unacceptable if there were any attempt not to publish the Penrose report in full on receipt by the Treasury. The hon. Member for Edinburgh, West (John Barrett) also made that point ably, as well as the good point that the Government should have made time for a debate on the Floor of the House when the parliamentary ombudsman's report was received just before the summer recess.

I will not even dignify the intervention by the only Labour Back Bencher present, the hon. Member for Reading, East (Jane Griffiths), on the basis that it was totally unworthy and tried to make party political points out of a tragic and difficult situation that affects all Members of Parliament. Although sadly few MPs are present today, it is interesting that both the Financial Secretary and I represent a north-west England constituency, as does her Parliamentary Private Secretary, the hon. Member for Stalybridge and Hyde (James Purnell), and there are three London MPs and one Member representing a Scottish constituency present, so it is fair to say that the whole country is represented.

My hon. Friend the Member for Epsom and Ewell (Chris Grayling) spoke passionately and with great force on behalf of his constituents, showing the strength of feeling that underlies the debate. There is a crying need for resolution and for consideration to be given to the compensatory opportunities for those who have suffered. I pay tribute to the hon. Member for Twickenham for his continuing diligence, and he was right to raise the important issue of the FSA's role, which needs further explanation. He made further points, which I will try to reinforce.

It is with no apology that I rely on what Sir Gordon Downey said at the recent annual general meeting of EMAG. I pay an enormous tribute to EMAG for its commitment, energy, diligence and fairness in pursuing the issue over many long years. I also pay tribute to the

other six Equitable members' representative groups. All have worked hard on behalf of the various interests who are suffering from the Equitable Life saga.

Sir Gordon Downey is an authority not only because he is a non-GAR annuitant of Equitable Life but because he was head of the home finance division of the Treasury in the 1970s and is therefore a former regulator. He became the chairman of FIMBRA—the Financial Intermediaries, Managers and Brokers Regulatory Association—in the 1990s and, briefly, chairman of the Personal Investment Authority, before becoming an Officer of the House of Commons, first as Comptroller and Auditor General, and then as Parliamentary Commissioner for Standards. It is appropriate that we hear his measured, serious and authoritative comments on the issue.

Sir Gordon says, rightly, that the debate that we had a year ago continues to be relevant, which is part of the problem. However, there have been several significant developments, and for the sake of the record it is important to bring us up to date. Policy values and annuities have been further cut, prospects remain bleak, and time is running out for many annuitants. It is now more than three years since the House of Lords decision undermined the society's stability, and more than two years since the Penrose inquiry was established. The new Equitable Life board's actions against the auditors and former directors are progressing in the courts, but one must assume that they will be long drawn out and costly and the outcomes uncertain.

The parliamentary ombudsman produced a report exonerating the FSA from the charge of maladministration in its role as regulator in the period after 1 January 1999. That is now the subject of an application for judicial review.

Under the self-denying ordinance that we have in our rules, I cannot stray into the territory of the court actions in respect of the former directors and auditors and the merits of those actions. However, on checking with the House of Commons Library, I was interested to note that "Erskine May" makes an exception of anything said in respect of a judicial review of Executive action. While I do not intend to stray too far down that path, it is important to recognise that we have the opportunity to examine the application for judicial review, not least because EMAG and some of the individuals involved in it have put together a document of enormous authority and force that details the whole sorry saga. I hope that all Members of Parliament, especially Ministers, will read it with great care and recognise that they need to read it in conjunction with the Penrose report, which we hope—although we have expressed the hope before—will emerge in the not too distant future.

What issues remain unresolved? In matters of regulation, prudential supervision of the Equitable was exercised until 1999 by the DTI and the Treasury, after which responsibility was passed to the FSA. Throughout, much of the detail was delegated to the Government Actuary's Department, a subordinate body of the Treasury. Given the current dispute over the recent report by the parliamentary ombudsman, to pursue the role of the FSA too far at this stage does not seem the most profitable route to take. Suffice it to say that the FSA seems to have played a passive role when dealing with the crisis thrown up by the House of Lords decision. The authority defended its role on the ground that, with all the information and expertise at its disposal, it was "99.9 per cent. certain" that the Equitable could be sold on terms that would safeguard the interests of policyholders—yet, within three months of putting itself up for sale, the Equitable was rejected by 16 or 17 suitors, who had rapidly reached the conclusion that it was not viable.

What of the other regulators? It is generally agreed that most of the damage done to the Equitable took place before the FSA took responsibility in 1999. The die was indeed cast before then, yet, on the basis of her limited inquiry into the FSA, the parliamentary ombudsman concluded that she saw no case for inquiring into the actions of the DTI and the Treasury and that she had no powers to inquire into the Government Actuary's Department. Surely Parliament cannot condone such a position. It must find a way of expressing what it expects from prudential supervision and know whether those expectations were realised. It has been suggested that prudential supervision is essentially a matter of ensuring that solvency requirements for life assurance companies are observed. That is not true. An equally important purpose is to exercise supervision to protect policyholders from unreasonable risks and to safeguard their reasonable expectations. The concept of reasonable expectations is specifically provided for in legislation, which also gives regulators ample powers to intervene to ensure prudent and responsible management.

Against that yardstick, the regulators have failed dramatically. They allowed the Equitable to sell unguaranteed policies as low-risk products without disclosing the existence of guaranteed policies representing huge contingent liabilities on the common fund. They permitted the publication of accounts that obscured the real position of the society, and endorsed its attempts to redress the balance by paying differential bonuses, which were later ruled illegal. The regulators allowed the society to pay unjustifiably high bonuses for several years and, in effect, to use the funds of new investors without their knowledge for the benefit of those enjoying prior guarantees. They also allowed it to trade with totally inadequate reserves.

I turn to the role of the parliamentary ombudsman, and in particular the fact that she cleared the FSA of failing in its regulatory duties. As my hon. Friend the Member for Croydon, South said, she warned investors of a fundamental mismatch between what the public expect from the financial regulator and the degree of protection that can be offered. EMAG has been extremely critical of the parliamentary ombudsman's report and considers it deeply flawed. I commend the extensive, comprehensive and responsible approach EMAG has taken to detailing its criticisms on its website, and I hope that they will be read in some detail.

I have sympathy with the approach taken by the hon. Member for Twickenham. It is important that we do not condemn the parliamentary ombudsman out of hand. There is an important process that we should defend with regard to her role in examining possible maladministration. Of course, the ombudsman's role is terribly important to us because of the potential for her to make recommendations on compensation: at the end of the day, compensation is what policyholders and annuitants are seeking, because they feel that they have

[Mr. Stephen O'Brien]

been done an injustice. However, we must recognise that, unfortunately, there is a serious mismatch in what successive parliamentary ombudsmen have done.

I do not want to condemn the office of parliamentary ombudsman; and I recognise that it is the last place of appeal. However, although the current parliamentary ombudsman's predecessor gave a pretty clear assurance that his office should consider whether it was appropriate to extend the inquiry into the pre-1 January 1999 position once Penrose had reported, that was categorically denied by the current parliamentary ombudsman. That is what has caused such outrage, and I have said on record that I think it an unnecessarily brutal finding. It seems that it has been made known to certain elements of the press—I cannot tell whether that is simply because this debate had been secured, so there was a stronger focus on the issue—that perhaps the issue could be considered again. I very much hope so, but I agree with what has been said: the commitment to do so should be put on a more formal basis, so that we can understand its essence.

It is important to say that this is not simply an argument for argument's sake. The proposal has been supported in a number of recent early-day motions by Members of all parties, all of whom call on the parliamentary ombudsman to extend her inquiry. I hope that, as a result of this debate, she will acknowledge the strong sense, in terms of the route provided by her office, that that is the only way in which justice will be satisfied. There is good cause and it would be in the interests of fairness to take forward her investigation.

In its most recent press release, EMAG lighted on what it calls "an astonishing 'U turn'" by the parliamentary ombudsman, saying that she has come full circle. It welcomes the fact that she has apparently rescinded the decision to preclude consideration of the pre-1999 period. EMAG says that it regards that as important because it is the parliamentary ombudsman's function

"to focus on maladministration by Government departments".

It says that it is worth recalling that,

"as in Barlow Clowes, she can recommend Government compensation. EMAG therefore welcomes"

the parliamentary ombudsman's

"change of heart as an encouraging step".

We need rapid clarification of that point.

It may be that Lord Penrose will tackle all the issues that we have discussed relating to the parliamentary ombudsman and to the broad understanding of those of us who have followed the matter closely and advocate the position of aggrieved policyholders and annuitants. None the less, it is worth looking at the constraints within which he has to work. The Government—the Treasury—set the terms of reference for the inquiry; they are very broad and relate largely to the future of the life assurance industry as a whole. Lord Penrose reports to the Treasury—that is, to one of the regulators under scrutiny. He cannot compel witnesses to give evidence, and the Treasury can accept or reject his recommendations, which cannot deal with compensation. There is no guarantee that the report will be published.

What is Parliament's responsibility? I said in the debate a year ago that I thought that the Government intended to kick the subject into the long grass until after the next general election. My fear is that I was right, but I hope that my fear will be assuaged today. If only Parliament had the ability to prevent the Government seizing the initiative as they have done, but the Government like to believe that, given the current composition of the House, they can plough their own furrow regardless of the wider interests.

There is still no comfort to offer policyholders and annuitants. They have suffered injustice, and we have not yet found the machinery to deal with it. The damage to the savings industry in the broadest sense has been enormous. All MPs should be deeply concerned about the effect that that is having on the savings culture and about the yawning savings gap that has grown over the last few years. Sir Gordon Downey has written to me in the following words, which help to sum up the serious position in which we find ourselves:

"Of course, we shall now need to await the outcome of the Penrose Inquiry. But it is essential that it should be published as fully as possible and that Government should give a rapid response. Failing a satisfactory outcome, it must be a matter for the House to devise its own machinery for taking things forward. If the Parliamentary Ombudsman is, as she says, unable to cover much of the ground, we shall need to find another way."

In case the Financial Secretary is in any doubt, I put her on notice that my colleagues and I in Her Majesty's official Opposition will be relentless in pressing the case for justice for Equitable Life policyholders and annuitants. I know that that case is supported by hon. Members of all parties, including Labour Back Benchers.

The Penrose inquiry is a creature of the Treasury: it will report to the Treasury, the Treasury will determine what is published, and it is for the Treasury to decide how long to sit on the report before publication and whether to accept liability and award compensation where criticisms are made of the DTI and the Treasury. Does the Financial Secretary regard the Penrose inquiry as determinative or merely advisory? That is important, because many people witnessing today's proceedings will want to know whether, when the Penrose inquiry eventually reports and is published—and we demand that it be published in full—they will have to consider what it contains and then charge off to the courts or use some other process to prove the facts all over again. Can we have a copper-bottomed guarantee that if they are criticised and there is found to be regulatory failure, the Government will say, "Fair cop."?

We cannot continue to protract the misery of the policyholders and annuitants who have suffered. The Government must step up and look at the compensation that should be paid. All those witnessing today's proceedings, will be listening out for that in the Financial Secretary's response.

There has been a recent announcement from the Penrose inquiry that put on the record some corrections of what it regards as wrong information in the public domain. It said:

"The inquiry cannot, and will not seek to adjudicate on liability, including determination of a professional duty."

However, Lord Penrose has made it clear that he will make adverse findings about any institutions or individuals involved if the evidence justifies it. Because those two views sit somewhat uneasily together, we need an answer today, which I have just demanded from the Financial Secretary; otherwise, there will be genuine

concern about whether we can trust the process to deliver for the policyholders and annuitants if there is found to be regulatory failure at the hands of Departments.

On the issue of publication, if the Minister's refrain a year ago that the Penrose inquiry is independent and that it is up to Lord Penrose to decide how long the inquiry will take and when he will be able to report—*[Interruption.]*

Mr. George Stephenson (in the Chair): Order. May we have that piece of equipment silenced, please?

Mr. O'Brien: Thank you, Mr. Stephenson.

In addition to my request to the Minister to do everything that she can to speed up the Penrose report, while recognising that maxwellisation is a genuine process that must be gone through, I want the Government to realise that they cannot have it both ways. If maxwellisation is taking place, we are going through a process whereby one of the restraints on future publication relating to confidentiality or potential prejudice is removed, because the process gives people the chance to comment. It must be clear that Lord Penrose has the liberty to make all the relevant findings that have been the subject of his inquiry and to adjudicate on them, notwithstanding the fact that he has said that he himself will not be finding fault. I urge the Minister to give a commitment once and for all. The maxwellisation process has engaged us in further delay, and the price of that delay, which has caused further misery for policyholders and annuitants, should be securing full publication of the report.

There is an important point about what might happen with regard to maxwellisation. There might be no finding of fault in the Penrose report—despite the fact that we will all pore over it, searching for findings and facts and seeing whether there has been any attempt to point the finger. We demand full publication, which should be coupled with an assurance that there will be no opportunity for a further protracted process. If the Government want to show that the Penrose inquiry is genuinely independent, they should accept that there is no need for a further process to determine and prove the independently gained facts of the case. If they have to be re-proved and the evidence marshalled again, and there is a move from Lord Penrose's investigative process to an adversarial court process, many policyholders and annuitants will rightly say that they are losing faith in the processes that the Government put in place and that the inquiry should have been put on a statutory basis from the very outset—as my hon. Friend the Member for Croydon, South mentioned.

Policyholders and annuitants will rightly want to be satisfied on a further point, which was somewhat ungraciously introduced in the intervention of the hon. Member for Reading, East. It might be said that the fault entirely lies with a previous Government. My hon. Friend the Member for Croydon, South answered that well by demonstrating that there has been a continuum. If Government as an institution—irrespective of which political party happens to hold power at any given time—are found to be at fault in their regulatory duties, subsequent Governments must step up and stand behind Government liabilities. That is one aspect of the nature of Government. Therefore, I can give a commitment that if a finding of regulatory fault or failure is laid at the door of one or more Departments, and if compensation therefore flows, an incoming Conservative Government would not seek to renege on that responsibility. The Government should make the commitment that, if the Treasury and the DTI are criticised, they will not necessarily seek simply to defend them, but they will acknowledge that this whole episode must be brought to a swift resolution. It is difficult to see how it can be resolved when, by any test, there is a need for compensation for people who have suffered an injustice.

I hope that the Government will carefully look at following the precedents of Barlow Clowes and other lifeboat operations. Sir Gordon Downey has brought weight and authority to this whole sorry process. He understood what happened during the 1974 banking crisis: that crisis was potentially even more serious than the Equitable Life saga facing us now, but a solution was found and mutual responsibility was accepted by Government and the private sector.

I look forward to hearing the Financial Secretary's remarks, and I hope that she will be able to give full answers to the questions that have been raised.

10.38 am

The Financial Secretary to the Treasury (Ruth Kelly): I congratulate the hon. Member for Croydon, South (Richard Ottaway) on securing another debate on this important topic. I pay tribute to his long-standing interest in this subject and his championing of his constituents' cause. I also pay tribute to the work of the Equitable Life members' representative groups who have made their concerns known in a loud and clear manner.

I will try to respond now to as many as possible of the points that have been raised, but I first wish to make clear the sympathy that I feel for the many people who have been affected by the events at Equitable Life. It was in order to meet the concerns raised by hon. Members and the wider public that the Government set up the independent inquiry under Lord Penrose in August 2001. In making that decision we carefully considered the concerns of policyholders and a range of other bodies, including the Treasury Committee.

It is worth reminding hon. Members of Lord Penrose's terms of reference, which are:

> "To enquire into the circumstances leading to the current situation of the Equitable Life Assurance Society, taking account of relevant life market background; to identify any lessons to be learnt for the conduct, administration and regulation of life assurance business; and to give a report thereon to Treasury Ministers."

The terms of reference have deliberately been drawn wide to ensure thorough consideration of the root causes of the problem. Some commentators and hon. Members have argued that the terms of reference do not allow Lord Penrose to lay blame, and that the inquiry is just a fact-finding exercise. The inquiry has made it clear to us that Lord Penrose will make adverse findings about any institutions or individuals if the evidence justifies that. He can interpret his terms of reference as he sees fit, and I stress that he is working independently of the Government and the Treasury, but with our full co-operation.

[Ruth Kelly]

Many people are disappointed that Lord Penrose has not reported sooner. The undertaking has been considerably more complex than any of us appreciated when the inquiry was set up. It is important to stress that no deadline was set for Lord Penrose to report by. I understand the frustration of hon. Members and policyholders at the time needed to complete the work, but the inquiry's scope is broad and the issues are complex and important. It is in all our interests that the inquiry is thorough. The parliamentary ombudsman took more than 18 months to complete her report, which examined a period of just two years during which the FSA had stewardship. That report considered neither the regulation of business conduct nor Equitable's actions.

The inquiry spent most of its first year examining the substantial body of material held by Equitable Life and its regulators, as well as obtaining evidence from other sources such as the auditors and policyholders. On the basis of that work, the inquiry began a major programme of taking evidence directly from witnesses in autumn 2002. That continued until after Easter this year. The inquiry is currently maxwellising the draft report, a process that I will explain later. Once maxwellisation is complete, Lord Penrose will be in a position to finalise his report and present it to Treasury Ministers. It is a matter for Lord Penrose to determine when his report is complete and the timing for presenting it to Ministers, and we look forward to receiving it as soon as he completes it.

The hon. Members for Twickenham (Dr. Cable) and for Eddisbury (Mr. O'Brien) raised a point about maxwellisation. Maxwellisation is the process whereby those who might be criticised in a report are given an opportunity to comment on the accuracy and completeness of the relevant facts and the reasoning process behind them. That is to ensure that any errors or misunderstandings can be corrected before the report is finalised. The term arose from cases following a DTI investigation into Robert Maxwell in the 1970s. Persons or institutions being maxwellised are not given access to the full draft or even to any complete part of the draft. They are informed of the substance of the proposed comments made about them and given access to the supporting material that Lord Penrose, in this case, considers it absolutely necessary that they see. Lord Penrose could change his view in the light of the representations made. Maxwellisation is intended to ensure that the report is fair to those individuals or institutions that may be criticised. The process also helps to ensure that the report is accurate and comprehensive. The chairman of the inquiry determines how and to what extent maxwellisation is carried out.

The Treasury is taking part in the maxwellisation process, but as I have already said, by no means does that mean that we have received the draft report. It may be worth explaining the arrangements that the Treasury has put in place internally to deal with the maxwellisation process, so that it cannot be subject to misinterpretation. A small team of dedicated staff is preparing the Treasury's response to Lord Penrose's material, commenting factually where appropriate. There is a Chinese wall between this team and those who have been liaising with the inquiry, and those who will receive the report when it is completed, including Treasury Ministers. That means that only those officials who are in the maxwellisation team have seen any draft material sent by Lord Penrose. We decided to adopt that procedure given the Treasury's position as both the commissioner of the report and one of the parties with a direct interest in its contents. It is up to Lord Penrose to decide on any changes that he may make to his report following receipt of the comments. We have no influence over how he handles that process. In addition, once we receive the report, it will not be possible to take on board any other comments on the factual content or any other content of substance.

All hon. Members spoke about publication and asked how we intend to deal with the publication procedure. We will publish as much of Lord Penrose's report as we can—as much as is practicable—as soon as is practicable, following receipt of the report. However, I must emphasise, so that people do not have unrealistic expectations, that it will take time legally to examine the contents of the report. We must ensure that it is lawful for us to publish the report in full. Parts of it could be subject to legal confidentiality restrictions: for example, it is a criminal offence to reveal to a third party information received by the regulator in the course of their duties, except in narrowly specified conditions. Our lawyers will have to go through the report to ensure that none of those restrictions is breached. In fact, when Lord Penrose accepted the commission from us and undertook the inquiry, we had to go through a similar process to ensure that he could see the regulatory information relating to some of the decisions made. It would be completely negligent of the Department not to undertake that process.

Richard Ottaway: I am grateful to the Financial Secretary for her explanation, but I am sure that anyone listening to her in the last minute or so will be dismayed, because she has implied that there will not be full disclosure if the Treasury considers that appropriate. Given that last week Lord Penrose made it crystal clear that all he was reporting on was facts, what can she be concerned about that might fall foul of what she has just said?

Ruth Kelly: Clearly, we will not be in a position to know that until we have seen the contents of the report. The other point is that Lord Penrose has made it clear to us that, in drawing up the report, he is aware of the legal confidentiality restrictions and is attempting to draw up the report so as not to breach those restrictions, so that we can publish it in full. It is our complete desire to put the full contents of the report in the public domain. The only reason why we may not be able to do so is the legal confidentiality restrictions. We hope that we can publish the report in full and that Lord Penrose has taken full account of those restrictions in drawing up the report.

Mr. Stephen O'Brien: Further to the question posed by my hon. Friend what strikes me and, I think, most people listening to the debate is that the Government cannot have it both ways. Either the report has been drafted so as to avoid legal difficulties—indeed, because it will not be finding fault, it cannot be seen as prejudicial to someone's interests—or this is a case of having to

look for the legal protection of commercial confidentiality. The Government seem to be hedging their bets. Above all, the Treasury owns the process, and one assumes that because the Treasury commissioned the report, once it is delivered to the Treasury, the Treasury owns it—

Mr. George Stevenson (in the Chair): Order. I think that the Minister has got the point.

Ruth Kelly: We do. That is why we want to publish the report in full. However, were we to publish it and breach any confidentiality restrictions by so doing, it would be open to third parties to sue the Government for infraction of those restrictions. Therefore, under a duty of care, we must subject the report to the scrutiny of our lawyers before putting it in the public domain. We intend to publish the report in full, but because of those technical confidentiality arguments, we must take legal advice before publishing it.

Dr. Cable: Is it the Treasury's intention to seek the advice of the Attorney-General about its legal obligations in respect of confidentiality?

Ruth Kelly: I cannot comment on that here. As far as I am aware, the Treasury lawyers will examine the content of the report. However, if the hon. Gentleman wishes to pursue that point, I can respond to him later.

The hon. Member for Croydon, South and others asked whether we were satisfied that Lord Penrose had sufficient resources to carry out his inquiry and whether it should be put on a statutory footing. The inquiry is fully independent, so it is not up to us to determine what sort of resources or powers he needs, or how he carries out his investigation. However, I shall read an extract from a letter that Lord Penrose has put in the public domain—a letter that he wrote to the Treasury Committee in February this year.

On resources, he says:

"I was assured at the outset by the then permanent secretary to the Treasury that I would have access to all the resources that I could reasonably require. It took some time to establish what resources I needed, and the demands of the inquiry have fluctuated from time to time, but I would like to assure the committee that I have not been denied any resources that I have sought."

On whether we should have put the inquiry on a statutory footing, he says:

"I am grateful to all those who have co-operated so far with my inquiry, which includes Equitable, Ernst & Young, the Treasury and the FSA, as well as a great many policyholders."

He continues:

"I am far from convinced that statutory powers would have made as much difference to the rate of progress as some commentators have assumed. Parties involved in litigation and other proceedings would have been just as likely to want to review the evidence being made available and to assess the implications for them, in the context of those processes, of disclosing material to the inquiry and allowing the inquiry to form and express views on that evidence. And it is likely that, with a view to protecting those parties' wider interests, the exercise of those powers would have been challenged and the inquiry might well have spent time debating the extent of those powers, and their exercise, very possibly in court. In short, powers have disadvantages as well as advantages as compared with the informal approach I have been able to adopt."

Lord Penrose has made it clear to us that he prefers the non-statutory approach, and has received full co-operation from the Treasury and the FSA in carrying out his inquiry.

Richard Ottaway: Can the Financial Secretary confirm that all witnesses are co-operating? I asked whether Lord Penrose needed statutory powers, not whether he wanted them.

Ruth Kelly: It is up to Lord Penrose to decide whether he should put information in the public domain. To the extent that he has commented on that in public, he has indicated that he is receiving sufficient co-operation from witnesses. To suggest that, at this stage, we should put the inquiry on a statutory footing would be to suggest that the inquiry be held up for months while the process is sorted out. In effect, that would be to reopen the inquiry from scratch. I do not believe that anyone—certainly not the policyholders—would think that desirable.

Many hon. Members have commented on the parliamentary ombudsman's report. The publication of that report is one of the main developments that has taken place since we last debated Equitable Life in Westminster Hall. The parliamentary ombudsman published her report on the regulation of Equitable Life by the FSA on 1 July. The investigation examined the period from 1 January 1999, when the FSA became responsible on a day-to-day basis for prudential supervision of insurers, to 8 December 2000, when Equitable Life closed to new business. The Treasury and the FSA co-operated fully with the ombudsman at all stages of her investigation.

As hon. Members will be aware, the ombudsman is an Officer of the House and is entirely independent of the Government. She has wide discretion to determine the matters within her jurisdiction to investigate and the procedures that she adopts for doing so. The conclusions she reaches are a matter for her alone. Therefore, it would be inappropriate for me to comment on how she has carried out her investigation, and I urge hon. Members to make their comments directly to the ombudsman's office.

Let me give a wider perspective on the role of Government and regulators—

Mr. Stephen O'Brien: Before the Financial Secretary moves on, does she have an answer to my question about whether she sees the Penrose inquiry as determinative or advisory, and whether there will be any further process to establish compensation as a result of receiving the report?

Ruth Kelly: I found the hon. Gentleman's comments a little difficult to interpret, but I presume that he is referring mainly to compensation. On that, our terms of reference are in the public domain, and it is up to Lord Penrose to judge as he sees fit. It would not be wise to pre-empt or speculate about his findings, and he can comment on anything that he sees fit to comment on, but what is important is that we learn the lessons from this episode and minimise the prospect of it happening again.

[Ruth Kelly]

The proper role of the Government is to ensure that a proper legislative and regulatory framework is in place for financial services. The FSA operates within that framework as the independent regulator. The hon. Member for Epsom and Ewell (Chris Grayling) seemed to suggest that we should have a regime in which companies never have the opportunity of failing. That should not be the case. Regulation must balance the safety of policyholders against the freedom for firms to seek out the best return. It is not the regulator's role to prevent all business failure, as a no-failure approach would mean lower returns for investors and would stifle innovation and competition. In a well-regulated market, the consumer can be sure that he or she understands the risks when buying a product. In a well-regulated market, it is also true, as we all recognise, that some firms must fail—or might fail. That is why the Government have set up a safety net, in the form of the financial services compensation scheme, to compensate investors in those firms.

Chris Grayling: The Financial Secretary is putting words into my mouth—that is not what I said. Does she agree that the regulator's role is to sound an alarm bell when a situation has the potential to go wrong?

Ruth Kelly: Of course it is the regulator's role to monitor firms closely, which is one of the things that Lord Penrose is examining in his report, and with hon. Members and others, I await that report with interest.

I know that the hon. Member for Twickenham is interested in the role of the FSA in relation to policyholders. The FSA continues to monitor the situation at Equitable Life closely, and it has been working with the society to ensure that clear and appropriate information is available to policyholders as developments occur, and that they continue to receive appropriate support. We expect the FSA, as the independent regulator of financial services, to continue to monitor the regulatory solvency of Equitable Life and to ensure that the company acts in a way that is consistent with its responsibilities to its remaining policyholders. I am talking about Equitable Life, but that is the FSA's role in relation to any regulated firm for which it has responsibility.

To deal with the hon. Member for Croydon, South and the question of whether there has been a continuum of process, I draw hon. Members' attention to the fact that the regulation of the life assurance industry has been overhauled since the Labour Government came to power. We have established in the form of the FSA an independent regulatory body that brings together eight different sectoral regulators. It is wrong to suggest that there has been a continuum throughout a period spanning 30 or 40 years.

The Government's main concern regarding the Equitable Life affair is to ensure that the lessons are learned. That will allow both regulators and the industry to develop the tools that they need to prevent similar incidents in future.

Seal Hunting

11 am

Mr. David Amess (Southend, West): I am delighted to have the opportunity to raise a very important issue, which has been somewhat forgotten in recent years. That is not for want of trying by people such as Brigitte Bardot to bring it to other people's attention. I emailed her office to tell her that this debate would be taking place, but I am not sure whether she will be joining us. It was she who, many years ago, first brought this issue to the attention of the general public. She went out to Canada and posed with some seals to demonstrate in graphic detail exactly what goes on.

There are some who would say, "For goodness' sake, why waste Parliament's time discussing animal welfare matters?" However, like many colleagues of all parties, I feel strongly about animal welfare issues. We feel that a civilisation is judged in certain respects by how it treats animals. None of us can get inside an animal to understand it. Are animals less intelligent than women and men? Are they more intelligent? None of us knows. But Parliament should spend at least some of its time discussing animal welfare issues.

I will certainly not use the debate as an opportunity to have a go at the Government. I am using the procedure in the hope that the Minister can send some sort of message to our Canadian friends. I pay tribute to an organisation called Respect for Animals. It is not perhaps widely known. It is run by four individuals and depends on the general public to sustain it financially. It runs campaigns sensibly and constructively and is entirely responsible for bringing this issue to the attention of myself and other hon. Members. As a result, an early-day motion has been tabled on our concerns about the slaughter of seals.

Together with two other Members I had a meeting on 11 September with the Canadian high commissioner. Canada is one of our greatest allies. Our meeting was conducted in a warm atmosphere. The high commissioner brought with him a number of his colleagues and officials who had great expertise in this area. It was time well spent. Although I will go into greater detail, the bottom line for me and the other 159 signatories to the early-day motion is that baby seals, lying on the ice, are not entirely delighted when a human being comes along and clubs them on the head.

I understand the historical reasons for the pursuit of seals, and I understand all the arguments that the Canadian Government advance. I said at the end of the meeting that I had not been convinced that killing the baby seals was anything other than cruel.

Early-day motion 135, tabled by the hon. Member for Broxtowe (Dr. Palmer), called on the Government to take action over the seal hunt, and has been signed by about 160 Members of all parties. The hon. Members for Lewes (Mr. Baker) and for Brighton, Pavilion (Mr. Lepper) and I saw the Canadian high commissioner, His Excellency Mel Cappe, to raise the concerns detailed in the early-day motion.

I do not want to be too emotional, but the Canadian Government have effectively declared war on seals. Last winter they announced that they would allow nearly 1 million harp and hooded seals to be killed over the next

three years. That is a huge number. In 2003, according to figures from the Canadian Department of Fisheries and Oceans, some 289,512 harp seals, 151 hooded seals and 1,870 seals of four other species were killed; those are horrifying statistics. I hope that hon. Members will accept that they do not include the many seals that are shot in the water and die later but are never retrieved.

I am delighted that this debate is being held today, as the 2003–04 seal hunt officially opens in 11 days' time on 15 November, and lasts for six months. However, most of the seals will be killed in March next year, so there is time to take action. I shall later describe precisely what happens to the seals, as it is right that hon. Members should know. They are usually clubbed to death, and the vast majority are killed when they are less than three months old.

An independent veterinary survey established in 2001 by the International Fund for Animal Welfare included a number of eminent vets: Joanne Fielder, John Gripper and Ian Robinson from the United Kingdom, Rosemary Burden from the United States of America, Alan Longair from Canada, and Debbie Ruehlmann, a neurologist specialist from the United States. They showed that 42 per cent. of the seals observed were skinned while they were still alive and conscious. That is unbelievable in this day and age.

Stephen Harris, professor of environmental science at the university of Bristol, witnessed the hunt in 2002 and described in an excellent article—I am prepared to believe him, because obviously it suits me to do so—the complete indifference to cruelty of some of the sealers. He found that the hunt suffered from a lack of monitoring. The Canadian high commissioner reassured my parliamentary colleagues and me that monitoring took place, but Stephen Harris believes that there was a lack of monitoring, unacceptable cruelty and definitely the potential for over-exploitation.

Most of us, including the general public, think that the clubbing of baby seals no longer goes on, but it does. A million have been killed over three years, and it is an important issue—I shall not be sidetracked by hunting with hounds—as the level of killing is almost twice as bad as it was during the late 1970s and early 1980s, when Brigitte Bardot first brought it to the attention of the world.

As a result of public pressure and political will, the European Union banned the import of products from whitecoats, which are harp seals up to their first moult and approximately 10 days old, and from bluebacks, which are hooded seals up to their first moult and approximately 18 months old. That was wonderful, and all animal welfare groups welcomed it. However, although it stopped or at least severely curtailed the hunt for a few years, it has since continued. Those products are now exported to countries in the EU.

The Canadian Government have worked hard to find a way round the ban, and even subsidise the hunt. Thanks to a marketing effort, the skins from slightly older seals—in the case of harp seals, they are literally a few days older—are now being imported into the EU. That circumvents Council directive 83/129/EEC of 28 March 1983, which relates to the importation into member states of skins of certain seal pups and products derived therefrom, and which is aimed at stopping this cruel slaughter. The innocent seal is being used as a scapegoat by the Canadian Department for Fisheries and Oceans, which is the very Department that oversaw the collapse through over-fishing of fish populations, including cod, in Canadian waters.

The Department also created the myth that seals are to blame for the demise in fish stocks, which is just not true. Harp seals spend most of their lives in the north Atlantic, where they eat a variety of species including arctic cod, a species that itself eats cod. If anything, seals maintain cod populations. The ecosystem is much more complicated than the Department for Fisheries and Oceans suggests, and if seals were not around other species would increase in number to fill the niche.

Seals and fish have been around for tens of millions of years. It is only human over-fishing, which the Department for Fisheries and Oceans has overseen, that has caused the problem of depleting fish stocks. Seal hunting is not the answer for restoring fish stocks, as the Canadians would have us believe. The answer is effective policing of fishermen and their respective catches, and the implementation of fishing quotas in Canada's waters.

Opinion poll research commissioned by the Canadian Government showed that 71 per cent. of Canadians are not familiar with the issues surrounding the seal hunt, and a majority of 54 per cent. of Canadians oppose the seal hunt. So why does it continue?

Last year, 46,463 raw and tanned seal skins were imported into the EU directly from Canada, and they were valued at €1.545 million—my primary source for that is EUROSTAT. Furthermore, the EU imports large numbers of skins of Canadian origin from Norway. The Minister might already be aware that the animal welfare organisation, Respect for Animals, has initiated a boycott of Canadian tourism—as many of us know, Canada is a wonderful and beautiful country to visit. The organisation will continue the boycott while the hunt continues, which concerns the Canadian high commissioner, and that type of protest is likely to increase.

Perhaps the Minister could remind the Canadian Government that tourism is worth far more to Canada than the seal hunt could ever be, and that the Government's reputation is being damaged by this bloody slaughter. I urge the Minster to persuade his European counterparts to consider extending the European regulations that were brought into force in 1983 to all seal products. Considering that the EU is the main importer of seal products, the Canadian Government might become resigned to the fact that the seal hunt, even when subsidised, is not worth continuing.

Danny Penman, a journalist, went to watch the slaughter of seals this March. He said he met his first Canadian harp seal, and added:

"At first she was frightened but curiosity soon got the better of her.

Within five minutes she was padding slowly across the ice. Moments later she was trying to snuggle up to me. The next day, she was almost certainly dead.

Canadian sealers landed on her ice sheet shortly after dawn. They then proceeded to batter, kill and skin every living thing. Within half an hour the ice and snow was drenched with blood."

This is not an emotive opportunity to exaggerate; that actually happened. The journalist said:

[Mr. David Amess]

"We watched in horror as a man we called 'Conan the Barbarian' slaughtered everything that came within range.

In the space of thirty seconds he clubbed five baby seals. The first four were hit over the head with his hakaapik. The fifth was stroked on the head before being bolted with the club. He then flipped the seal over on her back and began to slice open her throat and stomach.

She then began to scream"—

so would we if we were treated like that—

"and wriggle furiously as Conan peeled off her skin. Within thirty seconds the baby seal's carcass was cooling on the ice, eyes staring blankly at the sky. Her skin was dragged across the ice and dumped on a pile of steaming pelts. Conan was a few dollars richer."

Later, the mother of that seal and others came on to the ice to look for it.

That cannot be allowed to continue, and I hope that the Minister agrees.

11.16 am

The Minister for Trade and Investment (Mr. Mike O'Brien): Like many of us, I am recovering my voice after the flu; I hope that it holds out for this debate.

I congratulate the hon. Member for Southend, West (Mr. Amess) on securing this debate on Canadian seal hunting. I know how many hon. Members have a view on the subject; it has been a matter of public interest for some time. I welcome this opportunity to give the Government's view on the issue.

As the hon. Gentleman said, seals are bright, inquisitive, sensitive creatures. The slightly amusing but sad story in today's newspapers about Hoover the talking seal demonstrates that. However, Canada and Britain have close links, including links of family, and a similarity in attitude—Canada is a liberal country with values similar to ours. In many ways, although we talk about our special relationship with the United States, our closest relationship in north America is really with Canada. As the hon. Gentleman said, it is a warm relationship.

When I was young, the *Daily Mirror* ran a series of articles showing pictures of seal clubbing. I can remember a picture on the front page of a seal clubber hitting a white seal cub. For many years after that, every time I heard the word "Canada", I recollected that image. I now know a lot more; I know that Canada is a beautiful country, that its people are wonderful, and that its attitude on most things is similar to ours. However, that association between Canada and seal clubbing is not something that does the reputation of Canadians any good at all. For a period, it certainly did not do so in my eyes—nor, I suspect, in the eyes of many others. The way in which seal clubbing and seal hunting are carried out does Canada's reputation a great deal of damage.

We closely follow developments in the Canadian seal hunt. It focuses on two main species—the harp seal and the hooded seal. Neither of them is listed in the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora—CITES. Their current populations are considered to be relatively healthy, so they do not meet the relevant listing criteria. Harp seals are the most populous of the seal species on the Atlantic coast, and are the major species hunted for commercial purposes.

The Canadian seal hunt has been regulated by means of quotas for some time. Earlier this year, the Canadian Government announced a new seal management plan for 2003–05. Under that plan, the total allowable catch—TAC—for hooded seals is 10,000 a year: for harp seals, the figure has been set at 975,000 for the 2003–05 seasons, with a maximum annual TAC of 350,000. That TAC will be instrumental in meeting the Canadian Government's plan to reduce the current population of harp seals from 5.5 million to 4.7 million by 2006.

The Canadian Government maintain that their seal-hunting practices are not a danger to the sustainability of the seal population, but some authorities consider the quotas for 2003–05 to be at the limit of what may be sustainable. The Canadians have also expressed concern that the current seal population is having a negative impact on fish stocks, and especially cod stocks. However, the relationship between predator and prey may not be quite as simple as is imagined. For example, seals feed mainly on squid, which in turn eat juvenile cod, so a major reduction in seal numbers might, perversely, lead to an increase in squid and a decline in cod stocks. Seals are also a major source of prey for killer whales and polar bears, and any major decline in the seal populations is likely to hurt their major predators.

We do not accept the need for any seal cull, but if one does take place it should be sustainable and based on a precautionary principle—on an approach that takes into account the importance of the species in maintaining local biodiversity in its role as both predator and prey. Although we have made no formal representations to the Canadian Government since 1999, the Canadian authorities are aware of our views on this matter. We have expressed our concern that the seal cull should not exceed numbers that are required to maintain the sustainability of the species. We have also asked that the Canadians consider a total ban on the hunting of seals for commercial purposes. In this context, we welcome the Canadian Government's prohibition of the harvest of whitecoat and blueback seals. A whitecoat is a harp seal up to two and a half weeks old, and a blueback is a hooded seal up to about 15 to 18 months of age. The Canadian Government continue to enforce that prohibition.

The importation of the skins of harp and hooded seal pups has been prohibited in this country and throughout the European Union for 20 years. However, imports of adult skins are not prohibited. The trade in the skins of harp and hooded pup seals was prohibited on the ground that it was felt that the level of trade at that time was unsustainable. The European Commission is keeping the current status of adult populations of those seals under review, but there are insufficient grounds to intervene on the basis of sustainability at present.

I turn to the methods that are used to kill the seals, and clubbing in particular. The Canadians say that not the majority, but only about 3 per cent., of seals are killed in that way. It is an especially disgusting way of killing seals. The Canadian Government are aware of the concerns about it. They have regulations to ensure

that seals are killed in a safe and humane manner. Some say that it is both safe and humane to club a seal. I do not accept that. One of the issues considered by the Canadian royal commission on seals and sealing was how far the killing of seals was carried out in a safe and humane manner. It claimed that the methods used were designed to kill the animal quickly. I suppose that clubbing a seal over the head does kill it fairly quickly, but that does not make it particularly humane or safe, certainly not for the seal. The commission claimed that the methods used were designed to protect the animal from undue cruelty—we do not accept that clubbing is acceptable. It claimed also that the methods used in hunting seals were no less humane than those used in hunting other wild animals.

The Canadians say that most seals are now shot on the ice with high-powered rifles by sealers operating from the bow of small boats. We have heard evidence suggesting that that might not be the case. However, I do not have evidence that would lead to a firm conclusion either way. Certainly, there is a great deal of concern about clubbing, and I hope that the Canadian Government will take the view that it needs to be prohibited.

There is conflicting veterinary opinion on the cruelty of seal hunts. A recent survey showed that many seals were skinned while still conscious—a disgusting practice. However, a recent Canadian Veterinary Medical Association report concluded that 98 per cent. of seals were killed in what it described as a humane manner. Even if 2 per cent. are killed cruelly, that still represents thousands of seals. I hope that the Canadian Government will work to ensure that if seal hunts are carried out, 100 per cent. of seals are killed in a way that does not involve clubbing or inhumane and improper treatment.

The Government will continue to work to raise animal welfare standards internationally through continuing engagement and dialogue with our EU and other trading partners. I assure the hon. Member for Southend, West that we are maintaining an active interest in the Canadian seal hunt. We would prefer that there were no commercial hunting at all, and we have told the Canadian Government that. However, it is important to note that the seal-hunting programme does not contravene any international agreement and that it is ultimately for the Canadian authorities to regulate the practice. As long as the hunting of seals is permitted, we hope that the killing methods will be monitored effectively and that the clubbing of seals will be stopped. We hope that the Canadian Government will monitor the operation of their regulations, and ensure that they are implemented in practice and do not just lie on the statute book. The Canadian Government do monitor and I hope that they will ensure that that monitoring is done as effectively as possible.

The hon. Gentleman raised the question of the EU and whether we should have a complete ban on the import of all seal products. We recognise those concerns and concerns about wider animal welfare issues; that is why we are pressing for animal welfare concerns to be recognised as legitimate grounds for action against goods under World Trade Organisation rules. Those rules govern our trade with other countries. The view of the WTO, which has to make a decision unanimously, is that it is not prepared to allow animal welfare issues to be a criterion for stopping trade in particular kinds of products. Some countries have said that the EU is attempting to impose its ethical views on other countries. It is our intention to convince, not to impose, and we will continue to seek to convince those other countries.

At present, WTO rules do not explicitly allow for trade restrictions on the basis of animal welfare concerns, and any proposal to restrict or ban the import of seal products from Canada or in general would have to be considered carefully to ensure that it would be justifiable and proportionate under WTO rules. Past experience with leghole traps has demonstrated that some trading partners will react strongly to EU attempts to impose trade measures on animal welfare grounds. There is no point in the EU or the UK making laws or implementing regulations that would be found to be in breach of WTO rules and would have to be repealed if successfully challenged. The UK's approach has been to seek discussion with Canada, which we hope will result in its ensuring that any hunting is done properly—and that, hopefully, all commercial seal hunting is ended.

11.30 am

Sitting suspended until Two o'clock.

Children's Play

2 pm

Paddy Tipping (Sherwood): Children's play is important, and I am delighted to introduce a debate that I hope will raise the profile of play and contribute towards a national strategy for children's play. Let me begin with a confession. It was 20 years this summer since I organised and ran my last summer play scheme, and slightly longer than that since I was involved in after-school clubs. However, the issues surrounding children's play have not changed substantially, and I shall highlight some of them.

Children's play is hard to define. It covers a wide spectrum, from intensive adult activity with small children to more informal, open approaches to play, both inside and outside. I shall concentrate this afternoon on the latter. However we define children's play, it is important to recognise that it involves much more than swings and roundabouts; it is an avenue for self-exploration, growth and development.

Although I generally welcome the Green Paper "Every Child Matters", which was published last month, it refers only in passing to children's play. One of my aims today is to make it clear that that document is out for consultation. I hope that our debate can contribute to a firmer children's Green Paper and a set of policies that recognise children's play.

Children's play is important to youngsters themselves. There is a tendency these days to try to make children grow up far too quickly. One has only to look at advertisements and television to see that. In a consumer society, all the emphasis is on making youngsters grow up quickly and reach adulthood. I want children's play and childhood to allow children time and space to relax, find freedom and enjoy the moment. We all know the old adage about all work and no play. Play is important in letting children just take stock as well as in their development. It can be exciting and imaginative. I have watched children go deep-sea diving, climb Everest and make the most dramatic space journeys—all in their own living rooms. Playing—that excitement—is a journey, a preparation for life.

Children's play is important for parents, too. In fact, I do not think that we understand just how important parents see children's play as being. There has been a great deal of public polling on it, and when parents were asked what would most improve their area, 43 per cent. cited better facilities for children as their top priority. When they were asked to place children's play facilities among 20 priorities for young people, they put them fifth, which, interestingly, was well above both health and education. Parents see play as important.

As I look into my crystal ball, which is notoriously cloudy, I think that the notions of space and of owning and being part of one's neighbourhood will be growing political themes in the future. Children have a right to expect part of that space. Parents also believe strongly that in a pressured world, in which they are stressed, in which life can be difficult, and in which there are many demands on families, it is important to have time when children can have their own space. Children's play is important to both children and their parents.

Children's play does not have the profile that it deserves. One argument is that that is because local and national structures of government are fragmented when it comes to children's play. People are interested, but nobody has sole responsibility. In Whitehall, for example, the Department for Culture, Media and Sport has the top interest in children's play, but officials in the Department for Education and Skills are also involved, as are those in the Office of the Deputy Prime Minister through planning issues and work with local authorities. The Home Office also has an interest, so four big Departments of state have an interest in children's play.

That situation is mirrored in local authorities, although in many ways things are more fragmented there, because different authorities handle children's play in different ways. In some authorities, the social services department is the lead department, while in others it is the education, recreation or leisure departments. There is no clear local authority blueprint for children's play. Such fragmentation does not matter if structures are made to work, and it is essential that all parties, nationally and locally, should talk about children's play.

The voluntary sector is an important stakeholder. In Nottinghamshire and nationally, voluntary organisations—ordinary parents, residents groups and groups with special interests—are making provision for children to play. The voluntary sector has an important voice and must contribute widely to the debate.

In my county, Nottinghamshire, a framework for children's play has been in place for some years. It is not perfect, but it is evolving to meet needs. I am delighted to say that the county council, working with partners in the voluntary sector, has established play centres in each of the districts. There is also a play forum in each district, where partners come together to discuss a local strategy to meet local needs. I am pleased that 174 after-school clubs are running in Nottinghamshire and that more than 5,000 places are available. That is an important leap forward from what happened when I was involved in the system.

What impresses me most about Nottinghamshire is the training that takes place. The play centres have acted as vehicles for getting out and talking to parents and community groups, particularly in disadvantaged areas, and are making training available from an introductory level up to NVQ3 level. Adult skills in children's play and the facilities to encourage and excite children are also important. The Nottinghamshire model shows us what can be done.

I want us to go further by building on the Nottinghamshire base to form a national strategy. One tool available is the soon-to-be-published work co-ordinated by my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), whom the Department for Culture, Media and Sport asked to look at how new opportunities for funding for children's play—about £200 million is involved—should be spent. I have not yet seen the final product, but I have witnessed his work. What impressed me was that the team involved had regional meetings across the country and talked to people about the children's play facilities that they need.

The work done directly with young people is particularly impressive. For example, a workshop was held in Birmingham and young people were asked to discuss their views on the provision of children's play. In

a debate on children's play, we should hear the voice of the children. One article states:

"In Birmingham the children tended to favour smaller local provision with comments mainly about ease of access and variety. They included, 'Big play spaces cost too much money to get to', 'You can go to different ones to see what different things they do' and 'Lots of small ones means lots of different things to do'."

Concerns were also expressed that big playgrounds might lead to bullying. There is a view that, since big playgrounds might entail the presence of adult staff, smaller provision directed at local neighbourhood need is probably the best way forward.

Children also discussed better school playgrounds and more out-of-school and holiday clubs. Holiday and homework clubs are important, but there are dangers in provisions. There is a lot of pressure on schools and teachers to perform. There is a danger that homework clubs may be used to reinforce learning and schooling. That should happen to some extent, but out-of-school clubs should be more exciting, and different from school. They should be a chance for children to recover and explore after school.

Children had a say in the Dobson review. Perhaps my right hon. Friend the Minister for the Arts will be able to tell us when it will be published, as I understand that it is imminent. It is important to recognise that it is not a Government report, but a report to the Government. It is a set of ideas to put to the Government, to which they must respond. Clarity on the timetable of the discussion would be helpful.

I do not know what will be in the review, but I can imagine what some of the themes will be. We must examine children's play across the country, but we must consider in particular how to meet children's needs in the most disadvantaged areas. It is also important to consider the play needs of children with special and exceptional needs. They also have a right to play, and the facilities available to them are limited. I am grateful to the National Autistic Society for telling me, in a letter, that a recent survey of play facilities found that

"more than two thirds of disabled children do not use leisure facilities because they are made to feel uncomfortable while doing so. This highlights the need to challenge negative public perceptions if inclusion is to become anything but an aspiration. Over half of the families (55 per cent.) had to travel outside the area to find accessible facilities, with opportunities to access play and leisure limited by financial constraints and difficulties with transport."

It is important to include all children in any national strategy.

It is also important to examine how funding reaches children. It is fairly easy for voluntary groups to find capital for projects, but it is sometimes difficult for them to find the day-to-day resources to sustain projects in the long term. I am concerned that the Dobson review should not reinforce the impression that lottery money should fund children's play, although lottery money can make an important difference. The children's Green Paper and the Dobson report should provoke a stocktake of how much we currently spend on children's play. No one knows the answer, and if we are to develop new facilities and a national strategy, we need to start at base one. We need to know and to cost what we are doing before we move into the future.

It is also important for local authorities to examine what they are doing for children's play. I note that none of the targets set for local government concerns children's play. We should reflect on whether there is a lesson to be learned from that. Should we be talking more clearly to local authorities about the targets that are set?

The important thing is to try to include funding for children's play in mainstream funding—it should not all be lottery money. For example, in big regeneration projects we should examine how some of the project money could be directed towards children's play. We should also use the planning process more sensitively and sensibly, to introduce appropriate provision for children in new developments. That should, but does not always, happen.

There is also the question of how we use schools. Budgets are tight, and the priority is children's education, but we should try to develop schools as community resources—as centres that can reach out to the wider community. That process has already begun, and I am confident that projects such as sure start will enable it to proceed.

We should examine our old Victorian parks. There is an increasing interest in how urban Victorian parks can be revitalised and regenerated. Children's needs should be considered when we are examine ways of developing those parks.

Those are some of the questions that I hope the review will answer. However, the essential requisite for good children's play is good training for the people who are involved in it. In fairness to the Green Paper, "Every Child Matters", I may say that it refers specifically to the need to encourage play training. People who work and play with children are not devoid of skills—they are highly skilled people who can pass their skills on to other child care professionals. I have seen children's lives radically changed through good-quality, thoughtful and structured play. However, for structured play to be done well, both training and resources are needed.

There are signs of progress. I am delighted that the Department for Education and Skills has recently recognised SkillsActive as the sector skills council for active leisure and learning training. Having a body with sole responsibility for certifying and promoting quality children's play training is a welcome and significant step forward.

The funding now available from the Department for Education and Skills for regional play centres reinforces that approach. In the last year, new regional training centres have been developed in Yorkshire and Humberside, the east midlands, the north-west, the east and the south-east regions, taking the total regional centres to nine; those are encouraging signs.

I want to continue to work with people within and without Parliament to build on important progress—the Dobson report, SkillsActive and the Green paper—to create a framework for children's play. Some high-quality work is being done, but there are big gaps where there is no appropriate provision, and we must look closely at that. The time has come to take stock of what we are doing about children's play, and to try to move forward and make a difference. It is 20 years since I ran a play scheme, but what impressed me then, and still impresses me, was that investment in children and their play is not just for the present, but for the future, too.

2.21 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is a pleasure to take part in this debate and to follow the excellent speech made by my hon. Friend the Member for Sherwood (Paddy Tipping), whom I heartily congratulate on choosing the subject for discussion.

It is delightful to have this opportunity to discuss children's play, and also surprising, because it is taken for granted in the world we inhabit that play is peripheral and less important than other vital matters in people's lives. That view is wholly wrong, and I am disappointed that more hon. Members are not present for this debate.

Members of Parliament are extremely skilful people, adept at communication, building relationships, co-operating and forming—and sometimes breaking—alliances, but those essential social and people skills are not taught at school at any level or in higher education. They may result from the general experience of living, but most importantly they come from the profound learning experience of play. I learned lessons in our back lane that I use every day of my life.

A month or so ago, we held a day in Lancaster called, "What's life like for children in Lancaster," assisted by the great national expert, Professor Al Aynsley-Green, the national clinical director for children's services. About 150 adults and 30 or so children and young people were present, all of whom participated extremely well. One of my community campaigns followed from a suggestion made that day: a young chap from a local primary school stood up at the beginning of the meeting, in front of a large number of adults, and said that what was needed to improve life in Lancaster was a community telescope. That was such a wonderful idea. We are all in the gutter looking at the stars, and that was a fantastic insight into community need.

Many other young people contributed that day. They concentrated on the important aspects of their lives and the issues that seemed fundamental to them. They said that they needed more parks and more space. They suggested that the old bus garage down the road could be converted into an ice rink and a centre for a whole range of children's activities, saying, "We could run that centre". The children and young people had some strong messages. They want ownership of part of our communities. They want somewhere that is definitely theirs. They want somewhere over which they can exert control. Above all, they have good and solid ideas about their community, what it should provide and what they want to see in it.

I look forward to the report from my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). I welcome the investment that the Government have made. It has come from a variety of sources. It shows its face in our communities. After long struggles and in the face of rampant scepticism from adults, skate parks are being developed in my constituency. That is what young people want. No, it is not a fad. It is the sort of sporting development that they want. Better youth and community facilities are being developed and there are more spaces for people to meet.

Meanwhile, begrudging little spaces are allowed on new housing estates. Planners force developers to include what is laughably described as a play space on estates over a certain size. The developers put them in the most obscure corner of the estate and the people whose houses are built next to them lobby their MP to get the local authority to remove the planning condition. That has been one of my most depressing experiences as an MP. So often we give the message to young people that we do not like them very much and we do not want them around.

We are very critical of young people. We do not like it that they watch too much television and get fat, but we also criticise them when they go out. We are all concerned, rightly, about antisocial behaviour, but we can become obsessed by it and we can see it in situations where young people are simply being themselves.

Mrs. Lorna Fitzsimons (Rochdale): Does my hon. Friend accept that there is a world of difference between behaviour that is rightly described as antisocial, and that plagues communities and mostly makes victims of young people, and the behaviour of the vast majority of young people who are bored and looking for something to do? We must stop criminalising children and realise that we must provide something constructive for them to do. We cannot rely on old, Victorian England values under which it was thought that children did not exist unless they were asked to contribute. If we do, we will force them further into problems that it will be costly to sort out.

Mr. Dawson: There is a great deal in what my hon. Friend said. We are discussing a continuum. In certain situations, it is possible to misinterpret the behaviour of young people. When they congregate and become a little boisterous, that is not necessarily a sign that they pose a great threat to our communities. We need to respond to the views of children and young people. A wider range of resources must be made available to them. Above all, they need space. As young people from Lancaster said, they need a meeting place and to be allowed to do their own thing. They should be allowed to run things and be in control of their environment.

The debate gives us a good opportunity to look back at our own childhood. When my hon. Friend the Member for Sherwood was talking, it struck me that he would have been a darn good member of our gang. We had an amazing time. We dammed streams, built wooden houses and climbed trees. Sometimes, we cut down trees. We had the huge advantage of being near a beach, on which we played all sorts of dangerous games. We also spent an enormous amount of time in our back lane where there was a lot of space because there were not many cars.

I recently made a nostalgic visit to the house where I lived 25 years ago. The area was full of cars. Children could not play cricket or cowboys and Indians there now. They could not be involved in grand construction projects. We always had a few nails and scrap wood. Such items seem to be missing now. We built things out of all sorts of junk. There is not the same tolerance for young people these days. As well as really good, well-organised activities of the sort mentioned by my hon. Friend, we need to provide children with opportunities for adventures. A load of constructive material must be put at their disposal. Children must be able to play games and let their imaginations roam around the possibility of using such material.

We need more co-ordination in the way in which we offer play projects. I do not understand where the different elements of funding come from. In our area, the county council provides opportunities for play, as does the district council. A community safety budget funds excellent projects. The lottery has funded various projects, but because it is so diverse and diffuse, play does not receive the attention that it deserves.

My hon. Friend the Member for Sherwood was absolutely right to refer to the Green Paper, "Every Child Matters". If every child does matter, we must ensure that play is a central part of every organisation's work. There are children's trusts, and local authorities, which will have a lead officer—a lead politician—for children's services. We must ensure that those people give play the prominence that it deserves and requires.

We need to recognise that play work is a thoroughly respectable and vital profession. As part of that, we need to recognise that there are huge skills in our communities. Across the whole range of work with children, there are opportunities for community regeneration. In some of the most allegedly run-down parts of my constituency—certainly the parts with poorer reputations—there are people who have great experience with children: many of them have been parents, grandparents, brothers or sisters, and have taken part in a wide variety of voluntary activity on the estates where they live. We must recognise the talents of people from some of the most deprived communities in our land: we need to nurture those talents—and support and employ them.

If we really want to get to the nub of the problem of children's health and antisocial behaviour, and if we really want to engage children in our communities and the future of our society, we must give them opportunities to learn, grow and socialise, and to be part of their communities, and to take control. The first step towards that is to listen to children and young people. We have a great opportunity to make the changes that are required.

In a sense, a cultural change is required. We need to understand the importance of play and the significance of childhood. We must ensure that we enjoy children's childhoods, and that children enjoy them, too. If we get that right, we will do a great deal better by our society in the future.

2.37 pm

Dr. Jenny Tonge (Richmond Park): I am, I think, quite well qualified to speak on the subject of children's play. I am the mother of three children, who will soon have presented me with five grandchildren, and I am becoming quite an expert on childhood, as they all live near me in my constituency.

The long title of the debate, "Government strategy for children's play", made me wonder whether we were going a little bit mad. Do we need a strategy for play? Do we need a programme for it? Will the right hon. Member for Holborn and St. Pancras (Mr. Dobson) set targets for play? Would that not be the very opposite of what play means? Play means doing something that you like doing—or doing nothing. What is wrong with doing nothing occasionally? If we are to have targets for doing nothing and doing things that we like doing, I dread to think what direction the Government are taking us in.

However, I will take this matter seriously. I congratulate the hon. Member for Sherwood (Paddy Tipping) on securing the debate, because play is important. Why have we suddenly—maybe it happened gradually—realised that we need a strategy? One reason is that successive Governments have been very unjoined-up in their Departments. People have not actually thought out the consequences of particular policies, and we must start addressing that seriously.

Take the example of school playing fields. I do not blame the present Government for the non-existence of school playing fields, but an awful lot of them have been sold off over the past few decades. When little children, such as my toddler grandchildren, are taken into an open space or empty field, they run and run. The appeal of big empty spaces to a child is great, but, as the hon. Member for Lancaster and Wyre (Mr. Dawson) said, where can they be found? He had his beach when he was a child, but the vast majority of our children are brought up in towns and urban environments where they have no space. They cannot run around and get away from everything. The school playing fields policy was a sad move that meant many schools lost their fields.

The national curriculum is so prescriptive that it does not leave enough time in the day for extra activities. The wetland centre in Barnes, which is part of the Slimbridge Wildfowl and Wetlands Trust is a beautiful facility of reclaimed reservoirs with water birds, geese, ducks and all sorts of things for children as well as adults, and it is sad that so few schools visit it. Schools say that the school day is too crowded: they have no time any more to do trips, and teachers are overwhelmed by all the things that they have to do. There is no time and no space. All the targets that teachers must meet daily, weekly, monthly and term by term leave little time or energy to take the children out on an extra spree or trip. They have no time to ensure that the children are doing something constructive or playing happily in the playground rather than drifting around or thumping one another.

Dare I mention standard assessment tests for seven-year-olds? One of the saddest things that we have done to little children in this country is to make them prepare for tests at the age of seven. The hon. Member for Sherwood said that children are losing their childhood. They start taking tests at seven, and I know that the mentality of teachers who want their schools to do well means that they teach for that exam instead of letting children learn through play. Children do learn through play, and it is terribly important that they should, and not just learn in order to pass tests.

Parents are also at fault to some extent. In middle-class areas such as my constituency, I see the poor little souls being picked up from school, the girls being whisked off to ballet and their brothers off to judo. Then they go to piano lessons, and then they must have their extra tutoring at age nine or 10 for the independent school tests. Those children must fall into bed absolutely knackered. They are given so many extra opportunities for acquiring skills that they have no space for themselves. They are not allowed simply to do nothing. My eldest child loved doing nothing. He is a successful person who has done very well, which is partly, I hope, because I sometimes realised that he needed to do nothing and left him alone.

[Dr. Jenny Tonge]

We all know that television and computers are turning us into a nation of couch potatoes, and that children are becoming anaemic and obese, and developing rickets—there all sorts of horror stories about how unhealthy our children have become. However, a lot of that results from parents being too afraid to let their children out, and that is because successive Governments have failed to realise the importance of community safety and the village bobby who knows all the children in the local schools and who can be referred to and relied on.

Yesterday, during discussions on the Sexual Offences Bill in the Chamber, I was thinking about today's debate. A law was passed—although my party tried to amend it—that made it a criminal offence for children under 16 to touch each other sexually. That means that they cannot play doctors and nurses or kiss-chase; they cannot even play postman's knock any more, as I did and as my children did. That is a bit more legislation saying, "You mustn't do that; you must do your reading instead." We do not think enough about the consequences on our children of legislation on other issues.

There have been some tremendous measures recently. I congratulate the Government on sure start. It is magnificent that that is being rolled out even in my constituency, which is not a deprived area. Sure start is coming, and it involves superb schemes.

Could we please pay tribute to the play group leaders and after-school club organisers who for decades have provided all those things that our children would otherwise have lacked? I applaud and praise them. They have done a magnificent job, and I hope that a lot of support for play groups and their leaders will come out of the strategy.

Equipment in municipal and school playgrounds is much better than it was. I sometimes worry a little that putting nice, soft, bouncy surfaces under every climbing frame must make children think that every tree that they want to climb will also have a nice, soft, bouncy surface underneath it. Sometimes, we must remember that children have to learn by taking little risks—supervised, I hope, by their parents. They need to know that there are safe and unsafe things to do.

The hon. Member for Lancaster and Wyre, on his trip down memory lane—my handkerchief was at the ready, and I bemoaned the childhood of our past—and the hon. Member for Sherwood both mentioned town planning. Where is the waste ground? In my childhood—if I may take a trip down memory lane—it was bomb sites. I was brought up in the west midlands in the years just after the war. We played mothers and fathers in bombed-out buildings. We finished off the job that Hitler started, by throwing stones at windows that were almost but not quite broken. We had a great time on bomb sites; they were wonderful places.

My two boys now have children of their own. Despite their being brought up in leafy, wonderful Kew with lovely playgrounds and open spaces, including Kew green and parks, the boys' favourite playground—I hope that my daughter did not go there—was a derelict public building down by the river that was desperately dangerous. I have only just heard about it. It was right on the riverbank. What has happened to that most favoured place? Developers have built a block of luxury flats on it. That wonderful play space for young people in my constituency has gone.

There is no longer anywhere in our communities that does not belong to somebody. As soon as children start playing anywhere, someone complains about them making a noise or kicking balls. Everyone owns everything now; we are all very proprietorial, and children have no chance to let rip. Perhaps they do so in the country or on the beach, but most children do not have that facility.

Let me go back to the subject of SATs at age seven. A recent study compared our country with Sweden. Swedish children do not start formal school until they are going on seven. Until then, they go to pre-school and nursery. They are away from home, but learn through play, communication and interacting with their peer group. Our children are preparing for SATs in those years. What happens? Our children at seven are much better than Swedish children at reading, writing and arithmetic. They gain very good results at seven in comparison. At 14, however—oh dear! There is such a turnaround. The children in Sweden have learned to communicate and have caught up very fast, even though their formal schooling started a little later.

So many parents have to work that we need an expansion of before-school and after-school clubs. They are invaluable. In many areas, the old informal process of "You have the kids on Mondays, I have them on Tuesdays and Mrs. So-and-so has them on Wednesdays" meant that we all had after-school periods and one day off a week and that five mums shared the load. I am not sure that that happens as much as it did. I hope that it does, but in many urban areas perhaps it does not, because people do not make the same contact with one another.

I agree with the hon. Member for Lancaster and Wyre that we should ask the children what they went, whether it is to do nothing or whether they want skate parks, for example. Requests for skateboard parks in my constituency were pooh-poohed many times as a fad, and as something that the children would grow out of and move on from. However, they did not, and skateboarding is an excellent way of letting out energy.

Finally, let us not forget grandparents. My family has a play strategy for children called Grandpa—actually, they call him Poppy. He was the carver of pumpkins last weekend and is the controller of the railway network that is set up in our sitting room on Saturday mornings and not dismantled until Monday. He is a hard-working consultant in the national health service but he is also a magnificent play leader for the children. The gap between generations is an extremely useful one, which we do not exploit enough. Grandparents are very good at entertaining grandchildren, because they can send them home in the evenings; they do not have to keep them all night as well. So in our strategy let us not forget grandparents and particularly not the grandparent in my family—I commend him to the Chamber.

2.52 pm

Mr. Malcolm Moss (North-East Cambridgeshire): I congratulate the hon. Member for Sherwood (Paddy Tipping) on his success in the ballot and on introducing

the debate. Judging by the number of interested people in the Public Gallery, it is long overdue and very important to many people. I commend him on his excellent speech, which covered all the key points. I have been wondering what I can add to it, but if I left the Minister 45 minutes to reply, she might not thank me, so I will say a few words.

I begin with a quotation from a psychologist:

"When we play games with other children we learn how to compete, organise groups, be creative and develop socially. It also helps to relate to others and to form relationships."

That encapsulates everything that we all believe about play and its importance in all its multifarious facets. We have touched on only some of those facets today, and they range enormously—from doing nothing, as the hon. Member for Richmond Park (Dr. Tonge) said, to the structured, formalised play that takes place at certain locations. However, I think that we would all agree that there are problems with the notion and practice of play in this country at the moment. Playgrounds, once a Mecca for children, are in decline, often because councils no longer wish to maintain them because of to pressures on their revenue account, or perhaps because they no longer want to face up to the increasing claims for injury as our society becomes more litigious.

There is also a decline in the extended family. It is encouraging and heartwarming to know that there are tremendous granddads around who will look after their grandchildren, but today, unlike in the case of the hon. Member for Richmond Park, many grandparents do not live conveniently close to their grandchildren, which causes difficulties. In the past, the extended family brought on the younger children, but that option is no longer readily open to us, although I heartily agree with the hon. Lady's comment that the age gap between grandparents and grandchildren—between the generations—is often most productive, in that grandparents know how best to use time and have the patience to bring on young children.

I look back not with embarrassment, but with recognition that I did not spend anything like the time—or had the same patience—with my own two children that I spend with my one grandchild. I cannot claim to have more than one—Oh wait, I have two. *[Laughter.]* One was born two days ago; I had forgotten. He has not impinged on my life yet, but he is there. There is an eight-year gap between them.

As hon. Members have mentioned, we can no longer go out on the streets because of the sheer volume of traffic, and it is not only parents who are anxious about traffic and safety; children themselves are terrified. They say that they do not like going out and being near heavy traffic, and that affects the situation, too.

When it comes to safety, we are not talking only about surfaces in playgrounds. If we attempt to keep children in an ultra-safe environment, we run the risk of losing a key element of constructive play—a sense of adventure. Until I was about 10 or 11, I used to spend my holidays in north Wales, on the sand dunes near Prestatyn, in what we used to call a bungalow; it is a shack now. I went there for about a month every year, accompanied by my brother and my cousins. There were no playgrounds and no facilities—not even a cricket pitch—but every day after breakfast we went out with a sense of adventure and we created things. We must not think that as a Government or as a society we must always produce something tangible for play. We need to think more widely and create the conditions in which children can grow and develop through their own play.

Of course, children do not get out as much today as they used to. I have covered some of the ground, but there are other issues. There is a feeling that they do not get out any more, but today's children are damned if they stay at home watching TV or playing video games—they risk being labelled couch potatoes—and damned if they go out, risking the wrath of their parents, who are worried about traffic and other safety issues. The hon. Members for Lancaster and Wyre (Mr. Dawson) and for Richmond Park also mentioned the intolerance of members of the local community, such as neighbours or other people living nearby, who, as we MPs know, regularly complain about the activities of young people in their neighbourhood.

According to the latest research, most children now opt to stay indoors—a sedentary lifestyle that fuels the growing obesity epidemic. One survey of parents found that seven out of 10 children spend more time playing on computers and watching TV during the summer holidays than doing anything else, and 40 per cent. spend seven or more hours a day on such activities. Those statistics show that at least some play is taking place. One might call it domiciliary play, but it is important. Computers and the facility that children have with information technology bring them on much earlier than was the case with our generation. However, underlying the debate and the Government's so-called strategy on play is the feeling that although that type of play is okay in its place, play outdoors or in more structured areas, supervised or unsupervised, is suffering because children are not getting out of the home. The impetus seems to be towards restoring the conditions that would allow it to happen more.

There is growing concern about obesity, which is costing the health service £2.6 billion to tackle its direct and indirect effects, according to National Audit Office figures from 1998. We understand that that cost is still rising alarmingly. Given that evidence, the Government are right to consider how to develop more activity among our children, whether through play or sport or a combination of both.

We have spoken about structured facilities, and different costs are involved, such as capital costs to put the facility in place and the ongoing revenue cost, which is often the killer punch when local councils are considering whether to go ahead with various projects. However, we have facilities that are under-used in this country, such as those in our schools, particularly our primary schools. At this stage, like the hon. Member for Richmond Park, I pay tribute to all those involved in play groups and after-school clubs, who do a fantastic job with our children. A report by Learning through Landscapes, a national charity, has found that schools fail to make maximum use of their land and get only about 30 per cent. of the potential benefit from their outdoor facilities. There is the widespread problem of the sell-off of playing fields, which I will come to later, but too much existing land is being under-used.

Social, educational and play benefits are deemed to accrue from outdoor play facilities, and one example that I have obtained from the Library is that of

[Mr. Malcolm Moss]

Ravenstone primary school in Balham, south London. It put improved facilities into the school and saw dramatic changes in bullying, social inclusion, structured play and children's work in the classroom. That did not take a lot of money—about £30,000 was spent—but the effects were dramatic. That could be replicated in existing facilities throughout the country, through the Department for Education and Skills rather than the Department for Culture, Media and Sport. Rather than reinvent the wheel, we should make the most of under-used facilities on our doorstep.

Because of pressure on resources, heads and governing bodies cannot spend the money that they should on their playing fields. Fields are not cared for properly, as they are not drained or the grass is not cut, so they end up as no-go areas during wet winters. They are under-used because they are not maintained properly. As the heads and governing bodies do not then have the money to bring them back into full use, it is easy for them to take the option of selling the fields. If we gave those schools some ring-fenced money, we could perhaps encourage them to put in facilities that would allow their children to play in a more structured way.

Improvements can range from art, technology and architecture projects to sensory gardens. I opened such a garden at Eye Church of England primary school in my constituency a few months ago. The children had been involved in designing the garden; they related to it and it was theirs. That kind of thing can help children's play activities.

Land use and planning issues have already been covered, but I will mention them briefly. As 200,000 or 300,000 houses are to be built, particularly in south-east England, safe outdoor spaces should be planned as part of the infrastructure.

A recent survey by the Children's Play Council and the Children's Society found that, on average, fewer than one playground is provided for every 500 children under 12, and fewer than 40 per cent. of local authorities have either outdoor play policies or strategies for the public realm. At present, 56 per cent. of local authorities do not have an urban green space strategy, and 64 per cent. of those have no immediate plans to introduce one. The hon. Member for Sherwood made an important point when he said that public parks should be brought back into public use, as too many are run down—the same point that I made about revenue funding for the maintenance of school playing fields, which are tremendous facilities that can be brought back into greater public use, to the benefit of our children. The fear of crime, or of being accosted or bullied, drives children and adults out of those areas. We must address the crime and disorder dimension to the problem in parallel with the other considerations.

Mr. Dawson: The hon. Gentleman is right to say that the fear of crime dissuades people from going to open spaces, but is not that fear of crime completely out of proportion to reality?

Mr. Moss: Yes, I accept that fear of crime colours people's judgment in a perverse way, but it is a real fear and it should be addressed. My constituency in rural Cambridgeshire is not supposed to have huge crime problems, and the local chief constable told me last week that recorded crime was going down. That may well be so, but I told him that to judge from my postbag, crime is going up. People no longer bother to report it because they do not expect the system to deal with it. Small-beer crime such as antisocial behaviour—youngsters banging on doors and causing problems—frightens elderly people and contributes to their fears.

As the hon. Member for Sherwood said, improving the quality of public space is high on the list of issues that people think important to improvements in the quality of their lives. My statistics are slightly different from his: mine put that ahead of education, in the top three or four priorities, along with reducing crime and improving the health service. In spite of that, public space has been overlooked for many years, by this and previous Governments.

I have already mentioned the problems associated with school playing fields. Under a previous Sports Minister, the Government seemed determined to tackle the matter, but little improvement has been made and the problems still exist. There has been a steady rise in applications to build on playing fields; there were about 1,325 in 2002–03. Since the Secretary of State for Education took direct control of the disposal of school fields in October 1998, some 213 applications have been approved and only six refused. An alarming trend is developing. Most applications go through and few are turned down. The Government may argue that not all playing fields are lost and that sometimes an indoor facility is built on part of a playing field. I accept that, but neither the local authorities nor the Government have any clear statistics about what is happening out there.

Rather than piecemeal and ad hoc developments that are used by the education service to raise money to prop up education budgets, we need a cohesive view of what playing fields and facilities are needed. The Department for Culture, Media and Sport should lead on that, and we need to plan systematically. If we do not know exactly what is going on, a time will come when we say, "Whoops, we have gone too far. How do we go back?" Once playing fields are gone, they are irreplaceable. Unless we knock down huge swathes of housing to create new playing fields, they are lost and gone for ever. The Government must do more to secure the future of playing fields.

As the hon. Member for Sherwood pointed out, a review was carried out under the chairmanship of the right hon. Member for Holborn and St. Pancras (Mr. Dobson). It was set up last October to look at ways in which the £200 million allocated from the New Opportunities Fund would be spent on children's play. I understand that that review was completed in March. We were promised the Government's response in the summer. It is eight months since the right hon. Gentleman submitted his report. Like the hon. Member for Sherwood, I hope that the Minister has some good news. Does he think she has some good news? I see him nodding; perhaps that was what prompted the debate, which may be another launch pad for good Government news. I hope that the Minister has some good news and that the report will be published very soon.

I see the Minister looking at the clock, so I shall be very brief. It is funny how time goes. One thinks one has two minutes' worth of stuff to say and it lasts for 12.

I take the line taken by the hon. Member for Richmond Park on strategy for play. It is not the play that is at issue, but facilities and opportunities. Any strategy needs to be inclusive and to cross Departments. I do not mind whether it is DCMS that leads it, but someone needs to. It needs to be more co-ordinated, both nationally and locally. Local authorities seem to do their own thing without any requirement to supply even basic provision.

As the hon. Member for Sherwood said, provision is fragmented. Local authorities and planning departments need a clearer role to ensure that land use planning goes hand in hand with our need to provide facilities. All in all, the Government are doing some good things with their positive activities for young people, sure start and various other schemes, but it would be interesting to hear what they intend to do about the New Opportunities Fund money.

3.13 pm

The Minister for the Arts (Estelle Morris): I congratulate my hon. Friend the Member for Sherwood (Paddy Tipping) on securing this debate. I had a word with him before it started and reminded him that, although it might be 20 years since he led a play group, within months of being elected in 1992 he was asking questions about play and play areas. It is not just in response to the publication of the Green Paper on children that he has shown an interest in play; his is a long-standing involvement. I congratulate him on his tenacity and have every confidence that that tenacity will extend through the months and years ahead.

We hope to publish the report prepared by my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) by the end of the year. Having joined the Department belatedly, I had not realised how long ago the report was commissioned; I agree with the hon. Member for North-East Cambridgeshire (Mr. Moss) that it is an inordinate length of time. That is my commitment and I hope that nothing happens to make me apologise for the non-appearance of the report.

I congratulate the hon. Member for North-East Cambridgeshire on the birth of his second grandchild. In time, I hope that he becomes as good a play leader as the husband of the hon. Member for Richmond Park (Dr. Tonge). I have no doubt that the hon. Gentleman's grandson will be imprinted on his mind in a week, not least by the noise, and he will never again forget that he has two grandchildren.

It has been a good and helpful debate, devoid of party arguments or political party points, and I join hon. Members in stressing the importance of play. I was beginning to think that my hon. Friend the Member for Sherwood was giving us an opportunity to reminisce about our own play, and there is nothing wrong with making that comparison, which reminds us of the importance of play in our lives. Whether we used spare time in our youth legitimately or illegitimately, nobody would deny that it had formative influences on us.

However, I warn against thinking that everything in the old days was rosy, and that there were long summer days when it never rained, no child was at risk, and no neighbour shouted at a child for putting a ball in their garden. That is not my memory of childhood. I was shouted at for kicking the ball in the neighbours' garden and that will always be part of the essential relationship between adults and children. They were not all glory days, but we were children and did not have much to worry about except whether the ball was kicked into the neighbours' garden.

The social context in which children now grow up is very different. It impacts on all areas of their lives, including play. I got out of the neighbours' way by going to the park, but that was at a time when my parents were not worried that I would not come back, and the newspapers were not so full of stories about risks to children. I do not know whether children are at more risk now from traffic and dangers from adults, but parents think that children are more at risk than a generation ago. It is not for the Government or MPs to talk to parents about the risk they take with their children; that has to be up to the parents, because the consequences of ill coming to children will be borne by them and no one else.

Everyone—the Government, the media, parents or MPs—has a social responsibility to ensure that when we discuss antisocial behaviour, which I suspect has increased since I was a child, and the risks to children, we do so in an open, honest and robust way to warn parents, but do not go over the top and scare them into altering how they deal with their children.

Mr. Dawson: Whatever we think about antisocial behaviour and crime, it is clear that the risk to children from traffic has increased markedly and continues to do so exponentially every year with more vehicles on the road. It is essential that local authorities address the issues of safe streets for children, safe routes to school and safe places for children to play where they can be fully protected and insulated from traffic.

Estelle Morris: I do not disagree with my hon. Friend, but frankly, that choice has been made. Members of Parliament and our constituents may have two cars, whereas a generation ago families might not have had any. We the public are responsible for the increase in the number of cars and untidy parking on streets. Children used to play in the streets but cannot do so any more; looking around the Chamber, I see that most hon. Members are of a similar age and probably did play in the street. That has changed but it is not controllable; it is the position that we are in. To summarise that debate, there is no going back to the days when back alleys were always safe, when streets did not have cars on them and open spaces were fit and safe for children.

I know that the hon. Member for Richmond Park did not mean her remarks to be so interpreted, but thank heaven that the bomb sites have been cleared. If they had not been, there would have been an Adjournment debate on why successive Governments had not dealt with them. There is a danger in dealing with life as it is and wanting to make play safe in the social context in which we live. Parents want more designated areas for safe play, unless children find their own areas and we deem that they are safe for them.

I agree with my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). Responsibility must be put on the relevant agencies, whether local or

[Estelle Morris]

national. They must ensure that in each area there are open spaces not only where children feel safe, but which parents consider safe. I could not agree more that the right balance must be struck between organised and disorganised play—an exceptionally good description. One of the exciting things about play is that it is an incredible learning process without children knowing that they are learning; it is about role play; it is about children learning how to deal with emotions; and it is certainly about the transition from childhood to adulthood, which takes 20 or more years. If children cannot play, imagine, be inspired and exaggerate, they will not go through the necessary transition to adulthood. They will instead become adults without the necessary adult skills.

I have no problem with the general thrust of our debate, which is about the importance of play, of doing nothing and children deciding what is play, not adults deciding it for them. We must acknowledge that all social changes—even ballet lessons, piano lessons, the choir, the orchestra, the scouts and the football club—are what parents want for their children. The Government's response must be to acknowledge that such projects comprise the social environment, and allow people to make their own choices.

I feel obliged to answer two politically contentious points, otherwise they will be recorded as unanswered in *Hansard.* On standard assessment tests, parents want their children to read and write. It is as simple as that. It cannot be either/or. How much adults worry about children taking tests is certainly an issue, not how much seven-year-olds worry. There is a huge difference in that. The SATs for seven-year-olds are tests that teachers undertake with the children at any point during a week in the school year. As a former teacher—although not a primary school teacher—I think that the best teachers have classes where the children do not even know that they have undertaken those SATs. I accept that the SATS for 11-year-olds are different, but there is absolutely no rhyme or reason for seven-year-olds to go to bed the night before worried about them.

Most children of the constituents of the hon. Member for Richmond Park can read and write. They have a damn good chance of going to university. Many of my constituents and those of other hon. Members were left out. They could not read or write and did not have life chances. I do not want a play strategy that takes away from the children the ability to learn to read and write. The challenge must be to do both. The hon. Member for North-East Cambridgeshire knows that I will refer to school playing fields. I have not got it at my finger tips, but if he wants a list of each playing field that has been disposed of since the legislation came into force in 1999, I shall make sure that he receives it. He will also receive an explanation of why the disposal took place and what use was made of the funds.

The hon. Gentleman was right to say that I cannot give him such information for the years in which his party was in government, because the statistics were not collected then. It is worth his considering such matters, because I believe that he cares about them. The reason why 213 applications were approved and six were opposed is that people know the rules of the game. They do not choose to apply to dispose of playing fields if they know that their application will go against the rules. Selling playing fields to build safe spaces has been mentioned: many designated playing fields were swamps or marshes that were not fit for children to play on.

I will use the remaining time to discuss the play strategy. I thank the hon. Members of all parties who acknowledged the contribution that the Government have made, through many funding streams, to play initiatives. The relevant list includes sure start, increasing the amount of green spaces, sports grounds and playgrounds, and living spaces, the work that has gone into toy libraries, and funds for training and education.

In particular, I wish to mention SkillsActive, which will run as a sector skills council. Training will be covered for the entire sector. I join all hon. Members in recognising the contribution of the voluntary sector: the fact that people are volunteers does not mean that they do not need training. The important thing about the skills training that will be given is that it will be inclusive: people will not have to get paid, or take on a job or be full-time to get training. It is very important that we do not lose the skills and experience that exist in the voluntary sector. I am delighted that SkillsActive is now in place, and I look forward to its working with the Government—the Department for Education and Skills—in the months and years ahead to create a skills strategy that is led by the sector and supported by the Government, so that it is a strategy that the sector wants. Despite all the initiatives, this is not universal.

For all the play areas that I can say have been regenerated and that are now in good order, hon. Members will be able to tell me of an area in their constituency that is not like that. I accept that: the job is not done. There must be more resources. Despite all the money that has been put in, nobody can say that play is now adequately funded. This is only the beginning: there is more to be done.

My hon. Friend the Member for Sherwood said he did not want the play strategy to be funded by the New Opportunities Fund. I understand why he said that, but I disagree. There is an army of people queueing up for NOF funding if play does not want it. We should not turn our noses up at NOF funding. It is real pounds, shillings and pence that bring about real improvement in play, and that is hard won: it is not easily given by NOF.

I know where my hon. Friend is coming from when he says that he wishes the funding to be mainstreamed. He said that there is more assurance with regard to continuity if funding becomes mainstreamed from local authorities than if there are three-year, time-ended funding streams. I remind him of the days when local authorities had their funding cut. Nothing is forever in public spending. To move funding to local authority expenditure would mean that it competed with other services, and it might be more at risk from future Governments seeking to cut revenue to local authorities than it would be if it were NOF-funded. At this stage in the development of play, we should say yes to any funding stream that comes along—yes, yes, yes, if it's money, money, money.

I agree with my hon. Friend about something else. This joins up with the points made by the hon. Members for Richmond Park and for North-East Cambridgeshire. I would have worries about a national

play strategy. Because of the way that Governments do things, it could end up being prescriptive and full of targets, and it could make all those voluntary workers we have been talking about, and our constituencies with all their different needs, feel that they do not have as much ownership of play as they do at present.

There is something that needs to happen. I had not fully realised until I started to prepare for this debate that the funding streams come from so many different Departments. I offer to reflect on something, and to comment on it when we comment on the Dobson report. We must make sure that the guidance that goes out with the funding streams is not contradictory, and that it enables people to have a cohesive provision of play at ground-floor level, while still getting those funding pots.

This is an important topic, and I congratulate my hon. Friend the Member for Sherwood on bringing it before us, and also on the work that he has done so far to ensure that it will not fall from the Government's agenda. I want to assure him that it will not, and we look forward to the Government's response to the reports by the end of the year.

Israeli Security Wall

3.30 pm

Mr. Gerald Kaufman (Manchester, Gorton): Some three weeks ago I spent three days travelling around the Palestinian territories. If I had not been in United Nations vehicles or, when I was in Hebron, in a Temporary International Presence in the City of Hebron vehicle, I would not have got very far. There are 482 Israeli military checkpoints in lands that are supposed to be administered by the Palestinian Authority. The land is now divided into 300 small clusters. In addition, there are "flying checkpoints", which can be set up anywhere at any time. I saw thousands of Palestinians herded at gunpoint by Israeli soldiers, waiting to get through checkpoints to go to schools, universities, their farmlands or hospitals.

The regime of military tyranny is bad enough, but worse still is the wall that the Israelis are building in large tracts of Palestinian land. The Israelis call it a fence, and claim that only a tiny percentage of its length is a wall. They could have fooled me. Parts of it are indeed a tall and ugly fence with electrified protection, scarring the landscape that the Israelis claim to love. However, large parts of it are composed of a hideous and menacing high wall in concrete sections, interspersed with concrete, fortress-like watchtowers.

The town of Qalqilya will be almost completely surrounded by such a wall. An Israeli military order of 2 October lays down conditions between the ceasefire line of 1949, which until June 1967 was Israel's international border, and the wall, 100 miles of whose 400-mile length has already been built, and which sweeps far into Palestinian territory. It is therefore an illegal structure.

I quote from a summary of the Israeli military order to which I referred:

> "The Order states that 'No person will enter the Closed Zone'"—

the space between the wall and the border—

> "and no one will remain there. (Section 3a) Free access to the Closed Zone will only be granted to Israelis (defined as Israeli citizens, Israeli residents, and anyone who is Jewish.) The Order requires Palestinian residents of the Closed Zone to obtain permits to live in their houses, farm their land and to travel. Palestinians not residing in the Closed Zone but whose agricultural lands are within the Closed Zone will also be required to apply for a permit to farm their land. The order effectively grants any Jew in the world the right to freely travel throughout the Closed Zone, while denying the same rights to the Christians and Muslims who live on, farm and own the land."

In addition, many Palestinian villages—I have seen it for myself—have had their entrance roads ploughed up, so that they are inaccessible from outside and are turned into prisons for those living in them. Sewage fills the ditches that have been dug across the roads.

The Israeli Government have now decided to build a wall that will divide the city of Bethlehem and siphon access to the city through narrow access points, totally controlled by the Israeli army. That will severely hinder access to the Church of the Nativity and to the Church of Christmas and will almost completely prevent access

[Mr. Gerald Kaufman]

to all but Jewish visitors to Rachel's tomb and to the Bilal bin Rabah mosque and the adjoining Muslim cemetery.

I was in Bethlehem last month, and it was explained to me what was going to happen. I was shown a map drawn up by the Israeli army. The wall is intended to be constructed in the middle of the main road at the entrance to Bethlehem. It will isolate the whole of the northern part of Bethlehem, inhabited by 4,000 people, representing 15 per cent. of the master plan, including it within separation walls and barbed wire, tightening the ring around it and stripping it off from Bethlehem. Thousands of additional acres of Bethlehem's valuable agriculture land north of the wall will accordingly not be accessible to its owners.

The wall will close the single bottleneck entrance to Bethlehem used by visitors and pilgrims. Tourism constitutes 65 per cent. of the citizens' revenue, and the construction of the wall will choke the town. It will deprive Bethlehem of the sole remaining zone for the town's future expansion. It will close the major historical, traditional and religious entrance of Bethlehem, violating the status quo arrangements abided by for centuries, and deny freedom of movement on the main road as stated in article 7 of the Oslo accords.

The wall will eliminate citizens' movements to and from their own homes and business locations, which will be encircled by walls and barbed wire. It will cut kinship relations and commercial activities between the afflicted area and the rest of the Palestinian territories. It will uproot Roman olive trees and demolish walls. In the closed areas, the wall will prevent essential municipal services, such as electricity, sewerage, water, cleaning, garbage removal and road maintenance. All of this is happening allegedly to increase Israeli security. However, not only will holy sites be desecrated, but Bethlehem's tourist trade and its agriculture, on which the city depends almost entirely for its livelihood, will be destroyed.

Not surprisingly, the wall has caused deep concerns among Christians and Muslims. I contacted the Cardinal Archbishop of Westminster, and received a reply on behalf of the Archbishop of Liverpool, who leads the Bishops' Conference on this issue. Father Frank Turner SJ wrote to me and said that, after discussing the matter with the Archbishop of Liverpool, he was aware of the gravity of the issues that I had raised. He said that

"the Bishops' Conference, and the Church in the Holy Land, fully share your profound concern about this structure and its effects."

He said that the Catholic bishops of several countries will meet their brother bishops of the Holy Land in Bethlehem and Jerusalem in January 2004 when the focus of the meeting will be the social situation of the Palestinian people and the Church's humanitarian efforts to meet their needs by both advocacy and practical support. He sent me a copy of a letter from the Archbishop of Liverpool to the Israeli ambassador, which expressed the Archbishop's

"great concern about the government of Israel's plans for the construction of a wall separating Israel itself from the West Bank."

He continued:

"I do not see how this construction will not have the most serious consequences for the inhabitants of Bethlehem or the Israeli side of this wall."

It is not only non-Israelis who have expressed concern. Only last week, Lieutenant-General Moshe Ya'alon, the Israeli chief of staff, expressed concern about the wall. He said that Israel's policies in the occupied territories were

"operating contrary to our strategic interests".

He also said that the restrictions were increasing hatred of Israel and encouraging terrorism. He went on:

"There is no hope, no expectations for the Palestinians in the Gaza Strip, nor in Bethlehem and Jericho".

As for Bethlehem, the Israeli chief of staff said not that the wall should be built, but that restrictions in Bethlehem—as well as in Jericho, the economy of which is also being ruined—should be lifted. He is not the only leading Israeli who has criticised the situation. A member of the Israeli Government, Yosef Paritzky, the Infrastructure Minister, said a few days ago:

"The failure to differentiate between civilians and terrorists turns all the Palestinians into potential suicide bombers."

What both baffles and appals me is that the history of the Jews is a history of being herded by Russians into a pale of settlement in the Russian territories. From Venice onwards, it is a history of being herded into ghettos, penned in, and treated as inferior to the rest of the citizens of the country. Yet now Israelis are creating hundreds of ghettos for the Palestinians and—as I saw when travelling around for several days—turning Israel into one large ghetto. The wall that is penning Palestinians into their towns and villages is penning Israelis into a ghetto, too.

Nor is that activity in any way increasing Israeli security. I went to Qalqilya and saw the huge wall and the vast gate that is the only way out—except that it was not manned, so that people going to the gate could not get through—and on my way back to Jerusalem I drove past the town of Tulkarem. The very next day, a suicide bomber struck at an Israeli administrative point at Tulkarem. The wall is not even achieving what Israelis claim to be its justification.

We all know that what the Israelis are doing is illegal. There is a growing resistance movement in Israel, as was shown at the wonderful rally of 100,000 people held a few days ago to commemorate the assassination of Yitzhak Rabin, the Israeli Prime Minister, by a fanatical Israeli Jew.

What I am looking for from the Government today is not simply condemnation of the illegal construction of an illegal wall preventing Palestinians from getting to their schools and universities. Let us be clear about this: if young people do not get to school or university, they have a day on their hands and have to find things to do, and can well be prey to people who preach that the way out for them is through terrorist activity.

I do not look to my hon. Friend the Minister simply to restate the Government's admirable position on the building of the wall; I am asking him to give us some idea of what can be done to stop the extension of this abomination—an abomination built to protect not Israelis, but the Israeli illegal settlements that are being constructed like so much jerry-built garbage on

practically every hilltop that can be seen in the Palestinian territories. I ask him to say what practical measures the Government can take to stop the Israelis continuing on a path that is not only damaging for the Palestinian people, but deeply damaging for the Israeli people.

3.43 pm

Mr. Mark Hendrick (Preston): I visited the occupied territories in July with a small delegation of Members, and what I saw appalled me. The so-called security wall was being constructed exclusively within occupied Palestinian territory, in many instances several kilometres within the 1967 border known as the green line, and in one instance entirely encircling the town of Qalqilya, mentioned by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman).

There is reinforced concrete, cement, barbed wire and electrified fences, trenches, electronic surveillance and monitoring equipment, guard towers and security roads. That is not a security wall but an effective prison wall that is encircling Palestinian communities, who are now captives in their own towns and villages. It is also a land-grab, taking anything between 10 and 40 per cent. of Palestinian territory into Israel, and further undermines attempts to create a two-state solution to the conflict. Any attempts by Israel to impose a one-state solution against international law will lead to guaranteed future insecurity for Israel, as it will alienate both the Muslim states in the region and the wider world. The wall is a step in that direction.

I call on my right hon. Friend the Foreign Secretary to make strong representations to Israel to cease the construction of the wall, and to ask the US to make similar representations.

3.44 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): I start by congratulating my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) on raising what is an issue of concern throughout the House. We could have a long debate about whether we are talking about a wall or a fence, but it is clear that although it could be called a fence, a significant proportion of it is a wall, as was described. The effect of that wall or fence is an issue that we should discuss in the House.

Bethlehem has a unique and historical status, and it stands as an example of how Palestinian towns in the west bank will be affected by the building of the structure. Although my right hon. Friend referred to the Government's position, it is worth restating it. My right hon. Friend the Foreign Secretary said in the House of Commons as recently as 14 October that we consider the building of the wall on Palestinian land to be illegal, and we need to underline that point.

We are not alone in holding that view. The United Nations General Assembly and leaders of all the European Union member states at the European Council clarified their opposition to the route of the fence. President Bush and Secretary of State Colin Powell also consider the route of the fence to be a problem and have urged the Israeli Government not to build it on Palestinian land, but along the green line between Israel and the Palestinian territories. There is significant international consensus, and cross-party consensus in the House, on the issue.

I want to make it clear that the Government understand that the Israel Government must take precautionary measures within international law to protect their citizens. That is undoubtedly the duty of all Governments. However, although the wall may give some immediate relief from the relentless series of terrorist attacks inflicted on the state and people of Israel, building the fence on Palestinian territory will inflame tensions in the region and do nothing to solve the crisis. As my hon. Friend the Member for Preston (Mr. Hendrick) said, in common with many other Members, it will give only an illusion of security to the people of Israel in the longer term.

The proponents of the wall claim that it will separate the Israeli people from the Palestinians, and my hon. and right hon. Friends attested to that from their direct experience of the situation. However, on completion of the next section, agreed by the Israeli Cabinet on 1 October, an estimated 79,000 Palestinians will be left to the west of the wall—in other words, on the Israeli side of the barrier. Those people will not be able to enter Israel freely and will have severely limited access to essential services, such as schools and hospitals, in the west bank. A powerful point was made about the situation that will arise if young people cannot go to school and are left to their own devices and the temptations that exist.

Ms Oona King (Bethnal Green and Bow): I have also been to Qalqilya and seen the wall. I am concerned about the second wall that is being built around Jerusalem, which, according to estimates, will leave 100,000 Palestinians outside but without giving them the same rights as Israelis or other residents of Jerusalem. How long does my hon. Friend think that the right-wing Israeli Government can persist with a policy that makes a mockery of the concept of universal human rights?

Mr. Rammell: I understand the argument, and we have to restate that the wall built on the occupied territories is illegal under international law. We must make that point forcefully to the Israeli Government, and we are taking every opportunity to do so.

Mr. Mohammad Sarwar (Glasgow, Govan): Will my hon. Friend give way?

Mr. Rammell: I will briefly give way; then I want to make some progress.

Mr. Sarwar: I am sure that we all agree that building an apartheid wall will cause misery and economic ruin for thousands of Palestinians. I am pleased that the Government position is very clear: we are opposed to the wall. However, why are the Israeli Government treating the international community with contempt? Rather than stopping Israel building the wall, the United States of America—the only superpower—is giving billions of dollars in grants.

Mr. Rammell: As I said earlier, the United States shares our concern on the issue. It is critical that we keep it engaged on the issue, because only with active US participation can we get the movement necessary to resolve the matter.

[Mr. Rammell]

To continue, I think that the fence will further damage the already desperate humanitarian and economic situation of the Palestinian people. Already, closures, curfews and demolitions have led to the virtual collapse of the Palestinian economy—60 per cent. of Palestinians now live on less than $2.10 a day. To put it bluntly, the fence is making that situation worse.

It is estimated that more than 100,000 olive and citrus trees have already been destroyed along the route of the wall; that damages a major part of the Palestinian agricultural economy and makes the situation worse. The regulations imposed by the Israeli Government prevent farmers from getting labourers and machinery to their fields. There are also too few access gates in some areas. Where they do exist, as my right hon. Friend the Member for Manchester, Gorton said, they are often not open at the right time of day. On some occasions, they may be shut for days on end.

In addition to limiting the Palestinian people's access to their land, the fence also restricts some Palestinian access to the west bank's water resources. Without ready access to that water, it will become more and more difficult for the Palestinian people to live independently. From a political perspective, the wall also threatens to establish new facts on the ground that will make it ever more difficult to achieve the two-state solution set out in the road map, to which the Israeli Government are committed and which the international community is pushing as strongly as it can.

It is claimed that the wall could be removed when there is a political solution and that the route has no long-term political significance. Yet the estimated $1 billion cost of the wall will be a powerful disincentive to removing it once it is built—that is a strong argument. It will become more and more difficult to remove the settlements that will continue to grow on Palestinian occupied territory behind the wall unless and until the Israeli Government put a freeze on their development—something that we have been calling for strongly.

As my hon. Friend the Member for Bethnal Green and Bow (Ms King) said, the fence being built around east Jerusalem will cause particular problems for the residents there and for those of the surrounding towns, including Bethlehem. As my right hon. Friend the Member for Manchester, Gorton said in opening the debate, the wall around east Jerusalem may separate it from some of the holiest places in the Christian faith.

Mr. Alan Duncan (Rutland and Melton): Will the Minister give an assessment of claims purportedly made by the Israelis that they are only leasing the land and that they are giving adequate compensation for its temporary use?

Mr. Rammell: I simply restate the view that I have already expressed. The building of the wall or the fence on the occupied territories is illegal. That issue needs to be addressed if we are to make progress and get the peaceful solution that we are all calling for.

I have already mentioned the serious negative effect that the fence will have on the Palestinian economy throughout the west bank, but I particularly recognise the concerns expressed by my right hon. Friend the Member for Manchester, Gorton about the effect on the residents of Bethlehem. Bethlehem is likely to encounter greater difficulties in getting its agricultural produce to large markets in Jerusalem. Certainly those residents of Bethlehem employed in Jerusalem will find it more difficult to get to work. That will have an impact on tourism and pilgrimages.

Dr. Jenny Tonge (Richmond Park): Will the Minister give way?

Mr. Rammell: Very briefly.

Dr. Tonge: The Minister is generous in giving way, and has been good at giving a detailed account of the effects of the security wall. However, what will the Government do practically to put the right amount of pressure on Israel to stop this atrocity?

Mr. Rammell: I could stand here giving hon. Members chapter and verse and all the fine words in the world. However, we need movement from the parties in the dispute. Yes, we are using the diplomatic mechanisms available to us, to the European Union, and to the American Administration on a regular basis, but to resolve the problem, movement is needed from the Israeli Government on building the wall and on settlement. Similarly, the Palestinian authorities need to take significant action to tackle terrorism. Both sides need to act if the issue is to be resolved, as I shall discuss.

The fence is not being built in a vacuum. As I said earlier, the Government understand the Israeli Government's need to seek security for their citizens. Right-thinking people on both sides of the argument condemn the regular and devastating suicide attacks to which the Israeli people have been subjected. The Government's goal in working with the rest of the international community is a peaceful resolution of the conflict in the middle east, once and for all, which delivers a secure Israel within internationally recognised borders, and a viable Palestinian state.

The achievement of that goal, far more than a wall, fence or barrier, will provide real and long-term security to people in the region. People across the divide seek that objective, and an end to the violence. With commitment and courage, the parties can overcome the difficulties together and realise that vision.

The only long-term, credible way to achieve the objective remains the Quartet's road map. If such a process did not exist, we would have to establish a similar process. It is the only mechanism available, and I urge every Member connected with the debate to put the force of their argument behind it.

The Government's commitment to the road map is on the record and unparalleled; we want the process to be published, and up and running, and we are pressing for it to be implemented.

Dr. Tonge: I fail to understand how the Minister can promote the road map when Israel is clearly flouting it every day and not obeying its conditions. Perhaps the Palestinians are not doing so, but is not the road map being discredited all the time? The Minister has not

mentioned the Geneva accord, to which even Yasser Arafat subscribed. Could we not have a fresh look at the issue and start again?

Mr. Rammell: I think that to have a fresh look at the issue and start again would set the peace process back significantly. It is all well and good to stand up and make such a statement in this Chamber, but it does not serve the cause that the hon. Lady rightly advances. If she is asking me whether I have significant anxieties about how the road map is being progressed at the moment, the answer is yes, I acknowledge that that is the case. These are grave times and we need to impress on both sides the need to respect the road map. They have signed up to the process; they must recognise that it is the only way forward and carry out the commitments to which they have already committed themselves. That means significant action by the Palestinian authorities to carry through their commitments to tackle terrorism and security issues within the occupied territories. Similarly, the Israeli Government should recognise that what they are doing in terms of building the fence or the wall in the occupied territories is contrary to international law. That issue needs to be revisited and reconsidered.

I simply do not see another mechanism for making progress apart from the road map. As I said, if such a mechanism did not exist, we would have to invent it. I take the point that since the publication of the road map, the Israeli Government have issued tenders for more than 1,500 housing units, 900 in the past month alone. Israeli action to remove settlement outposts has ground to a halt. There needs to be further action by the Palestinian authorities to further the process to which they have committed themselves.

It was extraordinarily helpful for my right hon. Friend the Member for Manchester, Gorton to raise the issue and allow it to be aired. Hon. Members who have observed the situation on the ground and described in detail some of the problems created by the fence and the wall have made an important contribution to the process. I pay tribute to my right hon. Friend for publicising the issue; I recall the television programme that he undertook last year, which brought some information and clarity to these issues.

It is important that we urge it on both sides that we face a very grave situation. We need to see movement by the Palestinian Authority on security, but at the same time we need the Israeli Government to tackle the issue of the settlements, the wall and the fence. At one level, one might be able to understand where the Israeli Government are coming from, but with regard to the long-term security of the Israeli people, I do not think—

Mr. Deputy Speaker: Order. Time is up.

Parenting

4 pm

Mr. Steve Webb (Northavon): Being a parent is probably the most important job in the world, and parents, almost without exception, want to do their best at that job. Although those of us who are parents—like me, the Minister is a parent—recognise that we will never be perfect parents, we all, at the very least, want to be good enough parents. However, many things stand in the way of parents doing the job to the best of their abilities. That is a huge agenda, and we have only a short time, so I shall focus on only one issue that makes it difficult to be a good parent, which is simply the difficulty of finding time to spend with children.

I fully agree with what the Minister said in a debate on work-life balance:

> "Strong families help children to flourish, which means that parents need time to spend with their children."—[*Official Report, Westminster Hall*, 9 March 2000; Vol. 345, c. 231WH.]

That has to be right.

The author of the book entitled "The 60 Minute Father"—I occasionally think of the 60-second father, but then I realise that one has to spend a whole hour—said that children spell love t-i-m-e. In practice, however, growing numbers of parents spend less time with their children than ever before. I was shocked to read about a learning and skills council project in Norfolk that arose from a survey suggesting that the pressures of work meant that fathers spent less than 15 minutes a day with their children. In other words, they might spend more time shaving and cleaning their teeth than playing with their children.

I stress that I am not attacking parents who do not spend time with their children or stigmatising failing parents, but saying that we can do much more to encourage and enable parents. That is why I wanted to hold the debate. It is about Government policy supporting parents. It is about not condemning those who fail to spend time with their children, but helping those who want to spend more time with them, because there is plenty of evidence that parents who do not spend time with their children often have to be away from them; it is not that they want to be away from them. I maintain that there are plenty of things that Governments can do to try to put that right.

First, I shall consider whether it is true that parents spend less time with their children. One senses that anecdotally, but is there evidence for it? Is it a free choice? Are parents saying, "That is what we have decided. That is our priority, and the Government should not get involved"? If it is not a free choice and parents are, perhaps to some extent against their will, spending less time with their children, does that matter? Are there consequences? Are there respects in which Government policy in a raft of areas may exacerbate the problem, often as an unintended by-product of well-intentioned policies? What might be done? That is a long agenda for a short debate, but I shall try to scratch the surface of it.

As I said, my first question is whether parents are spending less time with their children. The clear answer is yes. Just in the last decade, over the 1990s, the proportion of working mothers with children under five increased by about a quarter, from 43 per cent. to 54 per

[Mr. Steve Webb]

cent. Again, I stress that I am not attacking working mums, dads who do not spend time with their children or single parents. I am simply asking what is happening to the time that we spend with our children. What are the pressures causing this situation and can we do anything about it? Parents with young children, including mothers with young children, are more likely to be in work.

There is not only the issue of work as we traditionally understand it, but what is known as atypical work. I will draw on some statistics from work by Ivana La Valle, commissioned by the Joseph Rowntree Foundation, with which I am sure the Minister is familiar, on atypical work done by parents. It is work that is done outside the typical working day of 8.30 am to 5.30 pm. The evidence is that half of mothers and four fifths of fathers sometimes work atypical hours—those are huge numbers. Parents are having to work when the children are not at school but at home, in the evening and on the weekend. A quarter of mothers and a third of fathers work one or more Sundays a month. As I examined the figures I was shocked at the scale of what Ivana La Valle says is increasingly not atypical but the norm.

People are not working only on evenings or weekends, but they are working long hours. Almost a third of fathers, and 6 per cent. of mothers regularly work more than the 48-hour limit set in the working time directive, although that is not an absolute ceiling. Those proportions are higher among the self-employed, who tend to be more driven and are trying to make ends meet. A high proportion of parents are working long hours.

A survey last month by the Chartered Institute of Personnel and Development found that between 1998 and now, the proportion of those in work doing 48 hours or more had risen from one in 10 to one in four. When I first saw that figure I asked for it to be checked because I did not believe it. Those trends are no longer atypical; one in four works more than 48 hours a week. The press release from the institute included the comment that

"the Government's campaign on work-life balance has had little or no effect to date."

That conclusion was based on trends, some of them recent.

There is clear evidence that parents are working longer hours, on weekends and evenings, and that parents with young children are more likely to be at work. Those are the trends. Is that of their free choice? Are parents choosing to do that and should we therefore poke our noses out? The evidence is that parents would not choose that for themselves. Of those who frequently work atypical hours, a quarter of mothers with a husband or partner and a third of lone mothers said that they were dissatisfied with the time that they could spend with their children. In cases where both partners worked atypical hours, two fifths of them said that they were dissatisfied with the time spent with each other. The research has shown us that the welfare of children is greatly enhanced by a healthy relationship between the parents. That is not rocket science. If they do not see each other, it is hard to build a meaningful relationship. Although parenting is the subject on today's agenda, part of Government policy should be to encourage strong relationships between parents as well as between parents and children.

The survey showed that half of working mothers in two-earner couples—the combination of full-time and part-time two-earner couples is now the norm—would prefer to stop work and be at home with their children if they could afford to do so. People are driven by a range of factors, of which financial pressure is a strong influence, into spending less time with their children. According to Professor Shirley Dex, who studied a range of the research, "many mothers' preferences" to spend time with their children

"run counter to the direction Government policy is trying to encourage, since they would prefer to work less rather than more while their children are young".

There is a raft of surveys and reams of statistics that back up the view that many parents want to spend more time with their children. Seventy five per cent. of mothers-to-be surveyed by *Pregnancy & Birth* said that they would not return to employment if finances allowed. The fact that parents spend less time with their children is often not through choice but is forced on them.

As well as going out to work when children are young, working at weekends, especially Sundays, was

"the most unpopular working arrangement among parents".

Is this choice? Are people choosing to work at weekends because it suits them? No, often they do not want to do it, but parents in lower socio-economic groups and in low-status jobs do not have the negotiating power with an employer to refuse to work at weekends. The bargaining power of such parents is often very weak. They often feel that they have no choice but to work at atypical times.

Mr. Graham Allen (Nottingham, North): The hon. Gentleman is known as an innovative and creative thinker. He has not disappointed us today by choosing this important subject. I ask him to consider that inadequate parenting skills often lead to antisocial behaviour. Social behaviour and its development are tied inextricably to better parenting. I hope that he will join me in urging the new Minister for Children, whom we welcome here today, to redouble her efforts to ensure that we invest in parenting skills so that we can improve social behaviour and reduce antisocial behaviour.

Mr. Webb: I am grateful to the hon. Gentleman for that intervention. Although his eyesight is probably not that good, he leads me naturally to the theme that I was about to take up in my notes, which is the consequences of lack of parental contact with children on children's behaviour. So often in the House of Commons we pick up the pieces where things have gone wrong. Investment in encouraging and helping parents would yield rewards in children's behaviour, welfare and education, which, as the Minister said, is a win-win agenda.

Does the lack of parental contact produce adverse outcomes? Many of us will have heard the startling comments of the head of Ofsted, who said that

"if you talk to a lot of primary head teachers, as I do, they will say that youngsters appear less well prepared for school than have ever been before. For many young people school is the most stable part of what can be quite disrupted and dishevelled lives."

That struck a chord with me. When I have visited schools in my constituency, heads have told me how children arrive at school lacking social skills and appearing in some cases to have been neglected. Their parents have not given them time, listened to them, talked to them or played with them. Schools have to pick up the pieces.

The head of Ofsted said:

"There is evidence that children's verbal skills are lacking. We should encourage parents to talk to their children and give them a whole range of stimulating things to do and not just assume that the television . . . will do all that for them."

Mr. Adrian Flook (Taunton): I am grateful to the hon. Gentleman for bringing this matter to the fore. Would one way to get parents better educated be through the voluntary sector rather than the Government? There are organisations such as the community family trusts, for example.

Mr. Webb: I support the work of the network of community family trusts that are being set up throughout the country. They have sometimes struggled for funding. They were dealing with the Lord Chancellor's Department in the past. I hope that the Minister will clarify that for me, because I am slightly hazy about where the area of relationship education and support for couples now falls within Government. I see that the Minister points to herself. I am pleased that we have the right person with us.

Returning to the theme of lack of parental contact and the consequences, in 1997 Feinstein and Symons, researchers at the London School of Economics, found some astonishing results about educational outcomes in secondary school. One might assume that outcomes depend on how bright one's parents were or how posh an area one grew up in, but they said that the critical factor was parental involvement. Academics do not often say things as clear as this, and as a former academic I can say that this is strong stuff. They say:

"Variables indicating parental interest in the education of their children generally drive out the family background indicators of social class, family size and parental education."

The thing that matters is whether the parents are involved. That is an astonishing and powerful result.

Research shows that long working hours, particularly Sunday working, disrupt family life. I was astonished to see that the Department of Health has commissioned the National Institute for Clinical Excellence and the Social Care Institute for Excellence to carry out an appraisal. Parenting courses will be appraised in the same way as drugs. They will appraise parent-training programmes to tackle conduct disorder of the sort described by the hon. Member for Taunton (Mr. Flook). The scope of the appraisal is set out in a document, which states:

"Associated factors for conduct disorders include: homelessness, overcrowding, maternal depression, paternal criminality, violence and abuse. Aspects of parenting have also been associated with conduct disorders and include: poor supervision . . . and low parental involvement in the child's activities."

Mr. Andy Reed (Loughborough): Is not one of the problems that as soon as we talk about parenting courses or skills, we tend to think as parents that we have it right and that such matters are someone else's problem? However, as the hon. Gentleman knows, as youngish parents we know only too well the difficulties that are involved. I have not been taught how to parent. I have learned from a wife who has a professional job and child development skills that I would never have thought of. Perhaps we must work out a way in which to overcome the stigma of parenting courses and lead the way as Members of Parliament, given the atypical working hours that we work for a start.

Mr. Webb: Having met the hon. Gentleman's children, I know that he is an excellent parent. I accept that we must make sure that we are not talking about a marginal stigmatised provision for people when things go horribly wrong. Accepting that parenting is difficult and that we all need some help should be a natural approach. I apologise for going on a bit, but the fact that several hon. Members have said that they are interested in the subject shows that we are scratching at something that crosses the party divide. I hope that the Minister will be involved in such an agenda and take it on across the Government.

At the risk of wrecking the chance of such action, I must ask whether the Government's policy is making matters worse. Much policy is drafted with the best of intentions, but the spin-offs are quite worrying. The Government often talk positively about the 24/7 society, urban renaissance, the evening economy, making cities nice places to visit, and having places to visit other than pubs in the evening. However, who will staff such places? Who will work the late-night shifts? The Government talk a lot about flexible working, too, but people have to work in such places, and often they are on low incomes. They do not have a strong negotiating position and work in the service industries, such as McDonald's. They do not have the power to say that they will not work evenings or weekends. I worry about the 24-hour society and the Government's sometimes positive rhetoric about it, and what it means for family life.

Recently, the Secretary of State for Trade and Industry said that, on reflection, perhaps the Government's rhetoric about work was wrong. She said:

"If I look back over the last 6 years . . . we have given the impression that we think all mothers should be out to work, preferably full time as soon as their children are a few months old . . . We have got to move to a position where as a society . . . we recognise and we value the unpaid work that people do within their families."

That is right. Five or six years ago, I was saying much the same thing, but the Government were saying, "No. Work for those who can. Security for those who can't", by which they meant paid work. The rhetoric has been wrong, and there is a beginning of a realisation of that, but much more needs to be done. The Government still have goals for 70 per cent. of lone parents to be in work. No one will say that it is wrong for a lone parent to work, but is it right for the Government to set an arbitrary target for lone parents, rather than to say to them, "You judge what is in the welfare interests of yourself and your child, and we will support you; we will give you choices"?

If I have a core message, it is about choices. It is about parents who often want to spend time with their children not having free choices because financial necessity and

[Mr. Webb]

lack of employment status put pressure on them to work when they do not want to. What can be done? There is a huge agenda, but I wish to flag up a couple of matters. I hope that the Minister will talk to her colleagues in the Office of the Deputy Prime Minister about the 24-hour society and the agenda that that Department is pursuing. What does it mean for families? Will she talk to the Department for Work and Pensions about the poor pension rights of part-time workers? Even now, women—especially women—who try to spend time with their children and who earn less than the lower earnings limit, perhaps in two separate part-time jobs that both pay less than the lower earnings limit, do not build up pension rights. What signal does that send out?

Will the Minister talk to the Department for Work and Pensions? Will she talk within the Department for Education and Skills about women, in particular, and parents who are forced to work weekends, when no child care is available and when the children are left in situations that are not ideal for their welfare? Is it right that women and mothers suffer lack of employment rights in such circumstances? Will she talk to the Department of Trade and Industry about the need for employment rights and the need for parents to say no to being forced to work at weekends? Will she examine the working time directive to see whether it is stopping some of the long-hour working as effectively as possible? Will she essentially never sleep? I shall allow her to spend time with her children.

Will the right hon. Lady say to every colleague in the Government, "When you bring in a Bill in the next Queen's Speech, will you report to me and tell me what it will do for parents? Tell me whether it will mean that parents can spend more time with their children—which many of them want to—rather than less."

The House supports the Minister. We are glad that her reach extends beyond her own Department, and we urge her to talk to as many of her colleagues as she can, and to recognise that if we can get this right so many of the other problems that the Government are trying to tackle might mysteriously disappear.

4.19 pm

The Minister for Children (Margaret Hodge): I congratulate the hon. Member for Northavon (Mr. Webb) on securing this important debate. We have only a bare half an hour to discuss the matter, but other hon. Members might seek to ignite the debate in another forum.

I reassure the hon. Gentleman that the Government's commitment to support parenting and families is a central part of our vision. Parenting is not probably the most important job that we do on this earth; it is the most important, and the most rewarding and difficult. I agree with my hon. Friend the Member for Loughborough (Mr. Reed) that we are too often ill prepared to do it.

I hope that the hon. Member for Northavon accepts that the Government's commitment to parenting and families is underlined by the creation of the post that I currently have the privilege to hold. With the machinery of Government changes, we are trying to bring together in one place responsibility for all the policy and services for children, parents and families, so that we can respond more easily to their needs and make it easier for individuals and organisations to do business with us.

Much has come together under the remit of my Department—the Department for Education and Skills—but there are still boundaries in Government. We must make sure that they do not become barriers. We must work together throughout Government. That is central to many of my concerns, and to the way in which I have been working—the hon. Gentleman will be pleased to hear that I have very regular meetings with Ministers from other Departments.

I am conscious of the shortage of time, so I will try to respond to some of the issues that the hon. Gentleman raised. He said that parents are spending less time with their children. If we look at the history of parenting, it may be that in the past the tradition was for the woman to be in the home for longer, but it is questionable whether she spent more time in the home focused on the children than she does now.

I would not make the easy assertion, which the hon. Gentleman talked about, that more time means better quality of parenting. One of the changes that I have seen in my adult life is that fathers are now much more readily engaged in parenting. My oldest child is now in his early 30s: when I used to pick him up at the school gates, it was rare to see a dad there, but that is no longer atypical. I often visit parents and toddlers groups in my present role, and it is apparent that fathers are much more strongly engaged in the parenting of their children than they used to be. Both parents matter, and that equality of engagement is a change for the better.

Things have not become worse. What has happened is that more women are in the workplace. Is that a good or a bad thing? Do we give parents a choice? Choice underpins our policy. It underpinned it before my right hon. Friend the Minister for Women and Equality made the statement that she made, but it helped to underline what has been a consistent policy throughout the term of the Government.

We are attempting to provide choice. The amount of choice that parents have is influenced by whether they have trust in the quality and safety of the child care that is available to them. That is why we are proud of being the first Government to launch a national child care strategy, of the progress we have made in that, and of introducing free early years education for children aged three and four.

I often meet lone parents who have been helped back into the workplace by our welfare to work programme. That often works for the most disadvantaged parents: it is a terrific route out of poverty, because of the income that they get from it, and we help them with their child care costs through the child care tax credits system; it is also terrific because of the confidence and self-esteem that they gain from fulfilling a role in both the home and the workplace. When parents, particularly lone parents, have that confidence and self-esteem, they make better parents, and I have received some very warming letters from children about their mums going back to work. There is no right or wrong answer. There must be choice, as the answer depends on the individual circumstances. However, for many lone parents, work is a route back to self-esteem, confidence and better parenting, and out of poverty.

I have only five minutes to respond, and I want to talk about atypical hours. From talking to families and parents, I have found that women in work want their supermarket open and to be able to access their health service, GP or dentist at atypical hours. They also want to be able to talk to their children's teachers and school staff at atypical hours, so we are moving into a different world. Many parents who work atypical hours do so out of choice, because in two-parent households it often fits in well with parents' lifestyles and how they care for their children. They also want to enjoy the additional wealth that it brings. We should not see atypical hours working as a retrograde step; it can be positive for many people.

I agree with some of the points made about the long-working-hours culture, but statistics show that it is higher-level, better-off men who tend to work the longest hours and are more disengaged from their families, children and partners than those in lower income families. That is a terrible part of British culture, which we have taken from America more than Europe, and we should try to encourage greater engagement in the home.

I have spoken a lot to my hon. Friend the Member for Nottingham, North (Mr. Allen) about the importance of parenting skills, which was raised by both him and my hon. Friend the Member for Loughborough. Some research in my Department mirrors what was referred to. It demonstrates that good parenting in the home is more important for the child's outcome than the best teacher in the most excellent school. Armed with that knowledge, we need to do all that we can to support parents in developing their skills, and although I recognise that we have a long way to go, I am proud of what we have done so far. There is our sure start programme and its work on parenting, and we give support to voluntary projects such as home-start throughout the country. We want to spread that to make it a more universal service, as is detailed in our Green Paper "Every Child Matters". Those are important early interventions.

Parenting classes can also be appropriate, but I worry a lot about transition. As new mothers come home from hospital, and as children move from home to nursery, primary and then secondary school, support for parents is important, and we are trying to focus our energy on those transition stages. Our Green Paper includes many propositions to extend services, for example with a parenting phone line not dissimilar to NHS Direct that parents could ring up during a crisis with their three-year-old or 15-year-old to seek some support. We are taking many different steps.

The hon. Member for Northavon talked about choice, and that is what we are about. We are trying to provide an infrastructure that gives parents both choice and the opportunity to engage. Choices are often different if the children are under five, and we have done much to support people who stay at home as long as possible with our reforms of maternity pay and benefits. We could perhaps do more, but we have taken the agenda further. Choice is important, as is joint working throughout Government, and I assure the hon. Gentleman that I am firmly engaged in that.

We must ensure that high-quality child care supports good parenting in the home to give children the maximum opportunity to develop their potential and ensures that no child falls through the net. I congratulate the hon. Gentleman on having successfully secured this short debate.

Question put and agreed to.

Adjourned accordingly at half-past Four o'clock.

Westminster Hall

Wednesday 5 November 2003

[MR. JOHN MCWILLIAM *in the Chair*]

Forensic Science Service

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Heppell.]*

9.30 am

Mr. Lindsay Hoyle (Chorley): I am grateful to have secured this debate, because the subject is of special importance today, and I thank the Minister for being here to respond. I know that he is used to these early starts, but I am none the less pleased that he has taken the trouble to turn up. I am also pleased that we have an hour and a half to debate the subject; it means that all Members will be able to have their say, and that we can do justice to the subject.

On 17 July, the Home Secretary announced that he wished the Forensic Science Service to change its status from an executive agency to a public-private partnership. Put simply, that would mark the privatisation of the service. As the forensic science laboratory at the Washington hall site in Chorley employs 240 people, I have a direct interest in the matter. However, I also share the general concern about how privatisation would affect a highly skilled work force that serves five police constabularies with a dedication and commitment to the public sector ethos that is second to none.

Many well-known cases have been dealt with at the Chorley site, and it has had great success over the years in helping to put criminals behind bars. It has always been at the leading edge in solving crime, and some of the nastiest and most horrendous murders have been solved through the work of that laboratory. It is important to stress that while science has progressed and new DNA techniques are available, the Forensic Science Service throughout the country has always been at the forefront. We should remember that many of the cases and crimes that took place long ago are still on the shelf, and could be solved as science moves on. It is important that we have an in-house service to help us solve them.

David Taylor (North-West Leicestershire): As my hon. Friend says, the present service is in-house. Does he believe, as I do, that selling the Forensic Science Service is likely to raise prices in the medium and long term, that it will discourage police authorities from using its facilities, and that the introduction of competition will introduce yet more bureaucracy into a service that is already over-burdened with it?

Mr. Hoyle: I could not agree more; my hon. Friend is spot on. I shall stress those points later in my speech.

Having met the staff at the Chorley laboratory, I know their strength of feeling and their opposition to the Government's plans. In fact, 140 employees took time out of their busy schedules to attend a meeting during the lunch hour to air their strongly held views. The meeting had to be held in two phases because the room was not big enough, such was the strength of feeling.

Before I go into detail about the opposition of staff, trade unions, MPs and members of the public, I shall deal with the timing of the announcement. I have a science laboratory in my constituency, but although I was informed that an announcement was to be made, I learned the news from a local radio station. I wrote to the Home Secretary on 29 July expressing concern, but no apology was made in the Minister's reply on 28 August, and none has been made since. That is not acceptable, and I believe that my colleagues will think the same.

The Home Secretary made his announcement on 17 July, which was, coincidentally, the day that Parliament went into recess, leaving a void before the subject could be properly debated in the House. Other MPs with laboratories in their constituencies were treated the same, with no letter or telephone call from the Home Office. Will the Minister comment on how he feels constituency MPs have been dealt with, and how he will deal with future issues affecting constituency MPs? It is important that Ministers take the trouble to communicate. The Minister involved was not the Minister who is present today, but I hope that he will take that point on board. In cases that directly affect constituency interests, we should be told what is about to happen.

I have a number of concerns and questions about the privatisation of the Forensic Science Service. Following the independent review conducted by Robert McFarland, it was decided that the FSS should change its status from a trading fund to a public-private partnership. The reason given is that for the FSS to remain competitive, radical change is needed to allow it to make the best use of rapidly advancing science and technology to reduce crime and deliver safer communities. We are told that in the face of competition from the private sector, the FSS faces substantial risks if it remains a trading fund, with a sustained and accelerated loss of market share. That is questionable, and I ask the Minister where the evidence for that idea is.

Last year the FSS had a turnover of £140 million and returned a profit of more than £10 million. With 2,603 employees, it is regarded across the globe as a world leader and is at the cutting edge of technology and of solving crime. From that £10 million profit, £5 million was invested in new computers and £5 million went into the Treasury coffers. It is important to stress that. The money is circulated: the Treasury put money into the police force, which puts it into the FSS, and any profits return to the Treasury. The money is circulated, rather than greedy shareholders taking it out of the system.

Diana Organ (Forest of Dean): What extra profit do the Government expect the Forensic Science Service to make, other than the £10 million that it made last year, which, as my hon. Friend said, was reinvested in the service with a little take from the Treasury? Do they hope that the service will make more profit in future?

Mr. Hoyle: My hon. Friend is right; the profit made goes back to the Treasury and the taxpayer reaps the benefit. The proposed change would involve the establishment of a private company, with shareholders who will want a return on their investment.

Jon Trickett (Hemsworth): Is my hon. Friend aware that the National Audit Office recently produced a report on the Forensic Science Service? That report went to the Public Accounts Committee, of which I am a member. The NAO is not known for producing glowing reports on public expenditure, and as a member of the PAC, I often see its withering criticisms of particular organisations. However, the NAO report did not find anything uncommercial about the way in which the service is operated, but found it to be a model of a competitive and efficient public sector service. Would my hon. Friend pass on my congratulations, along with his, to the staff involved?

Mr. Hoyle: I absolutely agree. Who better than a member of the PAC to point out that the proposal is not the best way forward or the right model to use? That model is discredited, and I am pleased that my hon. Friend has brought that fact out today. We are discussing not only jobs, but the wasting of taxpayers' money.

Robert McFarland's report on the FSS states:

"The FSS can take particular credit for:

Its response to the significant increases in demand for forensic services over the last decade;

The development of the forensic applications of DNA, and the setting up and managing, with the Association of Chief Police Officers . . . of the NDNAD"—

that is, the national DNA database—

"and

Pioneering new ways of working with and in support of the police."

All that is being put at risk.

The FSS is doing a pretty good job on what matters, which is solving crime and putting criminals behind bars, so my second question is: how will competition improve the service provided to the police? Robert McFarland states that

"the emergence of a fully open and competitive market has been constrained by what the private sector saw as the entrenched monopoly of the FSS."

If we sell the service to one company, the danger is that that company then becomes a monopoly. Or are we going to split each regional centre into different companies with different shareholders? Will they share information? Why should they? Why should they allow their financial success to be given over to a competitor? However, if information is not shared, the only winner will be the criminal. This is a criminals charter; we will not be able to solve crime, because each company will be driven by the need to raise money for shareholders. Many questions need to be answered.

It is interesting that reviews of the proposals are being conducted. I am pleased that the Public Accounts Committee is to report, and I am sure that the Minister knows that the Science and Technology Committee will produce a report in the new year. It has many worries, which include the key question of who will train future scientists. We currently have success because in-house facilities allow scientists to develop specialist knowledge. For certain crimes, only a few scientists have the appropriate knowledge. Will any one company train those people? No one can tell me that each company will cover all the areas—arson and gun crime, for example. Specialist scientists currently deal with each niche area, but certain crimes may be committed only rarely, so will each company hold on full pay a scientist to specialise in them? I doubt that. What will happen if there is an increase in demand? How many companies will want to enter the market? There is a lot for the Minister to think about.

Considering the way in which we are moving, we must address the big issue. Why do we believe that competition is necessary, especially when it comes to putting criminals behind bars? Competition is not needed for that—the Government are simply being driven by their belief that what they are doing is right.

How will competition operate? Will the seven laboratories throughout the UK compete with each other, or will the service belong to one company? If so, competition will have to take place on the basis of cost, but how can costs be cut in such important and delicate work, which needs time to ensure that the answers are right? We are talking about people's liberty, and about putting people behind bars.

Jon Trickett: My hon. Friend is talking about the cost to the public purse. Does he know that the FSS is proposing to make a significant number of people redundant? That redundancy programme is really about preparing for privatisation. It will cost at least £6 million, and that cost will fall on the taxpayer rather than the private firm, when it is finally privatised. Is my hon. Friend surprised by those costs? Money is being taken from the work of detecting criminals to pay for making people redundant.

Mr. Hoyle: I am not surprised, and I do not think anyone will be shocked, by that. The shock is that we are willing to make people redundant in the hope that we can attract someone to take on the service and then deliver a profit for shareholders. That is a great worry. Why should we use the taxpayers' money to stop the detection of crime?

The only person to gain from such measures would be the criminal, who may go undetected, as work may not be conducted properly, or at all, because of an unwillingness to undertake unprofitable work. That is clearly intolerable and cannot be allowed. The debate also has an ethical aspect. Which private entities will be allowed a share in the FSS? Perhaps drug companies or insurance companies will be allowed a share. Could there be a conflict of interest in the work conducted?

As a Government, we pride ourselves on trying to modernise and improve services, and on looking for new ways to improve them. That is an admirable aim and a great objective, of which new Labour can be proud. However, the present proposal is nothing new. Similar proposals were put before Conservative Ministers in the 1980s, and were rejected. The dogma driving privatisation is now 25 years old. We are stuck with old ideas and old methods. Nothing new is coming out. We must have moribund ideas if we have to go back to the failures of the 1980s. We should learn the lesson of

botched privatisations—of which I am constantly reminded every time I travel by train from the north-west.

Diana Organ: Does my hon. Friend agree that the privatisation of the FSS could be a privatisation too far for this Government, as rail privatisation was for the Conservative Government?

Mr. Hoyle: Absolutely. I cannot disagree.

The trade unions representing forensic scientists, Prospect and the Public and Commercial Services Union, have made their opposition known. In addition, the Police Federation also opposes the Government's plans, and issued a statement saying:

"We are fundamentally opposed to profit being made from policing and are concerned that as provider competition is introduced, bureaucracy will increase in a police service already overburdened with it."

David Taylor: Does my hon. Friend accept that the logic behind such privatisation could be extended to privatising scene-of-crime investigations, and even the CID itself at some future date? The CID could become the Chorley Investigations Department of Pinkerton's, or something similar.

Mr. Hoyle: My hon. Friend is absolutely right; the danger is that we do not know how far the move could be taken. That is the big question. The measures are the thin end of the wedge. We have heard, "Don't worry, it will only go so far," before, but things soon spread. Who knows—will the proud Lancashire constabulary be walking around with "Group 4" on their sleeves? At least we do know that the criminals might get away. The danger is that there will be no such thing as a sell-off too far. If we allow FSS to go, everything else may follow. I think that that is everyone's worry, and that is why I am pleased to see so many hon. Members here.

I think that when we talk about such matters, we should listen to the trade unions. I am not talking about the old 1970s dogma, but about modern trade unions with modern practices, that wish to represent their members in the best possible way. [HON. MEMBERS: "Like Prospect?"] Yes, unions such as Prospect and PCS.

As I said, a statement was issued that stated that the police were fundamentally concerned, and that they were bothered about being over-burdened, and about where the service will be. I would be grateful for the Minister's views on the comments made by the Police Federation, and it is important that he responds to that point.

I put my concerns about quality of service, the provision of a 24/7 capability, high standards and research and development to the Government, and received a ministerial reply in a letter dated 16 September, saying that those matters would be considered as the restructuring process took place.

It is a long time since September. I would have thought that those points would have been considered by now, and we would have the information. I am not saying that the Minister should have the information today, but I think that he ought to let MPs and colleagues with an interest in the FSS labs know the answers. We received a delaying letter—I can understand that, but enough time has now been spent waiting. We ought to receive another letter soon, unless the Minister has the information.

I would like to know whether there is any further update on research and development work. Part of the argument is that the labs need new investment, but why not take that out of the profits being made, rather than using money from the private sector? The taxpayers' money is there. We might as well use that as give it to shareholders, who will make an even bigger profit. We all want the FSS to remain a world leader; we cannot allow its position to be jeopardised.

The 24-hour, seven-day-a-week cover is an essential part of the service, although no doubt unprofitable, because of the labour-intensive nature of the work. Providing a 24/7 service loses money, so what guarantees can be provided that the service will not be reduced and adversely affected by privatisation? Unfortunately, criminals work 24 hours, seven days a week, and we need a service to deal with that. That is where the cost cutting could take place, which is a worry. I do not think that anyone wants that. When a crime needs to be solved, we do not want someone to say, "By the way, can you wait until Monday? We don't work Sundays any more." We must stress the importance of 24/7 cover and the fact that keeping it in-house ensures that the service will always be on hand.

The Minister has made it clear that the DNA database will remain in the public sector. Again, I seek assurances that the data will remain strictly confidential and will not be threatened in any way by the changing status of the FSS if the proposal goes ahead.

I oppose the Government's plans, as do the staff and unions who work in and with the FSS. Until the concerns that we have outlined have been answered, I shall remain opposed to the plans and unconvinced that we shall see a change for the better, rather than another botched privatisation. I am worried about that, and I stress the need to recognise the credentials of the people who work in the service and their dedication to it, which others are willing to put at risk.

9.51 am

Colin Burgon (Elmet): I congratulate my hon. Friend the Member for Chorley (Mr. Hoyle) on securing the debate. We have worked together on this issue for a couple of months, and in some respects I hope that we soon become redundant in that capacity. Indeed, following the extremely powerful case that he has advanced today, I have a feeling that we may be able to pack our tents and leave the battlefield fairly soon, as I am sure my hon. Friend the Minister will confirm. I echo what my hon. Friend the Member for Chorley said about his visit to the laboratory in Chorley, because I made a visit to Wetherby, which I shall deal with as I develop my argument.

When the Government, extremely foolishly, introduced proposals to privatise the Forensic Science Service, they unwittingly helped me to expand my knowledge base—I know that they are a lifelong learning Government. They helped me to expand my knowledge of a service that many millions of us take for granted. One of the seven labs that my hon. Friend

[Colin Burgon]

mentioned is based in my constituency, at Wetherby. I must admit that I had only a general knowledge of the work that it carried out, so I determined to learn more about the service and the people who work in it, and I have been tremendously impressed by their attitude and professionalism.

That process of finding out and talking to people has confirmed in my mind that the Government's proposals are ill thought-out, and will be very damaging if allowed to proceed. The job of MPs is to examine proposals rigorously, even if they are introduced in a recess and seem to have been smuggled out to avoid conflict—and if proposals are flawed, dangerous and mistaken, MPs must say so openly.

When we consider the scope and scale of the work carried out by the Forensic Science Service, we soon realise that it is a tremendously important organisation, as my hon. Friend the Member for Chorley strongly argued. It is central to the investigation of crime and the prosecution of offenders, and it contributes to deterrence and to the prevention and reduction of crime. The facts and figures for the service are truly impressive. My hon. Friend gave a few, and I shall back him up. The service employs more than 2,000 people, of whom more than 50 per cent. are trained scientists, and many are world authorities in their field. It deals with more than 100,000 criminal cases a year, and examines more than half a million items per year, principally for the 43 police forces in England and Wales. It also deals with the Crown Prosecution Service and Her Majesty's Customs and Excise, and provides services to businesses both in the UK and abroad. It invests about £3 million each year in the vital area of scientific research.

David Taylor: My hon. Friend mentions the international role of the FSS. Is he aware that there is no nation on the planet whose FSS or equivalent is in the private sector? Does that surprise him?

Colin Burgon: I would have been surprised before I examined the issue, but now I am not. My hon. Friend is correct. Perhaps new Labour is trying to break into a new area, and say, "We're the first Government to deliver"—

David Taylor: Pioneers get all the arrows.

Colin Burgon: Indeed—but I hope that we can turn that particular drive today.

The FSS pioneered the use of DNA, and set up the world's first national criminal intelligence DNA database. Those facts are so impressive that in 1999 they moved a Labour Home Office Minister to say:

"We have a forensic service which we are proud of and it is widely regarded as a market leader in the way it meets ever demanding challenges. Its contribution is key to the delivery of justice."

I hope that the present Minister will associate himself with those remarks and acknowledge the high standing and effectiveness of the FSS, for I know him to be an open and fair-minded person. That would strengthen our argument.

Diana Organ: Is my hon. Friend aware that the forensic science service of our closest neighbour, the French, is nowhere near as developed as ours in terms of the work that can be done on DNA? I was involved with the case of a family whose daughter, Joanna Parrish, was murdered in France, and the British Forensic Science Service was asked to help in doing the DNA work required to find the murderer. That shows what a world leader our forensic service is.

Colin Burgon: I thank my hon. Friend for her intervention. She is right. I believe—I am sure that the Minister will correct me if I am wrong—that the weapon used in the recent assassination of a leading Swedish politician was also sent to Britain for analysis.

I hope that the Minister will recognise the strength of the case for keeping the FSS within the public sector, and find the points I now intend to put forward unanswerable, even with his great intellect. My opposition to the public-private partnership option also uses the acronym PPP, because I have practical, political and philosophical objections to the direction in which we are going.

On a practical level, we are told that the service needs investment. In the meetings that I attended the figures given, even by Ministers, were a bit vague. However, I have seen the figure of £30 million mentioned, which would principally be used to upgrade the seven laboratories. As my hon. Friend the Member for Chorley pointed out, £30 million does not seem a massive sum, when set in the context of the huge Home Office budget. Will the Minister comment on that?

Furthermore, as a Minister from the Home Office admitted to me in a written answer, the service generated some £10 million in profits returned to the Government last year. Moreover, I am informed that £10 million was invested in upgrading its computer programmes. In the light of those figures, the case for privatisation makes no financial sense. I am particularly concerned, as is my hon. Friend the Member for Hemsworth (Jon Trickett), about "fattening up" the service for privatisation, by using public money for a series of redundancy payments.

I believe that privatisation will destroy the morale and cohesion of those who work for the FSS. We should never forget that its highly trained and committed staff are its most valuable and prized asset. The potential loss of terms and conditions built up over the years cannot help but undermine morale. I have spoken to people at the FSS who share that view, and I am sure that my hon. Friend the Member for Chorley has, too. I ask the Minister to comment on pension rights, which are tremendously complex and can be skated over too easily—although I am sure that he will not do that. I also ask him to comment on the danger of a two-tier work force if privatisation goes ahead.

In West Yorkshire, a vigorous debate is being conducted in the columns of the *Yorkshire Evening Post* on funding for our police service. Again, I agree with my hon. Friend the Member for Chorley that charges to the police for forensic science services will automatically increase with privatisation as companies seek to secure a commercial rate of return on investment for shareholders. That follows as naturally as night follows day. The public will end up paying for privatisation,

either because the police service will aim to pass on increased charges through council tax, or because it will be minded to refer less work in an attempt to keep down rising costs, which in turn means that fewer criminals will be caught—a virtuous circle, some might argue.

It is nonsense to argue that the FSS is under pressure from vigorously growing private sector competitors and should therefore be privatised. Even if we entertain this dream world of marketisation and competition, the arguments in favour of privatisation do not stack up. Given its current market share of 90 per cent. plus, the FSS will dominate the sector if it is privatised, and it could act as a virtual monopoly. We must admit that there is no such thing as perfect market conditions and, to be frank, I do not think that a Labour Government should expend its energies chasing after the mirage of a perfect market economy.

I fear that the FSS will be hobbled in any privatisation process. The so-called small dynamic providers will be allowed to cherry-pick, and the FSS will be left with the less profitable areas. In addition, as my hon. Friend the Member for Chorley said, it will be required to provide a 24-hour-a-day, seven-day-a-week on-call system, with which the other competitors will not be saddled.

Given the central importance of the FSS to the Government's strategy on crime and the workings of the criminal justice system, the Government will have to address any financial problems faced. In short, although the service will be privatised, public money will be used to construct a safety net, thus ensuring ultimate protection for the private sector, as we have seen with the railways and air traffic control.

Ministers will have to answer on a subject over which they have little control—a situation that we are seeing more and more. We shall get all the political downside, without the political control. I hope that the Minister will agree that the public have a great deal of trust and confidence in the FSS, which privatisation will undermine. The FSS has grown organically alongside our police forces, and can quickly mirror and adapt to changing patterns of public practice. Privatisation will break the vast number of organisational and personal links that help the two services to work together efficiently, and the public will inevitably suffer.

I oppose privatisation also because boundaries must be drawn between the public and the private sector. This proposed privatisation illustrates the lack of confidence in the public sector ethos shown by some elements in the Government and the people who advise them. I have no problem with the notion that the private sector can deliver many things, from coffee to cars, perfectly acceptably, but I cannot accept the idea, which some of our colleagues accept too readily, that the private sector is inherently superior in every sphere of human activity.

We must remember that people are not defined solely as consumers; they are also citizens, which we as Labour politicians will ignore at our peril. I have talked to staff at the Wetherby laboratory, and am convinced that most of them value the fact that they work within the public sector, are supporters of the public sector ethos and are committed to it. They are not convinced that privatising their work will make them more efficient and deliver better outcomes—a view that I share. They are working in a service that is already successful, by any standard that one could wish to apply.

Dr. John Pugh (Southport): The hon. Gentleman has outlined his philosophical objections to privatisation. Does he agree that this is an attempt to privatise a service that the Government cannot allow to fail in any circumstances? That is always a mistake, in principle.

Colin Burgon: That is why I made the point about the safety net. As with the railways and air traffic control, the so-called risk takers in the private sector have a safety net under them. The perfect market conditions in which such forces are supposed to flourish will never be created.

Finally, I urge the Minister to give this matter more thought and to look for a solution that involves working with a committed staff through their two trade unions to maintain the Forensic Science Service as a leader in its field, and to ensure that it is constantly open to innovation, responsive to its customers, and a model of an effective public sector organisation.

I hope and pray that the Minister gives a positive response. I do not want to get involved in a fight over this, and I know that several other Back Benchers feel the same. However, if we have to fight, we will be thoroughly committed to carrying the fight through.

10.6 am

Mr. David Borrow (South Ribble): I congratulate my hon. Friend the Member for Chorley (Mr. Hoyle) on securing the debate. A considerable number of my constituents are employed at the laboratory in Chorley, which my hon. Friend has discussed at some length. Many of them have contacted me in the last few weeks, both in writing and in person. Before that, I did not know much about the Forensic Science Service, except what I had seen on television about the forensic science course at the university of Central Lancashire, which had been the subject of a series of television programmes over the past six to 12 months.

When my constituents contacted me, I was struck by the extent to which they were committed to public service. We must recognise that people sometimes choose to go into the public service rather than join a private sector employer. Often, they accept that the pay and conditions may not be as good, and the financial rewards may not be as beneficial, as they would be in the private sector, but working in the public service gives them other benefits, such as job satisfaction and a sense of working for the wider community.

I do not necessarily oppose the idea of private sector involvement in public services. Some 20 years ago, the Labour party was, or was perceived to be, ideologically opposed to the private sector. For my party, the public sector was good and the private sector was bad, whereas the Thatcher Government believed that the private sector was good and the public sector was bad. Then, in the late 1980s, I remember attending meetings and listening to my right hon. Friend the Deputy Prime Minister, as he now is, who advocated involving the private sector with the public sector to improve services.

[Mr. David Borrow]

I start from the position of not being ideologically opposed to that, but I question whether I should ask those of my constituents who have committed themselves to public service within the public sector to work for a private or public-private organisation. For that to have to happen, there must be an overwhelming need. The question is whether what is suggested will work and whether the need is important enough to justify the change, which will disrupt the lives of people who have given many years of service in the public sector. Should we shift them against their will into the private sector, with all the stresses and strains that that will bring? The case for that has not yet been made.

In a letter to me, the Minister for Crime Reduction, Policing, and Community Safety stated:

"We are committed to ensuring FSS continues to be able to remain a world class leader in the development and delivery of forensic science."

There is nothing in that sentence to indicate that the organisation is failing, or that it is not delivering a first-class service. Yesterday I received a letter from a constituent, who said:

"The FSS has assisted internationally in setting up forensic laboratories in Lithuania, DNA databases in Poland, Romania, Kuwait and New Zealand, and winning against European competition a contract to work with Czech police. It led the investigation into Bosnian war graves. This international reputation could be put at risk, if privatisation fails."

We are considering an organisation that, by any measure, is successful; it has a wonderful international reputation. Its trading company makes a profit, of which part is invested and part goes back to the taxpayer.

I have in my office a sack of letters to constituents who have written to me on the issue; they will go out after the debate, and I shall include a copy of the *Hansard* report of it. I hope that by then a proper case will have been made as to why the change is necessary. The correspondence that I have received so far does not make the case, so I hope that my hon. Friend the Minister will provide persuasive arguments as to why the policy of the Home Office is correct.

I am prepared to disagree with constituents if I believe that the Government's policy is correct, and will argue for it. However, in this case I have been given no answer on any point that I have raised that I can take back to my constituents. I am not ideologically opposed to the involvement of the private sector in delivering a public service, but no case has been made. It is crucial, before we put at risk the good will—

Mr. Hoyle: My hon. Friend, with his background of working in the public sector, will be aware that in certain cases, that sector is needed. Does he agree that the short-term gain that might come from this proposal will be the Government's long-term loss?

Mr. Borrow: The proposed public-private partnership may be driven by short-term financial difficulties, or requirements placed on the Home Office in order to get investment into the service; I can understand why there might be pressure from the Treasury on the Home Office to do that. However, in five years' time when major things have gone wrong with the FSS and there have been failures in investigations, we do not want to find ourselves, after the event, holding a Select Committee inquiry into the failure of a privatised FSS. No Government would want to risk putting themselves in that situation. The danger is that if this is botched, or driven through simply to meet short-term financial needs, we shall have made a bad decision.

If there is a strong long-term case for a change in the structure and organisation of the FSS, we can debate it and see whether there is merit in it. So far, the Government have made no such argument. There needs to be an overwhelming case for change before we disturb an organisation that has given excellent service, has an international reputation and employs hundreds of dedicated professionals committed to working in a public service, and before we put at risk any of their livelihoods and pensions, as the change could do. I look forward with great interest to the Minister's comments, and I hope that he will give all of us some satisfaction, and something that I can take back to my constituents.

10.13 am

Jon Trickett (Hemsworth): I apologise to you, Mr. Deputy Speaker, for not having given much notice of my wish to speak. Like other hon. Members, I thank my hon. Friend the Member for Chorley (Mr. Hoyle) for having called for today's debate. It is important for a number of reasons.

Before I speak about the FSS, I shall take hon. Members back to the summer months, before the Conservatives' little local difficulties with their leadership, which I predict will continue once they have the leader who looks likely to be selected, or elected—[HON. MEMBERS: "Crowned."]—or crowned. At that time there was some debate about the state of the Labour party, and I predict that that debate will re-emerge. Another point that was made—

Mr. Julian Brazier (Canterbury): Will the hon. Gentleman give way?

Jon Trickett: Let me just finish what I was saying. I apologise for being provocative about a matter that is not on the agenda, but I wanted to make the point.

The debate at that time, which I predict will re-emerge, was on the hypothesis—I put it no stronger than that—that a gap was opening up between the Government and the party and its supporters, which began to be articulated around the managerialism of Ministers, rather than the values that our Government are meant to embrace. With the FSS we are faced with a managerialist decision, which is detached from the values that the Government are meant to espouse. However, before I address that matter I shall give way to the hon. Gentleman.

Mr. Brazier: To bring us back to the subject of the debate, may I point out that the person to whom the hon. Gentleman referred as our new leader considered a proposal very similar to this one when he was Home Secretary—and firmly rejected it?

Jon Trickett: I am sure he did, but as that person is committed to tax cuts, it will be interesting to see which cuts in the police service and the criminal justice service generally he intends to implement instead.

I want to address values and managerialism, because when the decisions that are taken are detached from the ethos that we espouse and seek to represent, they can be understood only in managerial terms. I am afraid that *the decision that we are discussing is a managerial* decision, but it is also flawed on managerial grounds. I shall explain why in a moment.

As for the values that determine the way in which the Government move forward, there is nothing wrong with being pragmatic within an overarching set of values, but nor should we run away from the word "ideology", because that was what motivated many of us to become politicians—a belief in a particular kind of nation, which was not the kind of nation that we inhabited at the time. Personally, I do not think that there is anything wrong with ideology, but one of the values that I would have thought we would want to espouse is modernity, and modern public services, which must be well invested in and efficient. Nobody has ever said that the FSS is inefficient or lacking in modernity.

Beyond the value of modernity, however, are the values of public service. Hon. Members have referred to the strong public service ethos that runs through all the Labour party's thinking. It is true that none of us nowadays believes that the whole of society should be state owned, which would be a preposterous thing for us to propose in a modern United Kingdom. However, it is clear that some services—the criminal justice system is such a service par excellence—should be in a not-for-profit environment. A body concerned with the identification and capture of criminals, and their imprisonment and punishment, should be dedicated to the public service, and retain a strong public service ethos.

That ethos is strongly felt by the people who work in the forensic science laboratory. They spend their lives attempting to produce evidence that identifies criminals and eventually results in their imprisonment. I defy the Minister, intelligent as he is, to explain where in our core values as a Government or as a movement the decision we are discussing is located. As I have said, it is a managerial decision, and in managerial terms it is flawed. The key issue is that nowhere else in the world is the forensic science service privatised and, more importantly, separated from the police function in such a radical way. That information comes from paragraph 1.7 of the National Audit Office report, to which I referred earlier, which clearly indicates that no other country separates forensic science to the same degree, making it a distinct agency, never mind privatises it.

When I asked the leading executives in the FSS whether any comparable country had suggested privatising its forensic science service, Dr. Werrett told me that not even the Bush Administration were prepared to go that far. Indeed, they were not even prepared to privatise DNA testing. Nowhere in the world has the forensic science service been separated from the criminal justice service. Even New Zealand and Australia, which have occasionally had fairly reckless right-wing Governments, have not done that.

The reasons are fairly obvious. Separating the service destroys the command structure that is needed to operate effectively to identify criminals. That is why, traditionally and universally, apart from in this country, the two services have been integrated. The police service is in charge of the Forensic Science Service for simple, logical, management reasons.

The NAO report to which I referred contains an *interesting* description of an initiative—in Leeds, of all places. My hon. Friend the Member for Elmet (Colin Burgon) represents one of the constituencies involved. I come from Leeds originally and I lived there all my life until I became a Wakefield MP. I am still interested in Leeds. In an interesting experiment, Wetherby forensic science laboratory seconded back into the police force the scientists who assisted in BRIL—which stands for burglary reduction in Leeds—an initiative designed to defeat burglary. It resulted in a 247 per cent. increase in convictions compared with the previous period in 2000.

Why was the initiative so successful? The NAO report clearly states that it was successful because of the reintegration of the FSS with the police service. I was delighted to see so many burglars put behind bars. No doubt my hon. Friend the Member for Elmet and the Minister would feel the same. Indeed, everyone would. The success resulted from the reintegration of the service. Yet what do the Government propose? They propose to separate the service even further. They intend to set up a public-private partnership as a stage on the road to total privatisation. That will result in the most radical severing of the link between the police and criminal justice service, which remains in the public sector, and the Forensic Science Service, which will go into the private sector.

If I were a distinguished policeman or someone working in the courts I would have doubts about operating with the Forensic Science Service if it were a public limited company. I would worry about the security of information. It might be part of a larger group, and I would be concerned that the shareholders would have opinions about how the FSS was to be used. I might also have worries about money and profit being a motivation, as the information that the FSS would begin to accumulate would no longer be used in the interests of the public sector alone, but might be used in the interests of the shareholders. That disturbs me.

There will be a further breakdown in managerial relationships that are already strained because of the way the service has been separated into an agency. Those relationships will be severed completely when privatisation takes place. There is no case on managerial grounds or on grounds of values for what the Government propose.

David Taylor: Do my hon. Friend's concerns include the possibility that the national DNA database, which contains more than 2 million genetic profiles, might be used for purposes well beyond the detection and prosecution of crimes and criminals?

Jon Trickett: I was concerned about that, and I asked a series of questions about it. The Government may have moved slightly in their thinking on the subject, so I shall not press the point now. However, I warn them that many people, both in the House and outside, would be extremely concerned at the privatisation of the DNA database. The Government may have pulled back from that, but only after people kicked up a fuss.

I wonder whether those who advise the Minister also advised his colleagues to privatise the DNA database. He obviously accepts that it was a mistake to privatise

[Jon Trickett]

that part of the agency; perhaps he should think about the quality of advice that he receives from them, as they were patently wrong. No one in the world is privatising DNA databases. DNA is precious; it is internal to each human being. Our DNA is what makes our life, yet I must tell the Minister that the advisers were telling the Government to privatise it. Those same people are now saying that although that advice was wrong, Ministers should keep their feet on the accelerator. That is a fundamental mistake. One simply cannot make a managerial case for privatisation.

Other information was given to the Public Accounts Committee, and I wait with interest to see the report. However, as far as I could see, not one member of the Committee felt comfortable with what had been discovered. We were told that £6 million would be set aside as redundancy money to get rid of staff; that will be paid for by the taxpayer, presumably to thin down the organisation so that it is ready to make larger profits for the private sector.

What on earth are we doing diverting money from pursuing criminals into paying redundancy money, given that the Government accept that the FSS will face a 50 per cent. increase in its work? Why are we making people redundant when the service is expanding?

A series of other matters also came up, but I do not have time to raise them now. However, as a Yorkshire Member I am aware of the implications for jobs in Wetherby. No case can be made for what the Government propose, on ideological grounds, on value grounds or on managerial grounds. A highly placed snout in the Treasury—I emphasise that this is a very highly placed source—is saying that the Treasury is not pressing the Home Office to do it.

Once one has examined the arguments about why there are no managerial or pragmatic reasons for making the change, the assumption must be that it is ideologically driven. However, I cannot believe that the Minister who is here today could possibly be ideologically driven to privatise part of the criminal justice system. I appeal to him, as other hon. Members have done, to reflect carefully on the debate and on the possible schism that is opening up between Back Benchers—loyal comrades and hon. Friends, who want to modernise the service—and the Government.

Mr. Deputy Speaker: The purpose of these debates is to enable the Members who raise them to get an answer from a Minister, so we had better start the winding-up speeches now.

10.28 am

Mr. David Heath (Somerton and Frome): I congratulate the hon. Member for Chorley (Mr. Hoyle) on initiating the debate. I also congratulate all his hon. Friends, and other colleagues, on their contributions. Powerful positions have been set out, and the Minister must have realised that on this subject he has few friends on his own side, let alone on the Opposition Benches. That should give him cause for concern.

I start with the common ground: the police need the best possible forensic service if they are to do their job effectively. That is even more the case as new technologies emerge, which give us huge additional scope for the effective detection of crime. We should remember the assertion, supported by all the evidence to hand, that the present structure of the Forensic Science Service provides a quality service. We know that because, as has been pointed out, the National Audit Office report is very clear that the present structures serve the criminal justice community, and the country in general, well. I look forward with interest to the conclusions of the Public Accounts Committee following its inquiry. I know that it has been carefully studying what is proposed and how money is spent.

The National Audit Office report concludes not only that the quality of the service is good, but that improvements are being made in productivity—the number of cases has risen by 52 per cent. since 1996–97, with 130,000 cases in 2001–02—and in timeliness of responses; attention is drawn to the fact that the backlog of DNA samples has been eliminated in recent years. It also concludes that the effectiveness of the work in securing convictions has improved.

Where criticisms are made—and they are few—they are largely about the level of effective communication between the police service and the Forensic Science Service. There is concern about the fact that despite increased take-up there are still police forces that are not well enough equipped with scene-of-crime officers to obtain the raw material to enable the Forensic Science Service to do its work. There is also concern about whether there is sufficient feedback and communication between the service and the police to enable work to be planned more effectively, to provide for transparency in individual cases and to ensure that the best possible service is provided.

The clear conclusion, which Ministers evidently share, is that our Forensic Science Service is a world leader—a professional service that provides a high quality of resource. Therefore, as others have argued, if the Government propose change, they need to provide arguments for that change. If something is working as well as the service is working, pretty potent arguments are needed to support the sort of upheaval that is on the agenda.

What might such arguments for change be? Perhaps other models of forensic science service, having gone down the road of privatisation elsewhere in the world, are even more successful. However, we have heard that that is not so. Nowhere, even in America, Australia or Canada, or anywhere in Europe, is there anything that matches the Government's proposals.

Indeed, there are very few other services that are even close to the agency approach that we operate. I believe that Holland is just about the only major country whose service tends towards that approach. If they take the steps proposed, the Government will become a pioneer in taking us beyond what any other country has considered reasonable in providing for its criminal justice system.

A second argument for the change would be that there was clear scope for improvement in performance. However, as we have heard from the National Audit Office and others, there is a high level of performance at present, and it is improving. It is therefore hard to sustain an argument that moving the service to the private sector would necessarily improve the performance of the service as a whole.

As for the investment decisions that the service must take, there is scope within present profitability to secure the investment. It is not clear that an asset base provided by the private sector is needed to maintain the effectiveness of the service. If profitability is what this is all about—ensuring maximum profits for the service, so that part can be reinvested while, inevitably in the case of a private sector business, part must go to the shareholders and be lost to the public sector—where are the profits coming from? They can only come from the public sector—from the police authorities and the people who must pay inflated council tax bills to support the police. Where is the sense in that? What is the logic in ensuring profitability for what is essentially an entirely public sector operation?

There is an argument about the vulnerability of the service to other providers, but I cannot accept that a company that effectively has a 90 per cent. share is highly vulnerable to the small providers. Those small providers provide good alternative services, and I do not want to knock them. Some police forces use them for specialist services and they are right to do so, as there is no reason why they should not test the market like that. However, the idea that a provider with a 90 per cent. market share is vulnerable to those minnows in the market is laughable and will not, I hope, be sustained by the Minister.

David Taylor: The justification for the path on which the Government are apparently set says that the public-private partnership is the optimum way to enable the Forensic Science Service to compete effectively. With whom?

Mr. Heath: The hon. Gentleman asks exactly the right question: with whom? With the other providers? If so, I must point out that they do not want the Forensic Science Service in the private sector, because they know that the virtually monopolistic situation that would arise would not be in their interests as private companies. Also, the innovation that small-scale private sector providers bring to the margins of the Forensic Science Service would be killed, because one large monopolistic private sector company would be grabbing the whole market, which is a serious concern.

What would be the effect of that virtual monopoly? It would drive up the fees and charges to the police forces, which is not a good thing because it will result either in higher costs to the police services, and thereby to the council tax payer, or in fewer cases being given to the Forensic Science Service, which will mean reduced effectiveness of investigation and detection. An effect already being felt is instability in the existing service, with the prospect of redundancies among highly skilled individuals whom we cannot afford to lose from the public service, because they are some of the finest scientists in the country and do a good job. There is also a continuing concern about the reduction in the science base as a whole.

The dialogue between the Forensic Science Service and the police, which we should be promoting, will also be reduced. We want them to compare notes about planned work load and for there to be greater direct communication. If the service were in the private sector, and the conversation about the likely load was therefore taking place between the customer and the monopoly supplier, the Monopolies and Mergers Commission would have to look into the matter, as that will not be a private sector, free market situation. Such arrangements will act as a bar to the introduction of new technologies that the Home Secretary will undoubtedly want to enforce and police services will want to take advantage of, because there will be another line of command—that is, shareholders rather than the public interest. There are also genuine issues about security in the service.

Finally, I have some questions. First, we are still not clear about what will happen with the national firearms intelligence database. Will the Minister make it absolutely clear whether he envisages that it will be retained in the public sector? Secondly, we know about the national DNA database from a paragraph that seems to have been inserted into a letter to us all. I have a letter from the Minister for Crime Reduction, Policing, and Community Safety to my hon. Friend the Member for Southwark, North and Bermondsey (Simon Hughes), which says:

"the review concluded that it is in the public interest for it to continue to be managed in the public sector".

If that is the decision, how is it to be managed? Will we see an orphan agency, existing simply to run the DNA service? If so, where is the cost-effectiveness in that?

Thirdly, why have the Government not published the independent review on which the assessment is based? They have published the executive summary, but they refuse to publish the full report because they say that it is commercially sensitive. That is becoming a habit with the Government. The Home Office refused to publish the Carter review of the Criminal Records Bureau, it refused to publish the independent review of the National Asylum Support Service in July, and now it has refused to publish the report in question. I think that that is a matter for the ombudsman. The Minister ought to consider what constitutes commercial sensitivity and what constitutes the public interest when such a key decision is being taken on our behalf.

My last point is one that all hon. Members have wanted to make. The Forensic Science Service is an integral part of our criminal justice system. As my hon. Friend the Member for Southport (Dr. Pugh) said, it is a service that cannot be allowed to fail. Unless the Government have overwhelming arguments for putting it into the private sector, it should stay where it is, provided that its service is of high quality and integrated, not disintegrated, within the existing system. The Government have yet to prove any case to support their proposition, and it will not receive the backing of many Members on either side of the House.

10.40 am

Mr. Julian Brazier (Canterbury): I congratulate the hon. Member for Chorley (Mr. Hoyle) on securing the debate. He expressed his views and his strong feelings, and raised some concerns that are shared on this side of the House. I also congratulate the hon. Member for Hemsworth (Jon Trickett) on a thoughtful and interesting speech, which drew on his experiences on the Public Accounts Committee.

There is no greater enthusiast for privatisation than me, but the Government's approach to scientific work does not make sensible use of privatisation. This is all of

[Mr. Julian Brazier]

a piece: the arguments are the same as those we had about the Defence Evaluation and Research Agency, on which the American Government repeatedly intervened, asking the Government not to privatise it, for all the sensible reasons that the Defence Select Committee, which I was on at the time, set out so clearly. There were similar threats to the Public Health Laboratory Service and the Department for Environment, Food and Rural Affairs laboratories that are so important for the food chain.

Some changes can appear to be small but have consequences that go far beyond what is perceived when they are made. Changes to the Forensic Science Service could be one such case. Its work is as vital as it is invisible, and I pay tribute to the service for its pivotal role in the fight against crime. The science that the men and women of the service bring to bear can make the difference again and again between conviction and acquittals, both for criminals and for innocent defendants, within the criminal justice system. Forensic science is a vital component in the armoury of the police and the Crown Prosecution Service. If that does not remain the case, the nation as a whole, not just those working in the service, will be poorer.

When the Home Secretary announced the changes, he failed to provide any information about what the Government would do with the national DNA database. As the hon. Member for Somerton and Frome (Mr. Heath) has just pointed out, we need to know about that quickly. If the Government are determined to privatise the service—and with their overwhelming majority, they can—they must at least ensure that any change in the status of the Forensic Science Service provides clear safeguards for protecting confidential and sensitive data not just in the national DNA database but throughout the items that involve the interests of the police, victims and the public in general. The service must never be seen to profit from crime at the expense of the fight against crime.

The central question, which the Minister has been asked by each Member, is what is the Government's case for making the change, apart from making a very small contribution in one year—coincidentally, the year before the election—towards reducing the black hole in the public sector borrowing requirement. The FSS is a highly successful trading fund, and as others have said, it paid a dividend of £5 million to the Treasury last year, as well as making substantial internal investment.

One of the few reasons that the Government have advanced for privatisation is increased competition, but as it has 90 per cent. of the market, seven laboratories and 2,400 staff, where would the competition come from? How many new market entrants do the Government anticipate, given the dominant position of the FSS? Would new entrants mean that they would have to establish a regulator? How much would a regulator cost, and what would his terms of reference be?

If the FSS becomes a private company, what will the Government's policy be on possible failure or mismanagement? I assume that such an important service could not be allowed simply to disappear, but that could create an absurd situation in which the Government, having said that they needed the private sector because they could not afford the necessary investment, ended up spending much more trying to rescue the service when it went bottom-up.

Unfortunately, my hon. Friend the Member for Huntingdon (Mr. Djanogly) cannot be here because of another parliamentary commitment, but he is deeply concerned about his many constituents who work in the service. One such constituent says in a letter:

"As part of the criminal justice system the Forensic Science Service acts in the public interest ... The cost for Forensic work could increase significantly. Police budgets would then have to be increased ... or there would be a decrease in the amount of Forensic Work carried out"

and

"a significant decrease in the number of crimes detected and prosecuted".

Of course, much of the work done by the FSS is painstaking and carried out with little or no profit margin. Do the Government know to what degree, if at all, the FSS operates a system of internal cross-subsidy for labour-intensive major crime work or to maintain the 24/7 on-call system, to which two hon. Members referred? Will the Government set minimum standards of service and service provision? If there will be no minimum service requirement, presumably the unprofitable work will still need to be done by someone, so who do the Government envisage doing that?

Let me illustrate the problem. The present priorities are fixed by the needs of the criminal justice system. Murder is, of course, at the top of the system's priorities, and many murder inquiries involve complicated and exacting one-off work of a sort that will never be profitable in any organisation. What is to prevent the new owners from focusing on an area such as vehicle crime, which is also important, and offers far more scope for profitable repetitive work?

A worried worker at Huntingdon says:

"we are currently threatened with redundancy, despite the FSS having a healthy operating surplus in this financial year ... management have consistently denied that the redundancies are connected to making the FSS more attractive to investors and yet the timing cannot be purely coincidental".

Surely the Government do not believe that they can do without the support of the work force. Many of those who stay on will be as angry and bitter as those who are made redundant, yet the Government seem happy to alienate those who joined the service for vocational reasons.

The Government have received representations from the union Prospect. Indeed, I understand that it left a number of questions with Ministers, not least about employees' pension rights. Mike Sparham, the negotiations officer for Prospect, says:

"we have sought assurances about pensions protection and have yet to receive any positive response. We know the civil service scheme is closed to private sector employees, so remaining in it will not be an option. We would like to know what the government's intentions are".

I think we all would

Perhaps most serious of all is the issue of incorruptibility and security. I quote an employee:

"Our involvement in the Criminal Justice System"

means that it

"is paramount that we remain within the civil service as I believe if private companies were to take over the confidential and personal information that we deal with"

that

"could adversely affect the lives of people".

As part of the Home Office, the FSS is seen to be beyond reproach, and above all, beyond infiltration. What systems and mechanisms are the Government considering to safeguard not only the lives of staff and their families, but the effectiveness of the criminal justice system? What consideration have the Government given to the value to the criminal world of getting hold of information from this organisation, which underpins the whole network of criminal intelligence? What will they do about background checks on staff? Who will monitor the companies and the FSS, whatever guise it takes, to ensure the highest standards of probity? Let us remember that the FSS is also a prime target for terrorists, as the citizens of Belfast know all too well. What guarantees will the Government give the new employers?

More generally, I ask the Minister to take this opportunity to reassure the Chamber about what will happen to the national DNA database. We must have an answer on that. The database contains the DNA records of convicted criminals and of suspects who have never been convicted or charged. The commercial value of that information may be limited today, but what about in 10 years' time? What will insurance companies pay for such data? No doubt biotech companies, too, would like access to it. There are ways to use, and, indeed, misuse, someone's genetic code that cause us anguish today. How will the Government limit the scope for even greater problems in future?

I believe that the proposals are driven simply by a desire to make one small patch in the black hole in Government finances the year before an election year. The Opposition have no desire to make life easier for the criminal. We do not believe that that is the Government's intention, but I fear that that could well be the effect, unless they address the matter properly.

10.49 am

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I begin by conveying the apologies of the Minister for Crime Reduction, Policing, and Community Safety, who cannot be with us this morning as she is fulfilling a long-standing commitment to address the Association of Police Authorities. I congratulate my hon. Friend the Member for Chorley (Mr. Hoyle) on securing this important debate on the future status of the Forensic Science Service. I also congratulate my hon. Friends the Members for Elmet (Colin Burgon), for Forest of Dean (Diana Organ), for North-West Leicestershire (David Taylor), for Hemsworth (Jon Trickett) and for South Ribble (Mr. Borrow), all of whom powerfully expressed their views and those of their constituents.

In the short time available to me, I doubt that I will succeed in answering all the questions that were asked, but I shall do my best to answer several of them. I assure hon. Members that they will receive a proper letter containing a full answer to their questions.

The debate has been a useful and important opportunity to air several national concerns and several local constituency concerns. I welcome the recognition given during the debate to the contribution made by Forensic Science Service staff to the work of the police in reducing crime. The staff do indeed have a well-earned, world-class reputation, and it has been good to emphasise that point, whatever differences of opinion there may be between hon. Members.

On 14 October, several of my hon. Friends, including, I believe, my hon. Friend the Member for Elmet, met the Home Secretary and the Minister for Crime Reduction, Policing, and Community Safety and made clear the strength of feeling among FSS staff about the changes that were announced in July and the way in which the announcement was made. I hope that they will be reassured to learn that at a recent meeting with FSS trade union representatives, my hon. Friend apologised for the lack of notice given before the announcement, and gave an undertaking that they would be consulted regularly during the restructuring process. I am happy to repeat that apology and to reassure hon. Members with FSS laboratories in their constituencies.

We need to bear in mind, however, that the challenges facing the FSS did not begin with the decision to create a public-private partnership. The best value approach adopted by police forces is already leading to the development of a competitive market for forensic sciences, in which the police are establishing good working relationships with other suppliers. Two other organisations, LGC and Forensic Alliance, are working successfully with police forces, and already account for some 10 per cent. of market share. Consequently, the FSS has been forced to implement a 9 per cent. reduction in the size of its work force. My hon. Friend the Member for Chorley described the prospect of the FSS being divided into a series of regional companies. Different companies may operate in different parts of the country, but I assure him that there are no plans to split up the FSS into smaller regional companies.

The status quo is not an option, and it is clear that we need to act to ensure that the FSS remains a leading-edge forensic organisation. The purpose of the public-private partnership is to ensure that it continues to have access to new developments in forensic technology and can build on the high quality professional skills of its staff to improve the support that it gives the police in reducing crime and making our communities safer places in which to live.

My hon. Friends rightly pointed out the recent improvements in the performance of the FSS. Indeed, in the last financial year, the FSS dealt with 150,000 cases—a record number. Its scientists appeared as expert witnesses in court 2,600 times, and attended approximately 1,700 crime scenes. Also last year, the FSS managed to achieve huge improvements in turnround times. That has continued this year, with 80 per cent. of jobs now delivered within 42 days, compared with only 40 per cent. in February. By next March, the target will rise again to 95 per cent., and that upward pressure will continue as customer expectations and a competitive market demand an ever-improving response to the changing needs of police forces.

We have to recognise that although those are impressive achievements, the structure of the FSS has major limitations. That is why Ministers have concluded that the kind of progress that I have described cannot be sustained unless the FSS is able to continue investing both in new techniques and in its work force. Hon.

[Paul Goggins]

Members will acknowledge that that requires access to development capital—a key issue, which the creation of the PPP will address.

Hon. Members have referred to a £10 million surplus from last year. They are correct, but the review concluded that merely to stand still, the FSS would require between £20 and £30 million of capital investment. Much more than that will be required if it is to remain a leading-edge organisation. Investment is critical to the growth of the FSS at a time when so many opportunities are being provided by new technology, and when other organisations have much more flexible access to development capital.

I can reassure the hon. Member for Somerton and Frome (Mr. Heath), who asked why the recent McFarland review was not in the public domain, that it will be placed in the Library of the House once any information that is commercially confidential has been extracted. I hope that he considers that sensible.

David Taylor: The Minister said that the prime justification was to improve access to investment capital. Would he accept that the private sector will pay higher rates for access to capital? On top of that, it will charge its profit element, and the taxpayer will have to pay more for the service both in the medium and the longer term. That does not stack up.

Paul Goggins: The business case will have to stack up, but in order for the FSS to be able to develop further its capacity to remain a leading-edge world-class organisation, it will have to have access to amounts of capital investment that will not be remotely possible if it remains wholly within the public sector.

I return to the McFarland review, which recognised that the FSS has made a success of its trading fund status, in that it is held in high regard by stakeholders and has met most of the operational and financial targets set by the Home Office. However, it asked what might have been achieved if performance had not been fettered by the constraints of trading fund status—in particular, by not having the managerial freedom and flexibility to respond to growing competition, and by its inability to sustain the level of capital investment that is required if it is to remain at the leading edge of rapidly advancing science and technology.

The review highlighted the substantial risks facing the FSS. It concluded that after several years of rapid growth, it was significantly undercapitalised. I shall repeat that point for my hon. Friend the Member for Chorley: the report concluded that the organisation was significantly undercapitalised. It requires new money to improve its existing services—

Mr. Hoyle: I am very confused. If the business is making £10 million a year for the Exchequer, why not just put that money into the business? According to the Minister's figures, between £20 and £30 million is needed, so even in the worst case, the service will be wholly revitalised after three years.

Paul Goggins: My hon. Friend knows that the DNA work that the organisation carried out required investment of over £180 million. That is the kind of investment required if the FSS is to remain a world-class, leading-edge organisation, and it is a figure way beyond the very welcome £10 million surplus made last year. The investment required could never be funded year by year out of the surplus.

There are additional constraints on the FSS's ability to enter into enforceable contracts with its customers—an approach that can be difficult when the public sector is both purchaser and supplier. It must be able to enter into business alliances and joint ventures with private sector companies as an equal partner. That is particularly important for research and development, where investment in new technologies is crucial.

Time is against me. There are many more things that I wanted to say—about guaranteeing rights under the Transfer of Undertakings (Protection of Employment) Regulations 1981, and pension rights, for example, about which I know hon. Members are concerned. I will ensure that the remarks that I wanted to make are enclosed in letters to hon. Members. I repeat that this has been a useful debate, and several important issues have been raised. The Government are fully committed to ensuring that the FSS continues to remain a world leader in the development and delivery of forensic science.

Trans-European Networks

11 am

Albert Owen (Ynys Môn): The importance of a modern transport system to the economy of north Wales is one of the priorities on which the north Wales group of Labour MPs has been campaigning in the House and outside. It is one of our main issues, along with manufacturing and industry. We believe that it is vital, not only for the economic well-being of the area and for tourism, but for the quality of life of the people of north Wales.

The Government are right to endeavour to spread wealth through the UK, and in their objective of even economic development. To spread wealth evenly to nortn Wales would require a modern, upgraded transport system, which would provide the foundation and infrastructure to move people and freight across the area. It must be a multi-modal system for the 21st century. The trans-European networks—known as TENs in Euro-jargon—are set up to do that.

North and north-west Wales suffer from dual peripherality; geographically we are on the edge of both Wales and the UK, although I tend to think that that is a London-centric, or even Cardiff-centric, view. To the west of Wales is the Republic of Ireland, which is a major player in European policies. My constituency is smack in the middle of the area between Ireland and the UK. Indeed, it is the heart of the isles and deserves to be treated better in terms of transport.

The links between Wales and Ireland are strong and historic. The towns of Dun Laoghaire and Holyhead have served the cities of Dublin and London for many years. Royal Mail post was carried by road via Chester, Abergele, St. Asaph and Bangor, and across the Irish sea by package ships. The coming of the railways sped up that process and the two cities became closer, although it is argued that the direct rail link was more for transporting MPs from Ireland to Westminster than for moving mail quicker. Hon. Members who travel on the link will testify that MPs in those days had more power to improve things than north Wales MPs do now.

The link is still important. An estimated 2.7 million people a year travel through the port of Holyhead; the Celtic gateway, as it is known in my constituency, Wales and the rest of the UK. Improvement has been made to the port, with new berths and terminals financed by a mixture of private and public money, including European structural fund grants. The sea bridge from Ireland, Dublin and Dun Laoghaire to Holyhead, boasts the fastest ferry, which takes 90 minutes to cross compared with three and a half hours for conventional ferries. There is the largest conventional ferry in Europe, and the new Stena Adventurer is the largest ro-ro ferry in mainland Europe.

According to Anglesey county council and Welsh Development Agency figures, the larger car ferries carry an estimated 646,900 cars and lorries. The E22 Euro-route, or the A55 as it is now known, was completed in 2001. It accommodates some 30,000 vehicles a day, with the ferry companies Stena Line and Irish Ferries projecting an increase in the volume of vehicles, including cars, lorries and large vans. Indeed, they predict year-on-year growth.

The A55 is already feeling the strain, with major bottlenecks and serious problems. At Penmaen-bach, for example, subsidence caused single-line traffic and huge delays. That is why we need a modern railway system with a fully integrated mechanism.

The Minister will be aware of my campaign to establish scheduled flights from RAF Valley to Cardiff, Dublin and other UK airports. If that succeeds, the Minister could come to Anglesey for business, take a quick walk up Snowdonia, which I know he is fond of, and be home for tea the same day. I am sure that he will support my campaign for an intra-air service. However, that is a debate for another day.

Mr. Nigel Evans (Ribble Valley): Does the hon. Gentleman accept that the idea has all-party support? The Conservative party would like to see RAF Valley used in a proper commercial manner, boosting tourism and businesses in the area.

Albert Owen: Absolutely. It has not only all-party support, but the support of the Wales Tourist Board, which yesterday announced that the plan was one of its priorities.

The railways are problematic, to say the least. We now have the completed A55 dual carriageway, the port and shipping developments that I have described and the improved road and rail links in the Republic of Ireland and the north of Ireland. I believe that the missing link is the north Wales railway. I welcome the strategic plan for UK railways from the Strategic Rail Authority and the Government.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I agree with the hon. Gentleman that the issue has full all-party support. Earlier, he mentioned the efforts of the north Wales Labour group. When will they meet Richard Bowker of the SRA, as Plaid Cymru did last week?

Albert Owen: We have already met Mr. Bowker on a number of occasions, and we have met other members of the SRA, Network Rail and the rail operators. As I said, the missing link is the north Wales railway. The 10-year plan is welcome after a long period of under-investment.

Hywel Williams (Caernarfon): Does the hon. Gentleman agree that one of the main problems in improving rail traffic in north Wales is not in north Wales itself, but in accessing the system to the east? Investment in north Wales is indeed crucial, but we also need better rights in England.

Albert Owen: I will come to the subject of the rail infrastructure in a second.

We must welcome the improvements in progress on the west coast main line. They were the first TENs priority when TENs came into force in 1994. The estimated cost of that project is somewhere in the region of £9 billion. Other projects in 1994 included the channel tunnel rail link, which is now operable in the south-east of England, and a rail link from Larne to Belfast to Dublin.

The Minister will know that the Crewe to Holyhead line forms part of the west coast main line, serving the north Wales coast and the port of Holyhead, with its

[Albert Owen]

links to Dublin. It is time for the strategy on the west coast main line to be brought west, to north Wales and north-west Wales. The modern Eurolink needs to be put in place to achieve the objectives of the Maastricht treaty, article 129(b) of which states that

"to enable citizens of the Union, economic operators and regional and local communities to derive full benefit from setting up an area without internal frontiers"

the Community should promote the

"interconnection and interoperability of national networks as well as access to such networks. It shall take account in particular of ... island, landlocked and peripheral regions with the central regions of the Community."

I am sure that everybody in this Chamber agrees with those general objectives.

I was pleased when the Commission announced the enlargement of the trans-European transport networks in October this year. It proposed new projects with new funds to dynamise Europe. The total costs of the projects were estimated to be in the region of €220 billion. The press release that accompanied the announcement referred to trans-European networks as the

"motor and precondition for Europe's economic development and cohesion"

and stated that

"new rules and structures proposed should provide means of attracting more funding to the priority projects and turning them into reality".

Among the projects listed as priorities was the rail line between Crewe and Holyhead, with a date of 2008. It was listed alongside the west coast main line, which is to be completed by 2007. That is a major step forward. Upgrading the north Wales line was on the agenda in the 1980s, but little attention was given to it. It is now in an appalling state, including the stations, which were described by the chief executive of a leading train operator as the worst in the UK network.

The regional paper, the *Daily Post*, is running a campaign to improve safety and information at north Wales stations, where basic amenities such as toilets, information screens and waiting rooms are either lacking or well below basic standards of cleanliness. The lack of basic facilities does not accord with the objectives of the SRA, which calls for safe and welcoming stations. Journey times are not predictable or relaxing, as the SRA requests.

To be fair to Virgin trains, it has invested in new rolling stock; new, pioneering SuperVoyagers and Pendolinos are expected in September 2004. Although the seven trains that were promised will not be coming, there will be a total of four trains, with an additional London to Llandudno train to be timetabled.

Hywel Williams: Does the hon. Gentleman agree that the capacity of the four trains from Bangor—the number of passengers that can possibly be carried—is less than that of the three trains that are operated already?

Albert Owen: It is a bit more technical than that. Virgin trains explains the reduction as being due to delays in the rail upgrading and the inability to run trains at 140 mph. If the trains could be moved faster, we would have more trains and increased daily capacity, which I am sure is what the hon. Gentleman is talking about.

My point for the purpose of the present debate is that the line speeds are as low as 75 mph in parts of north Wales, including Anglesey. That is a total waste of the new capacity that Virgin trains is promoting, which would allow its trains to reach a speed of 125 mph across the network. No wonder people in north Wales feel that the line is a Cinderella line. That is unacceptable for a designated major Euro-route linking the European capitals of Dublin and London.

Of course it is up to each EU member state to improve its own transport system and rail network. Cost is a major factor, yet crude estimates in respect of upgrades in the north Wales line and signalling to allow the new trains to run at 125 mph when they come into service are that the cost would be in the region of £10 million to £20 million. I remind the House that the cost of the west coast main line upgrading from London to Glasgow is in the region of £9 billion and I urge the Government to turn the TENs project for a modern, upgraded line between Crewe and Holyhead into reality.

The Minister of State, Department for Transport (Dr. Kim Howells): Will my hon. Friend read out those figures again? I was looking at information recently about the replacement of one group of points, and that cost £10 million. Is my hon. Friend saying that the whole of the railway line from Crewe to Anglesey could be made available for trains to run at 125 mph for between £20 million and £30 million?

Albert Owen: No. The information that I was given by Virgin when the Welsh Affairs Committee conducted its inquiry into railways was that most of the line now has the capacity to run at 100 mph-plus, but that areas of the line need upgrading. The figure for upgrading the whole line so that it could maximise its speed to 125 mph was £10 to £20 million.

The objective of TENs is to move people and freight quickly and reliably. I am sure that the Government share that objective. The construction of the trans-European networks is an important element of economic growth and the creation of employment. North Wales deserves greater investment in its railways. The ports of Holyhead and Dun Laoghaire have benefited from new investment; there are new ships. The euro-route, the A55, is helping to spread wealth across north Wales. I ask the Minister to give priority to the modest work for which the EU is calling and to work with the EU, the Assembly and the rail company to restore pride in that important link.

I do not want to see north Wales lose out in investment or economically in the future. I used the comparison of the A55, which was begun in the 1980s from Chester to Bangor and across the bridge to Anglesey, but stopped a few miles into Anglesey. The Labour Government in 1997 gave that road the final go-ahead. I remember my right hon. Friend the Secretary of State for Wales—when he was a Wales Office Minister—signing the document to allow the A55 to be completed.

I have no doubt that Anglesey lost out significantly in the period when the road was not dualled. Business complained that there was traffic congestion, and used

that as a factor for not investing in Anglesey. When the road was completed in 2001, the port of Holyhead was fast getting back on its feet, and the economy started to catch up with the rest of north Wales.

I believe that by not investing in and maximising the potential benefits of a fast rail service, north Wales is losing out, in the same way that Anglesey lost out through that major investment not being completed. We need to see a modern west coast line that really is a west coast line, stretching to the west of Wales and to Ireland. I ask the Government to give that greater priority, to adhere to the guidelines of the TENs project and to ensure that the project is completed by 2008, if not sooner.

11.16 am

The Minister of State, Department for Transport (Dr. Kim Howells): I congratulate my hon. Friend the Member for Ynys Môn (Albert Owen) on securing this important debate. As he has informed us, his own constituency in north Wales contains key transport infrastructure on the trans-European transport network; the TEN, as it is known.

The A55 is part of the TEN road network, and I am glad to hear my hon. Friend's views on the way the economy of Ynys Môn has improved as a consequence of the A55 being dualled. I remember driving along that road before it was dualled; it was very different then. The thrust of the TEN is to put in place a modern, interconnected network that will enhance trade and the competitiveness of the European economy, will give life to the concepts of the internal market and provide more territorial cohesion.

In conjunction with complementary policies to open up markets and remove restrictive operational practices, it is hoped that the network, which comprises road and rail infrastructure, strategically important airports and ports, as well as transport information systems, will improve competitiveness and growth in Europe. However, as my hon. Friend told us, that comes at a price. I believe that he quoted a figure of about £220 billion, whereas I have heard that the figure is £350 billion. Those are fantasy sums. Europe cannot afford projects at those kinds of prices. We must examine the matter on a project-by-project basis if we are to inject reality into those great aims and schemes, aspirational though they are.

Ian Lucas (Wrexham): Will my hon. Friend clarify the effect of the announcement that was made in October by the European Union? Does it mean that additional funds will be made available to assist the north Wales line, or does it mean that he has to make the case to the European Union?

Dr. Howells: I am glad to clarify that for my hon. Friend. We have to make the case, whether it is for the upgrade of parts of the infrastructure that might be designated as part of the TEN project, or for a completely new route. That is not an easy task. Everyone wants a share of that money, and there are ten accession countries. There will be a marked shift eastwards and to the centre of Europe in terms of where that money will be spent. We have an important case to make. As my hon. Friend the Member for Ynys Môn has reminded us, there is an issue of peripherality, both geographically and economically. The gross domestic product in Wales is 20 per cent. below the UK average. The European average is in doubt, as no one can work it out, but there is a serious deficit, and transport has a part to play in it.

The benefit to the UK of TENs is twofold. First, there is the prospect of accessing funding for our projects on the TENs map. When the guidelines were established in 1996, 14 priority projects were identified. They are due to receive a generous proportion of the overall TENs budget between them. That runs to about £3 billion between 2000 and 2006. Four of those priority projects are wholly or partly in the UK: the channel tunnel rail link; the west coast main line rail project, which is probably Europe's busiest railway line when both passengers and freight are taken into account; the road link between Ireland, the UK and the Benelux countries; and the rail link between Cork and Belfast. Those projects have been awarded over £150 million, in grants, from the TENs project. As my hon. Friend reminded us, we have partly benefited from that with the A55, with improvements in Holyhead and, more importantly, with the west coast main line.

Chris Ruane (Vale of Clwyd): My hon. Friend has listed several projects. Does he know where one of the more recent developments, the improvement of Mostyn docks, lies on the list of priorities? Has its profile in Europe been lifted?

Dr. Howells: I have no idea, but I will certainly try to find out for my hon. Friend. I am not sure whether Mostyn docks is a priority on the TENs list, but I am sure that he will make a good case for it.

The second benefit of TENs is to our hauliers, who will benefit from the improved infrastructure and links throughout continental Europe, particularly when markets open up after accession. I know that my hon. Friend the Member for Ynys Môn would not make the mistake of assuming that because some of those improvements are in England, they will not affect Wales. The hon. Member for Caernarfon (Hywel Williams) said that the most important transport connections for Wales are those that run through England, and that is a significant point. As one who uses the rail system constantly, I know how important those links are to lines such as the great western route.

We should benefit as much as any other part of Europe from the channel tunnel rail link. That project is going well; touch wood. Phase 1 has been delivered on time and below budget. Phase 2, leading into St. Pancras, is well under way. I am sure that that could be the subject of another debate, but it illustrates the point that many key TENs projects will benefit Wales as well as the areas in which they are being constructed.

Mr. Llwyd: Although I fully agree with the Minister, I must draw his attention to a problem. The Conwy valley line and the north Wales coast line are hopefully going to be upgraded for freight. That is important to those of us who are Members of Parliament for north Wales, but it might be scuppered by a freeze on freight

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grants in England. Following on from the Minister's remarks, with which I agree, I urge better cross-border understanding.

Dr. Howells: That is an important point, Mr. Deputy Chairman.

Mr. Deputy Speaker: Order. I am a lot of things, but I am not a deputy chairman.

Dr. Howells: I am very sorry, Mr. Deputy Speaker. The nomenclature of this place is often a mystery to me.

I must reply to the important point raised by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) about freight movements in Wales. He will be glad to know that part of the railway line in his constituency will be used as a test bed for the latest technology in the world on rail safety and management, so that we can run more trains along the track and make better use of railway capacity. He is quite right to highlight the issue of freight, which is important.

Just last week I had discussions with some of the most important companies involved, and they want to hear that we have a positive attitude towards freight on the railway lines. The freight grants are important; there is no question about that. The budget for the coming year is, I think, between £30 million and £40 million, but that is not what counts. The sums involved in moving freight along the railway lines are vast and we must give reassurances that that is the proper way for the country, so I am glad that the hon. Gentleman has raised the issue. As my hon. Friend the Member for Ynys Môn knows, the route in question is also an important freight route and should be more important as we try to get more traffic off the motorways and on to the railways; not an easy task.

My hon. Friend will welcome, I am sure, the benefits that the west coast main line upgrade is delivering. By next September, the journey time between London and Holyhead will have been reduced from 4 hours and 20 minutes to 3 hours and 50 minutes. He is right to mention the problem of reliability and punctuality, so I am sure that the figure that I quoted will be a welcome reduction in the overall time that that journey takes. However, if it is impossible for the travelling public to depend on the train arriving somewhere around that time, we shall lose the battle to win more passengers for the rail network, which is such an important consideration.

Albert Owen: My hon. Friend is right that the line speeds up to Crewe will benefit people travelling to and from London, or, indeed, to Birmingham and other destinations. However, does he not accept that many people and businesses that trade with the Republic of Ireland or along the north Wales coast will not see those benefits? My point is that we need to be on a par and have a level playing field with businesses and tourism to the east of Crewe.

Dr. Howells: I was rather envious when my hon. Friend talked about 75 mph limits. He should try travelling on the excellent valleys lines; believe me, Mr. Deputy Speaker, the limits there are often a lot lower, and that is the busiest commuter network in Wales, between Pontypridd and Cardiff. That line is extremely busy and thousands of people depend on it every day. However, my hon. Friend is right that ultimately the quality of the infrastructure will enable the journey to become faster and more dependable.

The great problem is that although we all want lines to be upgraded, the cost is phenomenal. We know, for example, that originally the west coast main line upgrade was costed at about £2 billion. It then rose mysteriously to £14 billion, and we have now got it back down to about £8 billion to £9 billion. Those are huge sums of money. At the moment it costs something like between £12 million and £15 million to build one mile of railway. A lot of those costs are due to sophisticated signalling systems, safety devices and so on, but the costs of electrification are in addition to that. I hope that my hon. Friend bears that in mind.

Albert Owen: The point of the European Commission's announcement is that member states can now tap into the cohesion fund as well as the structural fund, which makes financing more attractive. Will the Minister consider that and give priority to this round of funding as opposed to the last round?

Dr. Howells: We gave a lot of priority to the last round, and we have a good team working on the issue. We are not going to give up the opportunity of getting some of those structural funds, which could do so much to help transportation in and around Wales. However, there are still a lot of misconceptions about what constitutes a good railway and good railway infrastructure, and I do not want to encourage my hon. Friend to think that a diesel set is somehow inferior to an electric set. On the contrary; lots of countries are going for diesel sets and diesel turbos because they are much more flexible. They can go places that one cannot go with electrification, which I am sure is an important consideration for my hon. Friend.

I should like to thank my hon. Friend for raising the issue, which is important to Wales. Transportation infrastructure is often the means by which we improve the economy of whole regions. I congratulate my hon. Friend on securing this debate, which has been useful, and I hope that we can consider in conjunction with the Welsh Assembly how railways can benefit the Principality in ways that until now they perhaps have not.

11.30 am

Sitting suspended until Two o'clock.

Identity Cards

2 pm

Mr. Simon Thomas (Ceredigion): I am delighted to have secured this debate because many hon. Members are interested in the consultation on an entitlement or identity card system for the United Kingdom, the cost of that system and the questions about civil liberties to which it gives rise.

It is curious that at a time when the Conservative party has dusted down a former, benighted Home Secretary, one of his more controversial and less successful ideas is similarly dusted down and taken off the shelves in Whitehall. Let me say at the outset that I am opposed to ID cards, both in principle and on grounds of practicality. To put it at its most brutal, I do not believe that the best way of remembering, as we do this week, those who gave their lives for freedom is to introduce the sort of society that would have had Saddam Hussein drooling. The apparatus of totalitarian repression depends on knowing who and where every citizen is and was, and which God they worship. The Government may have dropped the God bit, but the potential for all the rest remains.

Brian White (Milton Keynes, North-East): Is the hon. Gentleman saying that the many western European democracies that have ID cards are totalitarian states?

Mr. Thomas: No, I am not saying that, but every one of those countries has a written constitution and this country does not. If the Government provide a written constitution that I can sell to my electorate, I might agree with the hon. Gentleman, but until we have that safeguard, we must bear it in mind that, without a written constitution, ID cards can be used repressively by totalitarian regimes.

Mr. Jon Owen Jones (Cardiff, Central): Will the hon. Gentleman give way?

Mr. Thomas: Not at this stage, but I will consider doing so later. As he is sitting next to me, the hon. Gentleman is in a position to catch my eye.

At the moment, we balance privilege with responsibility. It is a privilege to drive a car, and it is a responsibility to pass a test, hold a driving licence, tax a vehicle and so on. It is a privilege to enter another country, but a passport is needed. Other forms of identity, including credit cards, party membership cards such as my Plaid Cymru card and parliamentary photo passes, are mere conveniences that we can opt to use. An ID card system tips that scale and reduces citizen to cipher. It forgets that the Government should be subject to the people and instead makes the people subject to the Government. The central tenet of freedom—for people to be able to move around as they please, live where they please and do what they want, as long as they do not harm others—is reduced to a nannying, bullying attitude that the Government must know where people are and what they are doing.

Mr. Jon Owen Jones *rose—*

Mr. Thomas: I give way to my hon. Friend from Wales.

Mr. Jones: I thank my colleague for calling me his hon. Friend because we are friends and I respect his views. However, I would like an explanation of something. It is odd that the Member for Ceredigion, who is probably the worst-placed Member, in terms not of knowledge but of his constituency, to understand the need for ID systems, should be taking part in this debate.

Mr. Thomas: I must confess that I do not understand that intervention. Why am I any worse placed than the other 600-odd Members of Parliament who have a view on the matter?

Martin Linton (Battersea): Is the hon. Gentleman aware that the sort of entitlement card system that the Home Secretary is likely to propose is a family of ID cards starting with the 40 million people who hold driving licences? They will receive an enhanced driving licence/ID card, and the 38 million people holding passports will receive a passport card. The entitlement card will be introduced along precisely those lines that he says he has no objection to—that it should be an enhanced passport/enhanced driving licence. When all those existing cards have been replaced by entitlement cards, precious few people in this country will not have one. What would be his objection then to the remaining few having one?

Mr. Thomas: I shall address that interesting point a little later when I discuss mission creep, but I say now to the hon. Gentleman that I do not know what the Government's plans are. There is a consultation and there are options, but we have not been told what the Government's thinking is. We do not know whether we will be forced to pay £40, £50 or whatever, or whether the cards will be compulsory or non-compulsory. We do not know whether the proposal will be, in fact, a backdoor tax on our identity. I am interested in those questions. One reason for initiating this debate was to find out precisely what the Government had to say on those matters. I look forward as much as the hon. Gentleman to the Minister's response.

Martin Linton *rose—*

Dr. Nick Palmer (Broxtowe) *rose—*

Mr. Thomas: I shall not give way just yet.

David Winnick (Walsall, North): The hon. Gentleman is only on page 1.

Mr. Thomas: Actually, I am on page 2. Of course, I am not reading my notes but merely looking at them, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. John McWilliam): Order. May I be of assistance? Many hon. Members have applied to speak this afternoon. The more they intervene on the hon. Gentleman, the less chance they have of being called.

Mr. Thomas: Thank you, Mr. Deputy Speaker. That is a word to the wise, as we say in Welsh.

The Minister may say that the scheme is voluntary and that it is for an entitlement card, not a compulsory card. That is probably the worst of both worlds—a

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bureaucratic, expensive, nightmarish mess that would inevitably become a de facto, if not de jure, compulsory system.

Any kind of ID card will need a national database. No Government have a good record on creating national databases, and that applies to this Government. Nature abhors a bureaucracy. Child tax credits, the passport office fiasco, census figures, the Child Support Agency—all those major database projects have been beleaguered by problems. No, my mind boggles at the cock-ups that will surround the introduction of an ID card. Every time people lose it or change their address, they will have to report to the authorities, on pain of prosecution, and the potential for more mistakes and fraud, with which I shall deal later, will creep in.

The Government have already admitted that such a database would have to be collated from scratch. The Government do not take quite the line that the hon. Member for Battersea (Martin Linton) takes, that of merely bringing together current databases. A proper system will have to be underpinned by a new database created from scratch.

Martin Linton: For most purposes, the entitlement card would use existing public services databases. If someone wanted to check whether a person were entitled to go to a school or to use a library, they would access the database of the local authority or the Driver and Vehicle Licensing Agency, rather than a new database. Like the hon. Gentleman, I question the usefulness of a central database. If there were to be one, it would consist only of the numbers of the cards issued, not information about the individuals. Such information would remain with the public service agencies, so there would not be a huge increase in central computer records.

Mr. Thomas: I would regard that situation with even more horror, because it would break the golden rule of data protection: information collected for one purpose must not be used for another purpose. I shall return to that shortly.

The Government have admitted that a national database would be required, whether for just one number or 1,000, but the Home Secretary has been uncharacteristically coy about the cost of establishing it. I asked about that last week in Home Office questions, but he refused to give me a figure. Legislation may be proposed in the Queen's Speech, but we do not know what it will cost. A sum of £1.6 billion has been hinted at, but some people estimate that an amount closer to £3 billion will be necessary. That is more than the entire NHS capital budget for 2003–04 or the cost of some 60,000 extra police officers.

Is it really a priority for the UK to spend billions—it would be billions, whichever way one looked at it—on ID cards? And to what would they entitle us? They would entitle us to things that we are entitled to anyway: the NHS, public education, pensions and benefits, all of which are paid for in trust by the public. It is true that many MPs, including some in the Labour party, opt out of such services, but the vast majority of the public do not. The only responsibility that people have when accessing such services is to prove their identity, something that is easily and cheaply done without an ID card system. Just 5 per cent. of benefit fraud is identity fraud. The vast majority of fraud involves the misrepresentation of circumstances.

I would like to tackle the Government's arguments head on. However, as I said earlier, the Government have not presented a unified argument in their discussion of a national ID card. They have been as convincing as they have been consistent. We were told first that ID cards would deter international terrorism and political violence; next that they would enable the Government to end benefit fraud; and then that they were the panacea that would stop illegal immigration, asylum troubles and illegal working in the UK. The Labour Government, much like the Tory Government in 1995, have used any justification for the introduction of ID cards. It is a clear example of a solution in search of a problem.

Looking at the arguments in turn, there is clear evidence that ID cards are not necessary to counter terrorism. Mr. Adrian Beck of the university of Leicester was commissioned by John Major's Government in 1995 to examine identity cards for use in crime fighting and prevention. After the attacks on 11 September, he said that

"there is a lack of evidence that an ID initiative would have a significant impact on the problem of terrorism, or indeed on more generalised crime : . . If one legitimate person has the technology to make an ID card then another (illegitimate) person can have it too".

Regrettably, the twin tower terrorists had legal identification or acceptable forgeries, which is notable as the United States has a near universal identity system based around driver licensing.

The Government have adduced no evidence, and I have not been able to find any elsewhere, that ID cards directly relate to a reduction in the threat of terrorism. It could be argued that, in some cases, such as the Palestinian territories, for example, their abuse may exacerbate the situation.

The Government's shift from justifying ID cards as a weapon for combating terrorism to justifying them as a means of tackling benefit fraud is best seen through the official consultation paper. On 3 July, however, the Cabinet Office reported that

"social security fraud rooted in identity misuse amounted to between £20m and £50m per year."

That is less than 1 per cent. of the welfare benefits budget and less than the cost of mistakes made by the Department for Work and Pensions.

Shortly after 11 September, I went to open a new bank account at my local bank. A member of staff who knew me greeted me in person, in Welsh, saying, "Shwd ych chi, Mr. Thomas," which means, "Come in, sit down." There are not many al-Qaeda terrorists who speak Welsh; there may be a few, but the staff knew me. I explained what I wanted to do and she explained that I could not do it without proof of identity. The problem is that a fake ID card can open a bank account, which may be used for money laundering, but my being recognised in person by staff at the bank could not.

Dr. Palmer: I apologise for the fact that I have to go to a Committee shortly; it is not lack of interest that will take me away.

Does not the hon. Gentleman agree that, given the many circumstances where he needs to identify himself, it is making a virtue of ineffectiveness to say that it is better not to have a card that identifies him beyond doubt?

Mr. Thomas: It is precisely the opposite. Anyone can identify themselves as somebody if they have the means fraudulently to identify themselves as that person. Any system is open to abuse, and it is no more reliable to require an ID card as the only system of identity than it is to require people to return to the bank with the usual identity paraphernalia. Just to let Members know, in case they need to open a bank account, my parliamentary photo pass was not sufficient ID for that bank.

The final argument that the Government advanced was about illegal immigration and employment. We already issue ID cards to refugees, who in the spirit of the times we call asylum seekers. The Government do not have asylum under control. They need to issue 15,000 amnesties on the basis of bureaucratic inefficiency rather than deal with bona fide refugees, and they now try to convince us that registering nearly 60 million people can be done efficiently and that it will be effective against a few thousand illegal workers or refugees.

Many of the complaints surrounding illegal immigration are about illegal employment. The alternative view is that such people should be allowed to work while they seek refugee status. There is little evidence that the introduction of ID cards would significantly hinder the black market in illegal labour. Does anyone believe that the gangmasters who today take on illegal workers with no national insurance number and no right to work will be discouraged by ID cards tomorrow? They will continue to exploit the same desperate people in the same way.

As with terrorism, the real issue is intelligence and the tracking of criminality. ID cards might make the job of the police a little easier after apprehension and arrest, but in a world where young men without criminal records live as sleepers until they commit a terrorist act, ID cards are useless. There is no correlation between the use of ID cards and crime rates in western countries. There is, however, plenty of evidence that criminals already profit from forging identities. No matter how sophisticated ID cards are, they are always open to forgery.

Michael Levi, a criminologist and expert on fraud at University college Cardiff has remarked that

"the issue is really one of cost benefit analysis; crime prevention mainly consists of modest measures which make noticeable reductions in crime. Secure ID cards are one such measure, though whether, even at a pragmatic rather than a rights-based level, their benefits outweigh their costs to civil liberties is an open question".

Identity problems are not a significant reason why prosecutions fail to stick. The idea that the police are unable to assess a person's identity is, in Levi's opinion, not plausible:

"In this situation, identity cards are an irrelevance, a tough soundbite that has no practical effect".

I have not attempted to deal with the unfortunate history of the "sus" laws and the potential impact of ID cards on race issues. We can all imagine what those police officers in Cheshire who were filmed by the BBC would have done with ID legislation behind them when they faced black and Asian people on the street. We have only to look at the misery experienced by the civilian population in the Palestinian territories today to see the havoc caused by an ID system married to so-called profiling.

One important question, which the Government have in the main ignored, is what information will be available to Departments, and perhaps others, via an ID card system. Furthermore, what information will be kept on the card itself? On 16 January this year, the Home Secretary said that he wanted a simple card system to store

"a unique personal number that would verify the holder's identity and establish their access to public services such as healthcare, schooling and social security."

The problem is one of mission creep.

Mr. James Paice (South-East Cambridgeshire): Does the hon. Gentleman agree that that is the nub of the issue? If the ID card has a unique number, it must be directly linked to an individual's identity, which cannot be forged or fraudulently obtained. That takes us back to biometrics and other ways of ensuring that the number relates to the person carrying the card.

Mr. Thomas: I agree with the hon. Gentleman in that regard, but he should take two other issues on board. First, that would entail a national database, where mismatching numbers with details would lead to mistakes. Secondly, biometrics would not stop the fraudulent use of such a card system on a day-to-day basis. Someone could fraudulently obtain an ID card, put their identity on it—the technology will be available—and present it at the bank. A student in Swansea had his identity stolen by al-Qaeda—identity theft happens now, and it would happen under an ID card system.

Information is power. As a Government obtain more information on their citizens, they become more powerful. If information is used judiciously and tempered by clear limits and safeguards against abuse, the potential for unwarranted surveillance is diminished. However—this point was raised by the hon. Member for Battersea—no right to privacy is recognised in UK law, nor is there a general right to know about what is done or held in our names. We cannot check, as a matter of right, that what is recorded in various databases is accurate and that improper records are eliminated. No Department may be prosecuted for a data protection offence. The data protection registrar has warned that the Data Protection Act 1984

"would not provide effective protection against the disclosure of information and cross-matching of files which might follow the introduction of a widely usable national identification system".

We must take that warning into account.

We must also take account of the stigma and humiliation of constantly having to prove citizenship or legal immigrant status. In 1996, under the Conservative Government, the Home Office commissioned the Scarman centre to carry out research on the way that ID cards were used in other European countries. It found that identity checks carried out by the police were a

[Mr. Thomas]

significant source of tension for ethnic minority groups, and in France, Germany and the Netherlands, the police disproportionately stopped those groups. In the UK last year, while nationally the number of white people stopped by the police fell by 18 per cent., the number of black people stopped increased by 4 per cent.

Martin Linton: Is the hon. Gentleman aware that the first sentence in the consultation paper states that the Government have excluded the possibility of a card that it would be compulsory to carry? With respect, his points are not relevant to his thesis.

Mr. Thomas: As I understand it, it will not be compulsory to carry the cards but it will be compulsory to report to a police station later to be identified. I do not agree with the hon. Gentleman.

There is potential here for misuse of personal information. Once all the information is stored in Government databases there will be no guarantee that its use will be limited. The golden rule of information privacy is that information collected by the Government for one purpose should not be used for another purpose without the consent of the person to whom the information pertains.

The central issue is one of trust, and I do not believe that people currently trust politicians or Governments of any political colour to maintain such a cumbersome system safely and effectively. We have to take it on trust that a massive identification bureaucracy would facilitate our way of life rather than undermine the freedoms that we take for granted, yet error rates in processing data are high. What impact could wrong data on one's card have on one's life? For that reason, a similar scheme in a similar country, Australia, modelled on a constitution similar to ours was abandoned after public opposition.

Faced with those problematic objections to ID cards the Cabinet is split down the middle. We have watched the Home Secretary do the hokey-cokey with his colleagues as a Bill on ID cards pops in and out of the Queen's Speech. We now come up against the final desperate argument, which we have heard from a few Members already in interventions: everyone else has them, so why should not we? I make this point. Of the 11 European Union countries that have ID cards, in only four is it compulsory to carry them, and all 11 have written constitutions. The Home Secretary wilfully ignored that point when I put it to him in the House last week, introducing the ridiculous canard of the new European constitution. I am talking about a written constitution for the United Kingdom, which has nothing to do with the European constitution.

We are back where we started, with privileges and responsibilities. If we ever agree to ID cards, we as citizens will be extending a privilege to the Government. It is not the Government's to demand, but it is ours as citizens to give. I urge the Government to reject ID cards as the expensive, unnecessary, illiberal and over-burdensome bureaucracy that they are. If they insist on them, and if we agree, they must shoulder their responsibility and renew their contract with the citizens in the form of a written Bill of Rights and constitution. Anything less, and ID cards will represent a real blow to democracy in the nations of the United Kingdom.

Mr. Deputy Speaker: Order. I am delighted that a large number of Members have risen to their feet, but may I say that if they all take too much time, they will not all get in?

2.22 pm

David Winnick (Walsall, North): I congratulate the hon. Member for Ceredigion (Mr. Thomas) on securing the debate. I tried to do the same, without success, and I am pleased that at long last there is an opportunity to debate this subject. I note that a number of my hon. Friends take attitudes different from mine, but there is no reason why we should not have a good debate in the parliamentary Labour party. I understand from the press, and only from the press, that a good deal of discussion on the matter—friendly, I am sure—is going on at Cabinet level. It would be surprising if that were not the case.

I remain sceptical about identity cards, for some if not all of the reasons that the hon. Member for Ceredigion mentioned. There would be high expectations that such cards would deal effectively with various kinds of domestic criminality and terrorism as well as with illegal immigration. Should such cards be introduced, they might be seen in some parts of the country, although not by parliamentarians or Ministers, as a panacea for the matters that I have just mentioned.

Let us be clear about the compulsion element. As I understand it, it has been suggested that one would not always have to carry the card, but it would be compulsory to give details about oneself. Without that, the scheme would never get off the ground. It would be an offence not to give such information. Some people might want to break the law, and I do not condone that in any way. But we have to understand that that could well be the position.

As for not carrying the card—I accept that it probably will not be compulsory, as the Minister more or less nodded at that suggestion—it is inevitable that at virtually all stages of contact with officialdom and the police, as the hon. Member for Ceredigion mentioned, one would be asked to produce the card. There would be an inbuilt suspicion if someone did not have the card.

Mr. Neil Gerrard (Walthamstow): The Government have said that it would not be compulsory to carry the card. Does my hon. Friend think that, once the cards existed, it would be long before carrying them became compulsory? The first time that there was a major terrorist incident there would be calls for that to happen.

David Winnick: I am sure that that would be the position. In time, it would be argued that since everyone had given information, because it was the law to do so, there was no reason why law-abiding citizens should not carry cards.

Does anyone seriously believe that terrorism would be undermined by ID cards? I want to make it clear that if I thought that terrorism would be more effectively dealt with by ID cards, I would be liable to change my

mind. The security of our people and country must be foremost. However, let us consider 9–11—as it is referred to in the United States and elsewhere. Can anyone really say that the atrocities carried out by those criminals would have been avoided if ID cards had been introduced? The culprits were lawfully in the United States at the time. Would the 30 years of sustained IRA terrorism have been undermined and weakened by ID cards? When I was a member of the Opposition in the House of Commons, none of us suggested that ID cards would be useful and, to my knowledge, no Minister or Government Back Bencher suggested anything of the kind.

I do not wish to be misunderstood in saying this, but perhaps to curry favour the Home Secretary said that he had no idea how many illegal immigrants there are in the United Kingdom. Are we to conclude that his counterparts in those EU countries with ID cards could truthfully tell their people or their media how many illegal immigrants there are? It is wrong to say that we should have such cards and that, lo and behold, we will no longer be faced with the problem of people being in our country illegally, which we all oppose.

Identity fraud is undoubtedly a problem. It is interesting to note that, in its consultation paper, the Home Office conceded that ID cards

"could perversely result in an increased risk of . . . fraud."

That is because various financial institutions may rely too much on such cards and not carry out the checks that are necessary to safeguard people's accounts. In the same paper, the Home Office accepts that ID cards

"could become a target for organised criminals".

I accept that, with the latest technology, fraud would be more difficult, but international criminals would do their utmost to produce cards that may at first look genuine. As the Home Office conceded, it is right to recognise that international criminals are not going to give up if ID cards are introduced.

Martin Linton: Does my hon. Friend not accept that the ID or entitlement card, as proposed by the Home Affairs Committee when he and I were members, would contain only information on identity to link the holder to the card, and that to forge a card one would either need to forge one's iris or fingerprint, or the information in public service computers? I am not saying that that is not possible, but simply by changing the card one could not forge it in any meaningful way.

David Winnick: My hon. Friend is an enthusiast for cards. I have conceded that forgery would be difficult, unlike in the case of wartime cards. However, the fact remains that the Home Office itself, in its consultation paper, which I know that he has read, concedes that forgery is more than a possibility.

I am sure that the Home Secretary is putting great pressure on his Cabinet colleagues so that ID cards can come about. The latest thing that I have read in the press—true or otherwise—is that a draft Bill will be included in the Queen's Speech. I hope that those members of the Cabinet who have a number of reservations will be able to persuade the Home Secretary not to go ahead with the scheme. It will not produce what he believes it will produce.

I end on this note. For just over half a century, we have gone without ID cards. The decision to abolish them in 1952—and I am old enough to remember that—was the right decision, albeit one taken by a Conservative Government. I wish that it had been taken by the Labour Government before 1952. All kinds of reasons for cards are advanced, and I accept that ID cards would not make this country anything like a police state. I do not want to give such an impression because it would be nonsensical. As some of my hon. Friends have pointed out, EU countries that have ID cards are hardly police states or anywhere near them, but are as democratic as ourselves. However, we have a different tradition in this country. We have not had such cards except in wartime. As I said at the beginning of my speech, I would need a lot of persuading that ID cards were necessary to deal with the problems that face us, particularly terrorism. I hope that the cards will not come about.

2.31 pm

Mr. Mark Field (Cities of London and Westminster): I congratulate the hon. Member for Ceredigion (Mr. Thomas) on securing this important debate, and I am also grateful to the hon. Member for Walsall, North (David Winnick) for his impassioned plea. I very much agree with their instinctive views, although I suspect that we shall see the other side of the argument paraded during much of the next hour before the winding-up speeches.

As an instinctive and rational libertarian, I oppose the notion of ID cards, either on a compulsory or voluntary basis. The hon. Member for Walsall, North and his colleague, the hon. Member for Walthamstow (Mr. Gerrard), made the valid point that once a voluntary ID card comes into play there is a risk of a creeping sense of quasi-compulsion that will make it difficult to go about everyday life without such a card, particularly if one wishes to open a bank account or do anything else that requires a form of identity to be shown.

My main concern is that ID cards fundamentally shift the delicate balance between the individual and the state. They also bring about a reversal of the common-law presumption of innocence. That would be bad enough, but there are major issues in relation to the practicality of the proposals—or non-proposals—that may follow the Queen's Speech, such as the vast cost that a compulsory scheme would entail and the difficulties in policing and enforcing the scheme. I shall be interested to hear what the Minister has to say about that. A failure to enforce such a scheme would make the entire thing redundant. As has been mentioned by other hon. Members, the likelihood of a determined policy of forgery and identity fraud would undermine the protection that would otherwise be afforded by such a scheme.

As has been mentioned, national ID cards were introduced in this country during the second world war, and the Home Secretary has given a clear indication that they are back on the agenda as part of the Government's policy on asylum and their war on terrorism. My constituency, in the heart of London, stands to be most affected by the proposals. In addition to a residential

[Mr. Mark Field]

population of 120,000, a further 800,000 people a day travel to work in the Cities of London and Westminster, and countless other tourists and shoppers visit attractions such as Westminster abbey, this place, St. Paul's cathedral and Buckingham palace. It is probably fair to say that the few square miles that make up my constituency superficially have least to lose from the implementation of a rigorously enforced compulsory ID card scheme, if only because so many of the landmarks in my patch are seen as high-profile targets for a terrorist attack in the UK. However, I believe that a national ID card scheme has less to do with keeping the population safe than it does with imposing control over people—a point that was alluded to by the hon. Member for Ceredigion in his introductory comments.

I accept that we shall have to grow accustomed to wider surveillance of certain groups in our country, but that does not justify a wholesale erosion of civil liberties. The introduction of ID cards will be a significant step towards dismantling the traditional democratic values of freedom and tolerance that have underpinned our open society and which so many of us hold dear to our heart.

Brian White: Does not the hon. Gentleman accept that at the moment he has to give information about himself in a variety of ways to a variety of organisations, which increases the risk that a piece of wrong data gets replicated in myriad databases? An ID card would simplify that and ensure that the right information was given every time.

Mr. Field: I shall come on to that point in a moment, because the fact that not only do we have a large number of forms of identification but they are all on computer lists is regularly used as an objection against those on my side of the debate.

My party has traditionally recognised the importance of fostering values of individual responsibility and self-determination in our fellow countrymen. I speak as the son of someone who came to this country from abroad—my mother was a refugee twice by the age of 15 and came here from central Europe. Many people come from nations where authority flows from a heavily centralised state. All too little reliance seems to be placed in those countries on the freedom of individuals to live their lives free from the demands of officialdom. A culture of freedom underpins our mature democracy which should not be undermined except in times of extreme national emergency, such as during a fully fledged world war, and I do not believe that the war on terrorism is such a time.

As the hon. Member for Milton Keynes, North-East (Brian White) said, we all have birth certificates, driving licences and national insurance numbers, and an array of other information on each of us is held on debit, credit and store cards. The hon. Gentleman may well then ask what the objection is to another means of identification. In practical terms, however, any obligatory ID scheme is likely to take many years to establish and will cost the taxpayer an ongoing fortune both to implement and administer. In view of that expense, the very notion that ID cards could be introduced as a merely temporary measure is likely to receive short shrift from this or any Government.

In any case, experience tells us that the argument for restrictions on freedom being short term tends to disappear rapidly with the passing of time. I spent all too many days in Committee discussing what was then the Licensing Bill, and many of us will recall that a lot of our archaic restrictions on alcohol licensing were introduced as temporary measures during world war one. Even the commercial deregulation of the last decade or so has left some of those antiquated rules fairly intact.

In the feverish and security-conscious atmosphere that has inevitably been with us since 11 September 2001, the long-standing importance that we in this country attach to individual freedom from state intervention appears to have been swept away. It is therefore incumbent on the Government, and particularly on the Prime Minister and the Home Secretary, to explain precisely how any new laws will protect us from the existing terrorist threat.

Let us not forget that this country has for many centuries been a safe and popular haven for migrants, precisely because of the knowledge that there is a reliance on the traditional values associated with freedom of the individual and the rule of law. The events of 11 September 2001 changed the general outlook of countless thousands, but if the rest of us really believe that those appalling outrages changed the whole world beyond recognition, we are tacitly accepting that the terrorists and terrorism itself have won.

Some serious practical considerations suggest that ID cards are likely to be ineffective in preventing terrorism. However expensive the technology that we use, an increasingly sophisticated network of international terrorists will find it possible, perhaps even easy, to forge or simply steal an identity. Next, we shall have to employ a vast army of public officials to administer and police the entire scheme. Short of there being almost continuous surveillance, those citizens, including, presumably, any would-be terrorists not wishing to co-operate in such a scheme, could go to ground with impunity.

Many civil libertarians have argued that the police will use the excuse of compulsory ID cards to target foreigners and demand their co-operation, which will make them feel even more alienated. To be honest, my fear is that the opposite will happen, especially in central London. I believe that the Metropolitan police, especially in the aftermath of the Stephen Lawrence campaign, will find that the culture of political correctness will make it less rather than more likely that a policeman will stop a prospective terrorist from an ethnic background and demand to see his ID card.

The Criminal Justice Bill, which is working its way through the Lords—I am sure that the Minister hopes that it will conclude its passage in the next fortnight—contains provisions to end the double jeopardy rule for murder. In addition to compulsory ID cards, we are promised a series of measures that aim to curtail the legal right of some criminal suspects. The important thing to remember with such new laws is that when the state adopts draconian powers against strangers today, it tends to use them against one's friends tomorrow and oneself the day after.

In times of national crisis, it is easy to dismiss a highbrow, and perhaps slightly academic, defence of the rule of law. The hon. Member for Ceredigion made such a defence earlier this afternoon, and I hope that I have made a similar defence of civil liberties. At such times, the Government inevitably face great difficulties, and I would not like to be in the Minister's shoes when trying to present a policy that will keep the citizens of this country happy and secure, but it is precisely during these times that the rights of the individual must be defended with the utmost vigour.

2.41 pm

Mr. Martin Salter (Reading, West): I apologise if I struggle a little today. I am getting used to wearing glasses, which is part of the ageing process, and I will probably look in the wrong direction.

Mr. Deputy Speaker: Order. May I help the hon. Gentleman? It gets worse as one gets older. I note that several hon. Members rose at the same time as the hon. Gentleman. We can accommodate them all if they are brief, but we must remember that it is a matter for the Member who secured the debate to obtain a reply from the Minister.

Mr. Salter: Thank you for those wise words, Mr. Deputy Speaker. I shall try to be as brief as possible.

I speak as an instinctive libertarian—a child of the '60s—but as someone who has reached the conclusion that ID cards are not only inevitable but fundamentally desirable. In the Home Secretary's introduction to the White Paper, which I am sure hon. Members have read carefully, he says:

"There are strongly held views on all sides of the debate on identity or entitlement cards. Although many people have settled views on the principle of whether or not they favour them, I think it is important to rehearse all the pros and cons of a scheme even if this is seen as going over old ground."

I now have a settled view, as do my constituents. I responded to the Home Secretary's encouragement for us to consult widely on the White Paper in our constituencies. If it will warm the cockles of the Minister's heart, I am more than happy to read out the results that I obtained from the consultation in my constituency. People had to take the trouble of returning a reply-paid form. I am sure that the process was not scientific, but the results are interesting.

Three questions were asked. The first asked people whether they agreed or disagreed that:

"ID Cards are an abuse of human rights; and invasion of privacy and their introduction should be opposed."

Some 4 per cent. agreed; 89 per cent. disagreed. The second said:

"In this age of computers and credit cards, big business and other organizations already hold a huge amount of personal information and ID cards would not reduce a citizens right to privacy."

Some 88 per cent. agreed; 6 per cent. disagreed.

The third question was the inevitable one asked in any pub or club, or at the many doors on which many of us spend our Sundays knocking. It stated:

"Only people with something to hide have anything to fear from ID Cards."

Unsurprisingly, 95 per cent. were in favour; 3 per cent. disagreed. So my constituents have a settled view on ID cards.

I am also attracted to the notion of entitlement cards, although I would go much further. I was chairman of the leisure committee on Reading borough council and, as such, the politician who introduced the first entitlement card in Reading since 1952. We had a real problem with people from outside our borough using leisure facilities that were paid for by the council tax payers of Reading, so I introduced a passport-to-leisure system. People had to prove that they were council tax payers in Reading to qualify for preferential bookings and discount schemes. Some 40,000 people registered for the scheme. There was no customer resistance at all.

Mr. Gerrard: My hon. Friend has just quoted an interesting statistic. What checks were carried out to determine how many of the 40,000 were fake?

Mr. Salter: Nineteen eighty-six was a long time ago. I am certainly aware that proof of residence was required. Of course, there was a much more serious point, about which I am sure that my hon. Friend would agree, which was that it was particularly demeaning for unemployed people to have to turn up in front of a lot of other people with their UB40s to get a free swim. The advantage of a card system was that it gave people a sense of dignity and hid the fact that they were unemployed from public view. There were many aspects of the approach that my hon. Friend could agree with.

The history of ID cards in this country is chequered. They were introduced in the National Registration Act 1915, when there was a requirement for people aged between 15 and 65 to hold a card. They were reintroduced in 1939 and functioned much as a "producer" does now; a person did not have to carry documents, but if they were caught without documents by a police officer they had to produce them within 48 hours.

The cards continued into the post-war period. They were a requirement to qualify for ration books. I know that my hon. Friend the Member for Walsall, North (David Winnick) describes himself as a Bevanite—I assume that he means Aneurin Bevan—and, interestingly, it was Aneurin Bevan who famously said in 1947 that the ID card had become "almost a popular document". There are probably those who still regret that the requirement for ID cards came to an end in 1952.

One of the more bizarre points made by the hon. Member for Ceredigion (Mr. Thomas) was about ID cards heralding a repressive regime, rivalled only by that of Saddam Hussein. I understand that Sweden is one of the most progressive states in Europe, and it is about to introduce compulsory ID cards. Identity cards exist in one form or another in 11 EU states. None of those states has a tremendous history of repression. Cards are

[Mr. Salter]

compulsory in Spain, Greece, Germany and Belgium. Interestingly, in nine of the 11 EU states with identity cards, the cost is nominal.

David Winnick *rose—*

Mr. Gerrard *rose—*

Mr. Salter: I give way.

Mr. Deputy Speaker: Order. Which hon. Member is the hon. Gentleman giving way to?

Mr. Salter: I am sorry, Mr. Deputy Speaker; I only saw my hon. Friend the Member for Walsall, North.

David Winnick: I am aware that my hon. Friend was not around at the time of the decision to abolish ID cards in 1952, but am I to take it from his comments that he thinks it was wrong?

Mr. Salter: No, not at all. I only said that some would regret their passing. However, life has moved on.

Mr. Gerrard: Will my hon. Friend give way?

Mr. Salter: No; I will make headway if I can.

Five benefits would immediately flow from the proper introduction of ID cards. There has been much talk about the fact that our asylum and immigration system and our borders are not as secure as one would like; nor is the system as valid as one would want. My area is not known for intensive farming, but only the other week my local paper reported that a double-decker bus had crashed, and about 40 people were seen scampering into the fields. The police arrested 17 Polish nationals, all of whom had been working in this country for a year without any documentation. That leads to the conclusion that 23 have disappeared into the system; they are presumably illegally working elsewhere and probably being appallingly exploited by unscrupulous employers.

We know that a huge amount of fraud goes on. The consultation documents suggest a sum of £1.3 billion per annum for ID fraud. We know that we have pitiful outward border controls. An exchange that took place in the Home Affairs Committee led to *The Times* reporting on 22 October:

"The Home Office has deported only one of 63 Chinese nationals found working illegally in the summer".

The report continued:

"Figures given to the committee show that of the 63 Chinese nationals found in the raids, four were failed asylum-seekers who should not have been in the country, 16 were asylum applicants, who are banned from working, and 10 had committed other immigration offences and should not have been working."

There is an extensive, illegal black economy in operation even in relatively prosperous parts of our nation. The introduction of ID cards would be a useful control mechanism, not just against people who should no longer be in this country, but against those who seek to exploit the misery of asylum and refugee status.

Brian White: Does my hon. Friend accept that if ID cards were introduced, the organised criminals who bring such people in would provide them with fake ID?

Mr. Salter: I shall touch on that point shortly.

I do not want to dwell on health tourism, but we undoubtedly have failings and weak flanks in our NHS controls. I would like to touch on a far more friendly matter, and that is convenience. I am not a great man for carrying a huge amount of plastic, but I have just emptied the contents of my wallet and I see 16 different cards. First and most important is my Labour party membership card, followed by my trade union cards. Also, even in Liberal Democrat-controlled authorities one needs an ID card to get into the council offices. I would be interested to see what the Liberal Democrats make of that. We then go from the important, with a blood donor card, to the Caravan Club, an organisation that I commend to hon. Members. I envisage, in my lifetime, that an awful lot of the plastic that we carry will be rolled up, using the advantages of new technology, into one or two simple cards. That would be a lot easier for us all. I understand from the White Paper that some 137 million plastic cards are in circulation in one form or another.

I have categorised the objections to the proposals. Some people object on the grounds of civil liberties. I respect that view. However, with the amount of information that corporate Britain holds on us as citizens, for every time we use a credit card or a debit card, I wonder what is wrong with a democratically elected progressive state holding a portion of that information.

Mr. Paice: Can I confirm that the hon. Gentleman is suggesting that an ID card will contain all the information that he has arrayed in front of him on all those cards? Does he believe the membership of those different clubs and organisations, his entitlement to enter Reading borough council offices and the rest will all be on that card? I do not see where his argument will take us, if not there.

Mr. Salter: I can envisage a time in my life when it will be convenient to amalgamate some of the information that we now carry on a lot of separate cards. I do not envisage that, in my lifetime, the Caravan Club, the National Trust or Johnson's dry-cleaning will appear on a national ID card.

I understand some of the objections to the introduction of an ID card scheme on the grounds of cost. However, we should weigh that against the cost of an asylum system that does not work, a benefits system that is subject to fraud and an ID system that is at least questionable.

The last objection to ID cards is that they could be forged. However, a lot of things could be forged. If we decide not introduce a system of ID cards because of potential forgery—and biometric technology makes that increasingly unlikely—why do we bother with driving licences, passports and all other documentation? Of course people will try to find a way around the system. On balance, if ID cards help the police and Customs, reassure the public and make us feel more secure, that is a price worth paying.

Far more significant than that, however, is that the real threats to the country arise from issues such as social cohesion, race relations, the rise of far-right, racist and fascist groupings and organised crime, particularly

gun crime, which I have seen in the past few days on the streets of my constituency, and its connection to hard drugs, the smuggling of drugs and people, and prostitution. Those are the real threats to our civil liberties. If an ID card can deal with 5 or 10 per cent. of those threats it is a price worth paying.

2.53 pm

Mr. Neil Gerrard (Walthamstow): As I said in Home Office questions, I think that I am one of the few people who still has an ID card. I was issued with one 10 days after I was born in 1942, and I still have it. It has little rubber stamps on it, from when it was inspected.

Mr. Deputy Speaker: Order. If it is any compensation, I think that there are probably three of us here.

Mr. Gerrard: Right. One of the difficulties in debating an ID card system is that we need to know what we are actually discussing, because the consultation paper opened up a range of options. In his response to that consultation paper, the Information Commissioner stated:

"I face a real difficulty in knowing what the scheme that is being proposed really amounts to"

because of the diverse range of options that have been proposed, and because the consultation paper asked for more suggestions. The Information Commissioner was saying, "I've got a real problem here knowing what I should be responding to," and that, before the Government go any further, they should produce something more focused and clear.

It is obvious from the debate so far that everyone assumes that the main purpose of ID cards is to deal with problems such as fraud, illegal working, and illegal immigration. Terrorism has been mentioned, but I do not think that the Government consultation paper suggested that ID cards could be used to address terrorism.

Three questions should be asked, all of which have been raised in the debate. Would ID cards work? Even if they were to work, would they be the best way to deal with the problems mentioned? Would they be acceptable? People may have issues with showing the cards. As my hon. Friend the Member for Walsall, North (David Winnick) said, there is a different culture in this country about how to respond to the police when asked to produce papers than in those European countries in which such practices have been common for some time.

Another issue that has been discussed is that of illegal working. It is a criminal offence for an employer to employ someone whom they know is not entitled to work, but that does not stop them from doing it. For example, my hon. Friend the Member for Reading, West (Mr. Salter), mentioned an incident involving a busload of people going to work illegally. I do not believe that their employer did not know that they were working illegally. Of course he knew. If an employer is prepared to break the law by not bothering to check whether someone can produce a piece of paper that states that he is entitled to work, would that employer ask to see an ID card? Of course he would not. Those employers who avoid making checks are the same type of people who are involved in large-scale fraudulent employment of illegal workers. I doubt whether ID cards would make any difference.

If we want to catch the employers who are illegally employing people, we should look at tax returns, VAT returns and national insurance claims. One can bet one's life that they will not be making those returns properly. I have mentioned that before in debates on this issue. We should remember that Al Capone went to jail for tax evasion. There is more than one way of getting at those who are involved in illegal employment.

As the hon. Member for Ceredigion (Mr. Thomas) pointed out, benefit fraud is more often about the misrepresentation of circumstances than the misrepresentation of identity. The police do not usually have a problem identifying who someone is. They have much more of a problem finding the evidence to tie them to the crime.

My main point is about how the system would be established. Without a national database, an ID card system would be doomed to failure. It would be a gift to fraudsters if ID cards were to become the ultimate proof of identity, as they might, and we did not have secure systems from the start. We know that systems such as those used by the Driver and Vehicle Licensing Agency and the UK Passport Service are not secure. There are plenty of fake driving licences around. In the past month, I have dealt with three cases in which people were using fake driving licences in my constituents' names. That is probably happening across the country, because DVLA and passport records were not designed to establish identity. If we build on those databases, we will construct a system that is full of flaws from day one.

If we were to opt for biometrics based on those systems, we would still have a problem. Even if I produce a card with my iris data or my finger prints, it proves only that I am the person whose personal data is on the card. It does not prove that I am who I say I am. It cannot do that unless we start with a secure database, but that has enormous cost and time implications, and it would affect how such a system was constructed and therefore how acceptable people would find it. Card readers would need to be connected to the database in hospitals, benefit offices and so on—an immense infrastructure would be needed.

Finally, I come to acceptability. I have heard many times before the argument that we are all used to carrying bits of plastic, but that is not so. For instance, only 50 per cent. of the population has a credit card. Even now, many people do not carry plastic. Those who are least likely to do so are to be found in the most deprived and marginalised communities, and they will become targets if they do not have ID cards.

I am not convinced that those who say, "I have nothing to fear. I wouldn't mind. I carry plastic anyway," would feel the same if they were stopped in the street or on arrival at hospital and asked, "Where is your ID card?" They would say, "Why me? Why are you questioning me? I have nothing to hide. I am innocent. I am a respectable person." People would not take it kindly.

[Mr. Gerrard]

I return to the Information Commissioner's response, which is worth listening to. He said:

"I am concerned that although there may be plausible arguments made for the introduction of an entitlement card scheme in the short term there is the potential for function creep as administrative and political priorities change or even just to maximise the use of a costly infrastructure."

In other words, as I said to my hon. Friend the Member for Reading, West, there is not much doubt that if a scheme were introduced that, on paper, was voluntary, it would be compulsory within 10 years and people would be asked to carry their cards with them wherever they went. Whatever the Government may say—I do not disbelieve them—it does not bind future Governments. That is one of the greatest dangers.

Brian White (Milton Keynes, North-East): Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I thought that the hon. Member was intervening. I am sorry, but it is time to start the winding-up speeches. I call the hon. Member for Winchester (Mr. Oaten).

3.2 pm

Mr. Mark Oaten (Winchester): Thank you, Mr. Deputy Speaker. This has been an excellent debate. I am genuinely disappointed that we cannot hear from the hon. Member for Milton Keynes, North-East (Brian White). I am almost tempted to support the idea of ID legislation being mentioned in the Queen's Speech so that we can continue the debate and go on to defeat the measure. The arguments put forward today have been compelling.

I congratulate the hon. Member for Ceredigion (Mr. Thomas) on introducing the subject. His arguments about a written constitution were excellent, and I entirely agree about the difficulties of previous attempts to administer such changes, particularly the chaos that we had with passports a couple of years ago. I, too, was in the ridiculous and embarrassing situation of having my bank manager ask for my passport for identification, despite the fact that we have known each other since I was 18—that was 20 years ago. The hon. Gentleman mentioned some excellent examples.

I agreed entirely with the hon. Member for Walsall, North (David Winnick), who said that if he were convinced that the system would significantly help to deal with terrorism, he would be prepared to set aside some of his concerns. That is exactly where I come from, but neither of us is convinced. His example on Northern Ireland was a point well made.

The hon. Member for Cities of London and Westminster (Mr. Field) and I share common ground on the libertarian issue. I enjoyed his remarks about the need for a balance between the state and the individual, which were very well made. His arguments about the impact on terrorism carried even more weight, given his constituency.

I was disappointed in the hon. Member for Reading, West (Mr. Salter). As a child of the '60s, he is normally quite liberal. I can put his viewpoint down only to the fact that his eyesight is failing. Now that he has glasses, he might be able to look again at some of the issues. I congratulate him on having his shirts and suits dry-cleaned for the rest of the year, given the number of plugs that he has given to Johnson's dry-cleaning.

Finally, the hon. Member for Walthamstow (Mr. Gerrard) was right to talk about cultural differences. I welcome the fact that the relationship between the police and an individual in this country differs from the culture of fear that one sees in other parts of the world. His points about illegal working were spot on. If the argument for ID cards relies on an undercurrent feeling that things operate better elsewhere and that having an ID card will suddenly achieve that for us, it is nonsense.

I shall be brief, because we all want to hear from the Minister and the Conservative party. I have shifted my view. I was one of the rare Liberal Democrats who thought that it might be possible to make a case for ID cards along the lines of "What have you got to hide?". However, I have looked, listened and learned, and I have changed my view. I have concluded that we need to understand why the Government would want to introduce them. What is the purpose? Is it security, immigration or entitlement? I conclude that the reason is none of those, but that a focus group or some opinion polling has suggested that such a policy might sound tough and macho. The Government have not set out a genuine reason for it.

Let us consider some of the arguments. First, we have heard about the 9–11 terrorists—cards did not stop terrorism. One can almost gain a false sense of security by assuming that having a card in place can tackle terrorism. We have also heard arguments about the difficulties with rip-offs. The points have been well made.

On the issue of criminals and benefit fraud, surely the main problem for the police is not identifying the criminals, but catching them in the first place. If we were to spend the amount of money on identity issues that is being mentioned, we could start by giving the police a lot more technology with which to do their current job—fingerprint identification and such issues would be a good starting point and might make more practical difference than the introduction of ID cards. My understanding about benefit fraud is that the main problem is not the question of identity but that of individuals who misrepresent what they are claiming the money for.

Brian White: The hon. Gentleman mentions the fingerprint project. Does that not highlight the difficulties, in that if we wished to introduce one, its scale would be such that, given the history of projects to do with national fingerprinting that still have not been rolled out fully, the time that it would take to introduce a computer system would cause problems?

Mr. Oaten: We agree on that. According to the latest figures, there are only 176 automated fingerprint identification systems in the country. What hope have we of getting an ID card set up and running?

On cost, moving towards a nanny state system and then charging people £40 could well shift the opinion polls and the views of individuals, and given our ability to deliver the system, that could make the dome look

like a tea party. I can envisage the headlines, the difficulties and the dangers involved. The project will cost a lot of money, and Governments—regardless of party—do not have a good track record when it comes to technology.

Who should hold the card at any given time? We would have difficulties, for example, with EU nationals who were in this country to work and people here on holiday. That could open a loophole that might be used by those who wanted to exploit the system. We could even have the perverse situation in which the people of this country who wanted jobs had to show an ID card whereas EU nationals did not.

If entitlement were the Government's only intention, and if I could be convinced that we would benefit in our daily lives—the hon. Member for Reading, West with all his different cards, and the rest of us with access to health services, benefits and going into post offices—I might see some merit in considering the system. However, if they were to introduce it, the only result would be an enormous burden for business. Government would impose on our public services a great deal of technology—not just that required to produce cards for so many people, but that needed to read them at local hospitals, in post offices and at different places.

Mr. Thomas: That is a point that we have not considered so far. Entitlement to health services is one of the Government's crucial arguments. Of all the services, the health service is the least automated, the one with the fewest records available in a digital format and the least prepared to take the system on board. Surely, on top of the existing crisis, the project would place an immeasurable burden on the health service.

Mr. Oaten: The point is well made. Coping with the production of some 60 million cards is one thing, but providing receiving equipment to do anything with them up and down the country, once we have produced them centrally, is another, and I just cannot see it happening. I do not understand what the entitlement will be if the idea is that if one goes into an accident and emergency department in a rush, one has to have a card and put it through a system. I cannot see what advantage that will bring.

I have changed my view. I had felt that if there was a compelling case I would be prepared to set aside some of my instinctive civil liberty and libertarian concerns, but there is no compelling case. A range of issues has been raised, which, in my judgment, mean that the Government should not introduce the cards. They should heed the consultation and listen to Labour Members and members of the Cabinet, and they should not proceed with this policy. It would be unpopular in the country and unworkable.

3.10 pm

Mr. James Paice (South-East Cambridgeshire): I, too, congratulate the hon. Member for Ceredigion (Mr. Thomas) on securing the debate. I share the view of the hon. Member for Winchester (Mr. Oaten) that we could, and hopefully will, debate the matter for much longer. We may well then come to the conclusion that he wants.

Much of the debate is focused on liberty and civil liberties. The one aspect on which I dissent from the view of the hon. Member for Ceredigion is his point that this is a particularly apposite week for the debate because we are remembering 11 November and the sacrifice that people made for freedom. I think that that generation is generally the most supportive of introducing identity cards. That is not to say that I am swayed by that argument, but I do not think that the hon. Gentleman's argument flowed. There is much support for ID cards among the general public, particularly the older generation—of which, I hasten to add, I am not quite a member. There is also a lack of understanding of some of the technological and logistical issues to which several hon. Members have referred. I shall not spend much time discussing liberty, although that is not in any way to underestimate it.

I must look at what is happening elsewhere. Much mention has been made of other countries in Europe, and valid arguments have been made on both sides of the debate. It is interesting to know that of all the 11 countries in the EU that have an ID card, only Belgium uses any form of biometric information, which is the fingerprint system. The only three countries in the world to have the more comprehensive form of biometrics that we believe the Government envisage are Malaysia, Thailand and Singapore. Despite being chairman of the all-party group on Singapore, I would not put forward any of those three as being among the most libertarian regimes in the world.

It is interesting that Australia, which has robust anti-immigration and asylum measures—the Minister is no doubt aware of them—has rejected the idea of ID cards being part of that system. Nevertheless, ID cards have some important protagonists, including the Police Federation, for which I have immense admiration, which supports the idea of a mandatory system of ID cards.

That brings me to the point that the hon. Member for Winchester just raised: what is the scheme for? What are we trying to achieve? Is this an anti-crime measure, aimed at trying to identify criminals going about their business so that they can be apprehended more quickly? Are we trying to deal with illegal immigration and asylum, or just with entitlement to public services? If we are looking at entitlement—the Government use that word, so let us assume that that is what they are considering—the need to be fraud and forgery-proof is critical. There is a huge industry out there forging all sorts of documents. In London and elsewhere, one can pick up a forged passport, a driving licence and a social security number for a couple of hundred pounds. All those means of ID are available, so to pretend that an ID card would not be equally forgeable is nonsense, unless we used biometric information. Even then, I would not be entirely convinced, although I am prepared to be persuaded that iris recognition, at least, is fraud-proof.

We then come, however, to the question raised by the hon. Member for Winchester. It is no use having a card with a unique number and a magnetic strip, or whatever means is used for iris memorisation, if the place that a person has gone to has no means of checking their iris to see whether the person holding the card is the person on it. There would have to be an iris reader in every school,

[Mr. James Paice]

every library, every GP's surgery and, because of home visits, every GP's car and every accident and emergency department—the whole works. It is foolish to believe that such an array of technology could be rolled out in the foreseeable future.

Those examples concern public services, but we should consider banks, which are, of course, private institutions. This afternoon, there has been much discussion about the need for identification in banks, building societies and other financial institutions. Can such institutions install card readers and will they be allowed to do so? If the information concerns only iris recognition—leaving aside the question whether the hon. Member for Reading, West (Mr. Salter) is a member of his local Labour party, whether he is entitled to enter Reading borough council offices or whether he is allowed to have his suits dry cleaned—it will be pointless unless the location in which people are trying to use their cards has facilities for reading them.

Setting aside the simple issues of false identity and forgery, I shall turn to crime prevention. The Police Federation obviously believes that police officers should be able to identify people by checking their cards. However, the Government's repeated assertion that it will not be compulsory to carry an ID card nullifies any crime prevention benefit that the scheme might otherwise have. Imagine that a police officer stops someone and asks them who they are. The person replies, "I am John Smith". The officer asks, "Have you got your identity card?", and the person replies, "No. I do not have to carry it." The officer says, "Will you present it at a police station next week?" How can the officer know who has failed to turn up at the police station the following week if the person who was stopped gave a false identity? The situation is absurd. The job should be done properly by making it compulsory to carry an ID card, or the logic behind the introduction of ID cards breaks down entirely.

Let us examine the consequences of not having an ID card, even if it is only for entitlement. What happens when someone who does not have a card turns up at an A and E department? Will they be refused treatment? Will a GP or ambulance refuse to treat someone because they do not have a card?

Mr. Oaten *rose—*

Mr. Paice: I would like to give way to the hon. Gentleman, but I am pressed for time.

What about housing? Will homelessness legislation apply to somebody who has not got a card? There are so many issues.

On illegal immigrants, I wholly condemn the bad practice and worse of gangmasters, examples of which have been mentioned by other Members. Gangmasters operate in my constituency—I hasten to add that all those of whom I am aware are entirely legitimate and operate properly. However, some gangmasters are criminals. In many cases, gangmasters are involved in big business. They will be able to access forgery systems to provide the necessary information.

I am sure that the Minister will agree that the majority of illegal immigrants who come into this country do so with the help, connivance and conspiracy of professional people traffickers. Those organisations will have access to the necessary technology to provide a good forged identity unless we use biometric information. Certainly, the idea of some sort of glorified driving licence is wide open to abuse.

As of next summer, the citizens of 25 different countries will be able to move freely within this country. It seems absurd that our residents might be expected to have an ID card while those of other countries are not. It has been suggested that the ID card will cost £40 per head, although it will be issued free to asylum seekers. How will that help to advance race relations or multiculturalism?

The hon. Member for Walthamstow (Mr. Gerrard) raised the issue of a database, and he was wise to do so. I, too, take the view that in a system of ID cards that include biometric information, there must be a central database if the system is to work. A database is not essential to start with, but it is a logical progression. That takes us into the issue of the other information that may be on the database. A national DNA database has its advocates, although I am not one of them. There is also the question of who should be able to access that information.

Like the hon. Member for Winchester, I have become ever more sceptical the more that I have studied ID or entitlement cards. The Government have some huge questions to answer if they intend to proceed any further with this. What are the cards for? Will the system be secure and forgery-proof? Who will have access to the information that may be contained in the system, however much or little of it there may be? What will the cost be? What will happen to the refuseniks who will not carry a card? Without all those answers, and without a clear understanding of how the system will operate, I remain extremely sceptical, as does the Opposition. We are not at all convinced that the Government have thought the idea through.

3.20 pm

The Minister for Citizenship and Immigration (Beverley Hughes): We have had an excellent debate and I am grateful to the hon. Member for Ceredigion (Mr. Thomas) and all Members who have contributed. Although it is clear that there is a wide range of views, right across the party, it is right that that is so, if the Government proceed on these lines. I appreciate the difficulty caused for Members by the fact that there is no specific proposal on the table—they know why. It is clear that there is a body of opinion, which varies in the degree to which it is well informed, to be expressed if the Government do propose a specific scheme. During any subsequent debates, there will no doubt be a great deal of interest and enthusiasm for grappling with some of the difficult issues involved.

I am not in a position today to give details or to make any announcement. Members know that the Cabinet is discussing the matter, and proposals will be made in due course. Although I will try to deal with some of the questions, one of the most helpful contributions that I can make in the short time available is to set out clearly for Members the developments in the use of biometrics and security of identity that will take place anyway. They are all in the public domain, but they may not have

been set out together. Members' views on the desirability of ID cards should perhaps properly be informed by the context of what will happen anyway, both internationally and domestically.

We are not in the same position that we were 50 years ago. In today's world, correct identification has become imperative in a way that we could not have foreseen. We face new threats and increases in the scale and sophistication of illegal immigration, organised crime and terrorism, but there are also new opportunities and new improvements in the technology of biometrics. Crucially, such improvements offer the opportunity to link an identity record to an individual with a high level of security. That record can then be used to verify a person's identity and immigration status, show entitlement to work and do some of the other things on which Members have touched.

First, Members need to know that international developments will soon require us to upgrade the security of all our identity documents. The United States is requiring countries that wish to continue in the visa waiver scheme, in which we are included, to include biometric information in passports. Secondly, the European Commission is looking for a decision on including finger scan biometric information on EU common format visas. We must choose between continuing to respond in a piecemeal fashion to some of those external developments and playing a leading role in shaping the way the world responds to the challenge of secure identification in a changing world. Those developments will take place internationally and in the UK.

Thirdly, in May this year, the International Civil Aviation Organisation adopted a global harmonised blueprint for biometric information in passports and other travel documents. The agreed ICAO standard is the inclusion of a mandatory facial image biometric in a contact-less chip—the document would be placed on a reader—with the option of including a secondary biometric finger scan or iris scan in the future.

The 188 ICAO contracting states are now considering adopting that standard in their travel documents. As the hon. Member for South-East Cambridgeshire (Mr. Paice) mentioned, Australia looks like being the first to issue passports to that new standard, followed by New Zealand and the United States.

Although biometric documents are being introduced internationally, in the UK the Passport Agency has decided to include a facial image biometric on passports from 2005, with an initial pilot to develop that process. There are also plans for biometrically secure driving licences. We are piloting the use of finger scan biometrics in Sri Lanka for UK visas and extending iris scanning for many secure foreign visitors to allow fast-track immigration clearance.

Several international and UK developments are inevitable, and they include developing biometrics to secure someone's identity to a much higher level of assurance. Such developments will incur costs to individuals for a passport with a much higher degree of security and to the Government for the investment required to develop the technology. A lengthy time scale will be required for their implementation.

Is it sensible to make the investment in money, technology, time and commitment to secure developments that would take us to the point of an ID card system, but to have none of the additional benefits that an ID card system would bring?

Mr. Oaten: Will the Minister give way?

Beverley Hughes: I will, with reluctance, because many Members want to question me.

Mr. Oaten: The Minister gave the example of the technology available, but is she able to provide her own view on ID cards?

Beverley Hughes: I am personally convinced that ID cards are indispensable in addressing some of the issues touched on by Members, some of whom have been sceptical about the contribution that ID cards can make. They are not a panacea, as my hon. Friend the Member for Walsall, North (David Winnick) said, but they are vital to progress on some of the serious issues faced by the UK and every country in the modern world.

As my hon. Friend the Member for Reading, West (Mr. Salter) has graphically made clear, we are a nation of cardholders. People are used to carrying cards, and the results of our consultation process were very similar to those of consultation under the last Conservative Government, who proposed a voluntary scheme that would have been little more than a glorified driving licence.

An ID card scheme would give us an important means of responding to some of the external threats that we face, within the broader strategy of tackling illegal immigration and illegal working. ID cards could reduce identity fraud and sift out those not entitled to services.

My hon. Friend the Member for Walthamstow (Mr. Gerrard), who talked about illegal working, must understand, as I am sure he does, that the difficulty is that there is no single document establishing an entitlement to work. The national insurance number does not do that; it is, and always has been, issued to people who do not have an entitlement to work. Employers have a statutory defence against prosecution if they can show that they have looked at a document. There is no single secure document so most prosecutions fail.

Terrorists also use false identities. Although I would not begin to claim that ID cards are a panacea in the fight against terrorism, they are an extremely important weapon, given that terrorists and organised criminals use multiple identities.

In the last few seconds available to me, I would like to make it clear that there would be a national register to underpin such a card scheme. Parliament would have to debate the questions about the information that would go on the card, the chips and the database. I recognise that if we were to go ahead with the scheme it would be a major undertaking, which would take six to 10 years. That is why we need to debate it now, and we need to consider not only whether we need an ID card system now, but whether we shall need one in 10 years' time.

Mr. Deputy Speaker: Could I ask hon. Members not wishing to stay for the next debate to leave quickly and quietly? It is likely that a Division will occur during that debate, so I shall set out my intentions now. There is the possibility of two Divisions; there may only be one. If there is one Division, we shall suspend for 15 minutes. If there are two Divisions, we shall suspend for half an hour.

Police Funding (Dorset)

3.30 pm

Mrs. Annette L. Brooke (Mid-Dorset and North Poole): Dorset police covers an area of over 1,000 square miles and serves a population of nearly 700,000. Half of the population live in the conurbation of Poole and Bournemouth, and the remaining 50 per cent. of the constituency is predominantly rural in character; a very good mix. The specific features of the county are important in relation to how the police service is delivered, and the way in which it is financed. Dorset is an area with high house prices—it is such a lovely place to live—but where wages are relatively low. That results in Dorset not qualifying for the area cost adjustment, but presents major problems for recruitment and retention of staff throughout the public sector.

Dorset has almost 50 per cent. more residents over the age of 65 than the national average would predict, resulting in a high proportion of households on fixed or restricted incomes being faced with increasing tax demands to maintain the same level of service. Feelings are running very high in the county and I am sure that high overall council tax increases will provoke widespread demonstrations next year.

Within the conurbation of Poole and Bournemouth a further difficulty arises. Bournemouth is increasingly becoming a major south coast venue, attracting a large influx of night-time visitors. It now has in excess of 30,000 licensed drinking spaces available each night, creating operational policing pressures more akin to those in metropolitan areas. There is a reflection within the formula to take account of visitors, but it assumes that the visitors share the same characteristics as the resident population. That is not the case. The fact that my daughter and her friends come down from London possibly contributes to that view, but Bournemouth is a very attractive place to come for the weekend.

Despite the diverse micro-economy and the pressures that brings, Dorset police prides itself on being innovative and providing a high-quality and efficient service to the people of Dorset. There are many ways in which that is clearly demonstrated, not least in the inspection process by Her Majesty's inspectorate of constabulary, which regularly cites Dorset as an example of good practice. The annual achievement of 2 per cent. efficiency gains symbolises the rigorous procedures the force employs in all its activities and its own desire continually to improve.

More than 90 per cent. of the force's officers work directly on front-line policing. It has improved and exceeded its targets in responding to emergency calls for assistance from the public in both rural and urban areas, but—here is the big but— Dorset police force is the sixth lowest spending police force in the country yet it receives the second lowest amount of Government support. Despite its low expenditure the effect of the low funding results in the residents of Dorset having to pay the fourth highest council tax per head in the country.

I am sure that the Minister will appreciate the mixed messages that the residents of Dorset are receiving. We have a highly efficient and effective police force within the existing funding constraints, but we are faced with one of the highest taxes in the country. That makes local

accountability very difficult. When people are asked to pay more, they naturally ask, "Why don't I ever see a police officer on the beat?"

To be fair, Dorset police now has 1,422 police officers, an increase of 10 per cent. over the last 10 years. That is very good news. However, a local capability assessment has identified a shortfall of officers of approximately 200. I frequently request extra support in local communities to tackle low-level antisocial behaviour. As Dorset is a relatively safe place, much greater use could be made of community support officers and accredited safety officers, whose mere presence would contribute towards people feeling safer. Community support officers are employed in the west of the county only and funding is inadequate to expand the scheme. There are just six CSOs in Dorset. Neighbourhood warden schemes financed by the Government are very limited in number and funding has not been secured for the future.

The Dorset police force prides itself on its consistent and positive approach to achieving national targets and, through its extensive programme of consultation, to accommodating local requirements. However, the situation is becoming increasingly difficult and could lead to significant issues for members of the police authority who must determine how to address the future.

Local consultation has demonstrated strong support for the provision of community beat officers and a desire that such individuals should not be abstracted to other activities, a feeling that is shared across the country. However, the difficulty faced by the force is that with insufficient resources and manpower it cannot fulfil those local priorities as well as achieve all the national targets; hence, the local dissatisfaction that I mentioned earlier. I fear that matters will get worse and hope that the Minister will provide some reassurance this afternoon.

Changes in the Government grant last year led to a reduction in central funding. Dorset received the minimum increase, which was wholly inadequate to meet the pressures of police reform, pensions and increased national insurance.

Mr. Robert Syms (Poole): May I assure the hon. Lady that all her Dorset colleagues, irrespective of politics, fully support the powerful case that she is making for our constituents?

Mrs. Brooke: I thank the hon. Gentleman for his support.

The result of all the pressures was a double figure increase in council tax last year just to maintain existing services. If the authority were to cut its budget to keep to an inflation-only increase next year, it could face a cut in officer numbers of more than 100, which represents 7 per cent. of the force establishment. Dorset residents want more police, not fewer, and they want a reduction in crime and antisocial behaviour. To maintain the present service, Dorset faces a funding gap of £6.5 million on a budget of nearly £100 million. Without a significant increase in central support, that would result in a council tax increase of more than 20 per cent. Dorset residents are reaching the point where they are not prepared to pay more for less.

As one of the smaller forces in the country, Dorset police is able to react swiftly, re-deploy resources efficiently and to take on and implement innovative solutions that can then be used as an example to the rest of the country. However, as a small force, it finds itself unduly exposed to the current unique funding mechanism for police pensions. A move to direct national funding could address concerns about the current balance of funding review. That would make an enormous difference, particularly for a small authority. Such a move would also produce efficiency savings in administration and reduce perversities in the movement of officers between forces; another issue for those who live in a very nice part of the country, as the Minister will recognise. The public would then see that they were paying for the current service and not the pensions of former officers.

I would not want to see the Dorset police authority, which is a smaller authority, abolished. I truly believe in local policing. It is right to deal with some matters nationally, and the continued drive by the Home Office to identify and deliver national solutions to police information requirements through the identification and procurement of IT systems is recognised as the right way forward for the police service. However, the ability to take on national systems becomes increasingly difficult when the cost must be met by local taxpayers.

Local consultation has identified a specific problem in Dorset and I suspect that the Minister has received quite a lot of representations in relation to the road safety camera project. I wholeheartedly support road safety, speed reduction and saving lives. However, at a local level there is great opposition to the scheme because, according to the letters that I receive, the cameras are on roads that are safe. Opposition is difficult to deflect because the public do not entirely know how the scheme is funded. In the current year, the Dorset road safety camera project will return more than £1 million to the Treasury, money that could and should be invested in local initiatives to improve road safety in its widest context. I applaud the project, but the financing should be managed to support Dorset.

Looking to the future, Dorset pledges to work with the region, the country and the Home Office to ensure that it delivers the national and local agenda. Dorset welcomes initiatives and flexibility within the financial framework. The authority welcomes the prudential code on capital because it will enable better and more strategic long-term planning of both its capital assets and its long-term capital plan. However, even within that new flexibility there has been no announcement to the Dorset police authority on how future capital support will be provided under the new system.

The application of the cost floor has been essential for Dorset to continue to maintain its current level of service but, as yet, there is no indication of what that floor will be in future years or what tapering may be applied to it, thus creating great difficulties in medium-term planning given the tightness of funds in Dorset.

A great deal of work is being undertaken nationally by the police service and by the Government, which will address some of my concerns. However, to meet the immediate needs of Dorset, I should like some assurance on the following points. First, will the total level of Government support to cover general, specific and capital grant be maintained with at least an inflationary

[Mrs. Brooke]

increase next year? Secondly, could the rules relating to the road safety camera project be relaxed to enable a greater proportion of the income to be invested locally in sensible schemes? Thirdly, will there be a review of future funding to address the issue of police pensions and can we expect some answers on that shortly? Fourthly, will the continued drive to national information systems be fully funded?

Fifthly—this is very important for Dorset—will the rural police grant be continued? Dorset residents were alarmed to read in the *The Sunday Times* last week:

"The redistribution of police money marks part of a wider government effort quietly to move central government resources away from wealthier, predominantly southern areas to poorer neighbourhoods in northern England, Wales and Scotland."

I do not wish to deprive other areas of funding, but not at a cost to Dorset. Will the Minister comment on the truth of that statement in *The Sunday Times*?.

This year all police authorities seem to have had concerns about the forthcoming financial settlement, but Dorset—with its historically low funding and a shortage of money to deliver local policing priorities—is, justifiably, particularly worried about the future. Residents of Dorset are reaching the point where they are not prepared to pay more for less. What reassurance can the Minister give to the Dorset police authority and the residents of Dorset on the issues that I have raised this afternoon?

3.44 pm

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I should like to congratulate the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) on obtaining this important debate on police funding for Dorset. She has made some important representations and I hope that I can reassure her on some of the points that she has raised. However, I have to be a little tantalising, because later this month I shall make an announcement on the 2004–05 provisional police funding settlement. I am not in a position to go into a lot of detail today, but I hope that I can give the hon. Lady a broad flavour of what the factors will be in preparing the settlement.

There are currently inescapable pressures on precepts. I receive representations from a range of police authorities that are concerned about the effects on their communities. They are also concerned about the possibility of police authority capping, so the Home Secretary has been keen to emphasise that we want authorities to act responsibly when they set their budgets. We also want them to lock in some of the improvements that they have made in recent years, because we are delighted that authorities have been prepared to go that extra mile and get extra resources to extra officers.

Communities appreciate the higher visibility policing that we have now, but authorities must make well-justified cases for any improvements to their communities and ensure that they have broad public support for the budgets that they set. I remind the hon. Lady that in the last two years authorities have set budgets well in excess of what they have needed to stand still. We are pleased about that, because it has meant more resources going to the police service. There has been considerable growth out there in police authorities over the last few years, with central Government expenditure increasing by 30 per cent. to support it.

Mrs. Brooke: Even though the Minister cannot say anything precisely about the settlement, will she comment on whether there will be capping on the police part of the council tax?

Ms Blears: As the hon. Lady knows, the question of whether local authorities will be capped is a matter for my colleagues in the Office of the Deputy Prime Minister, not the Home Office. I am sure that she also knows that discussions are taking place to ensure that we reach a balanced position on local authorities generally and on the pressures on police authorities. Any decisions on capping, however, are a matter for the Office of the Deputy Prime Minister, which has been clear that there will certainly not be universal capping but that a close eye will be kept on the increases.

Last year's increases in some places—not the hon. Lady's constituency—were in the order of 70 per cent. and 75 per cent., which are not sustainable in the longer-term. Dorset police, however, increased its budget last year to £95.6 million, which was an increase of £7.7 million, or 8.8 per cent., which was broadly in line with police authorities generally. The precept was increased by 19.2 per cent., which sounds like a large percentage increase but was actually 38p a week; we must get things in perspective. Although the percentages are large, the sums themselves are fairly modest and appropriate to the improvements that people have seen in policing on their streets.

3.47 pm

Sitting suspended for a Division in the House.

4.3 pm

On resuming—

Ms Blears: I am delighted to resume the debate. I was just about to outline Dorset's funding and budget, but first I wanted to say a word about the funding formula. The formula was updated last year and the new formula had buy-in and agreement from all parties in the tripartite structure for policing. I note what the hon. Member for Mid-Dorset and North Poole said about issues still being outstanding. There is scope for improvement in the formula but a period of stability this year is probably in our best interests. In future we will examine with the policing community how we can best develop grant mechanisms to meet the needs of contemporary policing. This is an ongoing debate. I want to ensure that the new funding formula arrangements support the reform and modernisation process on which we have embarked and which are moving on apace.

The hon. Lady also mentioned specific grants. Dorset continues to benefit from our targeted initiatives. It received a further £2.31 million from the crime fighting fund, £0.16 million for Airwave and £0.44 million from the rural policing fund. The authority also receives

£470,000 for basic command unit funding; £490,000 for DNA—for forensic sciences; and £380,000 in special priority payments.

There has been some concern among police authorities about the amount of grant provided in that specific way. However, virtually all the specific grants are for things that the police service has told us that it wants to see happen. In the past, money has been set aside to improve policing. Under the previous Conservative Administration, money was provided for an extra 5,000 officers, but not one of them was put in place, because police authorities chose to spend that money on other areas. We are therefore concerned to ensure that the crime-fighting fund is spent on those additional officers, who the hon. Lady has been generous enough to acknowledge have made a real difference to the visibility of policing in her area.

By targeting our grant, we can overcome some of the necessary imprecision in general grant figures. Using specific grants enables us to target funds where they are needed and to get real results on the ground. I realise that some forces are concerned about the long-term nature of specific grants and that that makes it difficult for them to plan ahead. I want to ensure that in all our specific grants we take into account the issue of long-term funding and sustainability.

I shall comment briefly on the rural policing fund, which is a big issue for the hon. Lady's constituency. As I said, Dorset's share of the 2003–04 fund was £440,000. As part of the overall changes to policing grant formulae in 2002, we considered whether to put the rural policing grant into the general grant. At that time, police authorities were concerned that that would leave a number of rural forces with less grant than before. We agreed that that outcome would have been counter-productive, and so we did not make that change. I assure the hon. Lady that that conclusion stands, and that the rural policing grant will continue.

Police authorities do not have to bid for the rural grant—it is allocated on the basis of a sparsity formula—but they do report on what they are doing with the grant. In the police force in the hon. Lady's area, they will be improving analysis of rural crime trends, considering the provision of community contact vehicles to ensure that the police are out and about in the rural areas, and supporting a project to try to improve call handling, which should improve performance on the ground.

The hon. Lady raised the important issue of pensions, which affects forces throughout the country, particularly when peaks of retirement occur and police authorities are called on to fund those peaks in pension requirements. As the hon. Lady said, that can be a real drain on a small force. I assure her that we are actively reviewing the pensions issue to see whether, in future, we can provide a system that will relieve some of the pressure on police authorities.

Reasonable provision is made in the annual formula funding settlements for the overall cost, and most forces have enough provision to cover net pension costs—certainly when they can call on pension reserves. However, we are now collecting new data to obtain up-to-date information on the real costs.

The current arrangements do not give a funded scheme that would provide for projected costs in the future to be covered by investing standard annual contributions from the employer as well as the employee. If we were to establish a fully funded scheme now, it would be prohibitively expensive—we could not afford to do that. We are looking at the feasibility of a notionally funded scheme for police pensions, under which the officers' employee contributions plus a new employer's contribution could be topped up as necessary by central Government to meet the audited pensions bill. We would aim to smooth out the peaks and troughs of retirements that are often faced by the police authorities. When we issue details of the pensions review, the hon. Lady, and other hon. Members, will be pleased with some of the proposals that it will contain.

I have already had discussions with the Police Superintendents Association, the Police Federation, the Association of Chief Police Officers and the Association of Police Authorities on the question of pensions. The issue is under active consideration.

The hon. Lady raised the issue of road safety income. I understand that all the income from fixed-penalty notices is invested locally in road safety schemes, and is ring-fenced for that. I advise the hon. Lady to find out from Dorset police what they are doing with that income and how it is being reinvested. We are keen that road-safety schemes and speed cameras are targeted at those areas where there are casualties, so that we can reduce the number of deaths and injuries on our roads. There are far too many road accidents. Speed cameras can make a difference, but they should be targeted properly in the areas in which they can have the greatest effect.

The hon. Lady also talked about community policing; clearly a topical issue in view of the consultation document launched by the Home Secretary yesterday on the long-term future of the police service and what it might look like in 10 or 15 years. We are determined to ensure that local neighbourhood community policing is at the heart of what we do and that the officers are valued and properly rewarded. We also want to ensure that the job of community beat manager is much appreciated by the force as well as by the local community, and that people will want to do it in the long term.

The hon. Lady is right that neighbourhood policing cannot function where officers are continually abstracted to do other duties. Increasingly, forces are allocating a specific number of officers in a community for the long term. That means that they can build relationships with local people and can be much more effective in gaining intelligence and information from the community, which means that they can do their job in the best possible way. Getting local community policing right is at the heart of our proposals, as is improving the connection between local people and their police service, examining accountability mechanisms, ensuring that local people have a greater say in setting priorities and in challenging us, as national politicians, to let devolution take root in local areas.

The hon. Lady also raised the important matter—the consultation document addresses it—of how we get the structure of forces right to ensure that they have sufficient capacity to cope with serious and organised crime. There is no point simply getting local community policing right unless forces have the resilience to tackle crimes, which increasingly threaten our communities, and some of the new technology that criminals are using.

[Ms Blears]

That raises other questions. We should not reorganise for the sake of reorganising, but how can we ensure that forces, especially small ones, can combat organised and serious crime? They may be able to do so by collaborating with their neighbours, by specialising in particular areas or by amalgamating, if that is what they want to do. We must ensure that every level of policing has the best possible structure so that we can deliver the right equipment and the right staff, and can drive up performance.

I am delighted to be able to tell the hon. Lady that the performance of the force in her constituency is extremely good. In the year to March 2003 in Dorset, burglary had fallen by 7 per cent., drug offences by 1 per cent., violent crime was two thirds of the national average, the incidences of burglary in a dwelling were half the national average, and the incidences of theft of a vehicle were roughly half the national average. Dorset is a safe place to live. I appreciate that the hon. Lady is committed to ensuring that Dorset still receives the appropriate level of policing and support. She made a very good case for her local area, but it is important to ensure that the country's resources are also directed to the areas of greatest need, as well as providing a decent amount of support for policing throughout the country.

That is why we want a framework of national standards, within which there is as much devolution as possible. My party does not simply advocate a free-for-all and that everything should be delegated to the local area, but we do see a role for national standards that give everyone in the country the right to a certain standard of policing and police performance; a key difference between the approaches of the political parties to some of the complex issues that are taxing us at the moment.

I am glad to be able to reassure the hon. Lady, but she will have to wait a little longer for the detail of the settlement, which will be published later this month. I congratulate her on speaking for members of her community and on ensuring that their voices are heard in this Chamber, which is the appropriate thing to do.

Mr. Deputy Speaker: Order. Before I call the hon. Member for Loughborough (Mr. Reed), I must tell hon. Members that although I do not believe that there will be a Division during the next debate, I will suspend the sitting for 15 minutes if there is.

Education Funding (Leicestershire)

4.14 pm

Mr. Andy Reed (Loughborough): Thank you for warning us that the Division Bell may ring, Mr. Deputy Speaker.

I am grateful for the opportunity to speak about education funding in Leicestershire. When the Minister's team saw that in their in-tray early last week, I fear a groan must have gone around the Department for Education and Skills. There is a feeling that we have been here before.

Unfortunately, many of the problems in Leicestershire have not gone away, and it is necessary to return the debate to the Chamber. I declare a personal interest. My four-and-a-half-year-old son will start at St. Bartholomew's school in our home village, Quorn, in January next year. I was a governor of my local schools, first the school that I attended and, more recently a school in Sileby. I was educated in the local state schools, hopefully with reasonable success.

I wanted a balanced and open debate today, avoiding a lot of the clichés and soundbites traded over the last couple of years. I do not want to let either side off. The Minister knows me as a fair-minded person who will ask some searching questions. I am sure that he will answer them. I recognise the great advances in Leicestershire education since 1997, and I shall start by talking about some of those.

The policy is extremely complex and difficult for people to understand. I could almost bore for England on area cost adjustment and the standard spending assessment funding formula. I did not expect to have to do that when I first arrived as a Member of Parliament. However, those of us who joined the E8, as we were known in the early days when only eight of us moaned about local education authority funding, rapidly became the F40. I have attended many meetings both in the House and in my constituency to discuss the issue and, for something that is so complex, it creates a great deal of passion.

It is important to recognise that education funding is only part of the wider picture. Only yesterday, I was involved in a debate in this Chamber, in which we heard that research carried out in the London School of Economics had found that the most important factor in predicting whether a child would do well at school was not whether his parents were well educated, whether he was from a middle-class home or whether his school was well funded, but whether his parents were actively involved in his education. Given that billions are spent in an effort to drive up educational attainment and standards, the single most cost-effective thing that the Government could probably do is take action to ensure that parents can do more and spend more time with their children.

I hope that there is some joined-up thinking in Government. That phrase was over-used a few years ago, but it is vital that we still look at it. The full picture, in terms of educational funding between 1992 and 2001, needs to be shown. I have asked over 85 parliamentary questions—I checked the figure on the web yesterday—both written and oral on the issue, and I have a wealth of statistics in front of me. I will try to keep those to a minimum, but they are important.

Between 1992 and 2001, we have seen both year-on-year increases and decreases in education funding in Leicestershire. The year 1992–93 saw a 7.2 per cent. increase in funding. That was an election year, so one would expect that. In 1993–94, we saw a decrease of minus 9.7 per cent.—a real-terms cut for Leicestershire; in 1994–95, we saw a 0.9 per cent. increase—with inflation running at around 4 per cent., that represented a year-on-year real-terms cut; in 1995–96, we saw a 0.8 per cent. increase; 1996–97 showed a little improvement, with a 5.5 per cent. increase—again, probably linked to the election year. Following 1997–98, we have seen increases of 7.1, 6 and 5.6 per cent. I think that 2001–02 saw another 5.6 per cent. increase.

We have seen some great improvements in cash terms since 1997. Later I will quote some head teachers who recognise that that cash increase has started to feed through to schools. It is also important to recognise that the real-terms increase in spending per primary school pupil between 1997 and 2003 has been £600 per pupil in Leicestershire. For secondary pupils, the increase has been £530 per pupil. There have been year-on-year improvements from the base.

The biggest improvement is in our capital programme. That comes across strongly when one talks to local heads, or if one is involved in education in the county. I am sure that the Minister will know the figures off the top of his head. In 1997–98, capital expenditure in Leicestershire was £2.9 million; it rose to £6.5 million, which was quite generous; that even went up to £9 million, and to beat that we have now reached a figure of £25 million per annum. That is something to celebrate and it is sometimes lost from the overall debate when we focus on the formula spending share and the standard spending assessment. It is important to treat those as a basis from which to start.

I could talk about the summary of cash and the rest, but the key to what I am talking about is the difference that it makes to children. We have a positive story to tell in Leicestershire about what we have achieved with our money. At key stage 3, which covers 11 to 14-year-olds, we are in the top 25 per cent. At key stage 2 we are in the top quartile. Our GCSE and SATs results have improved—in the case of SATs from 65 to 76 per cent. Primary class sizes in particular—for five, six and seven-year-olds—have reduced. At the school of which I was a governor in 1995–96, every class had more than 35 or 36 children. Those numbers are all reduced.

Mr. Alan Duncan (Rutland and Melton): To make this debate even more fruitful than the hon. Gentleman is already making it, I want to ask whether the case that the Minister must answer is the charge of the inequity and disparity that Leicestershire and Rutland face, compared with other counties—not just the overall level of funding.

Mr. Reed: That is perfect timing by the hon. Gentleman. As hon. Members will have seen, I have turned the page and reached the "but": what he explained is exactly what I want to point out. The year-on-year percentage and cash increases have been delightful for us, but the problem has been that we have had the same funding formula since the early 1990s. We started in 1997 from a position of inequity. That is one of the reasons why I joined the E8—later to become the F40—and asked so many parliamentary questions aimed at teasing out the problem.

One of my more recent questions was about the average. It is difficult to compare county with county in every case; we should look at comparable counties or areas. One of the starkest figures is the difference between Leicestershire and Slough. That example is not exactly the same as a county, but I was trying to identify the bottom and top levels of funding outside London. There are other figures that would demonstrate that Leicestershire falls well behind even the average comparable county. However, I shall give figures in relation to Slough. For three to 15-year-olds in Leicestershire the average sum is £2,939, but for Slough, at the top, the figure is £3,828. That is a 30 per cent. difference in funding. I accept that Slough is completely different; but can deprivation and area cost adjustment alone explain such a wide gap?

When I was working on the figures relating to the area cost adjustment, I found that the problem seems to lie there. Hon. Members present today who support my argument have been fairly active in the F40 group; on looking at the relevant tables we recognised that even when Leicestershire was second from the bottom of the funding formula under the previous Government and in the first few years of the Labour Government, when residency numbers, sparsity, additional educational needs and free school meals were taken into account, the cost of the difference between us and some other counties that were averagely funded was slight—that even applied to Hertfordshire, which was usually cited as way out at the top. The difference between Leicestershire and the bottom of the table was only about £40 or £50 a head, but when the area cost adjustment was built in, it jumped to about £250 or £300. That is where much of the problem lies.

I want to ask the Minister about the work that was done on the funding formula review, which I recognise was thorough, and which led to some beneficial changes. However, Leicestershire really needed change in respect of area cost adjustment. I have gone through the figures, and it appears that one problem was rejection of the idea of taking a variety of costs into account; it seems that the vast majority of what is taken into account is still based around wages and salaries.

Leicestershire Members will know that although the east midlands region has high productivity and employment, it has relatively low wages compared to some parts of the country. Compared to other regions, many quarters, especially south Leicestershire, are close to parts of what I would call the outer London commuter belt. Many of my constituents commute to London daily.

I am not necessarily seeking a funding formula that means that everyone is the same. I am the first to recognise that there will be differences. There is even a funding formula in the county council's distribution to schools. Many heads have argued for the funding formula for Loughborough to be much fairer at county, rather than at national, level and I have taken delegations to county hall on that. We have many of the same problems on a smaller scale—they are important to the town itself—including English as a second

[Mr. Reed]

language and deprivation. Two of the richest wards in the county are next door to two of the poorest, just outside the city; Shelthorpe and Leamington Hastings wards are surrounded by Nanpanton and Outwoods. That means that figures are skewed in the whole and little pockets of deprivation can almost be missed. I am not looking for a miracle, but we want to try to narrow the gap between us and the best funded, or even the averagely funded, authorities. The disparity seems too great.

My hon. Friend the Member for North-West Leicestershire (David Taylor) wishes to speak in more detail on what happened in the change from the SSA to the FSS—the formula spending share—and our disappointment at that. To compound the problem, as my hon. Friend the Minister is aware, last year, we had the additional problems caused by the change in the overall settlement. I have met most of my heads during the past 18 months or so in numerous meetings. In a typical middle school—I shall not name the head or the school—last year's funding problems has meant increased class sizes for key stage 4 for maths and science, a rise in average class size from 22 to 27, the use of non-specialist teachers in various subject areas, fewer admin and technical side staff and additional staff not being available.

The head of that school c[illegible]nted, on the positive side, that the school has seen [illegible]dget increases in the past four years, enabling it to repair and improve dilapidated buildings, improve the working conditions of the staff and, most importantly, raise educational standards. However, he also said that it had been promised on several occasions that there would be more funding for education to carry out necessary reforms and improvements. Under the last Tory Government, at least he had known that there would be a cut in the budget year on year and could plan accordingly; last year had made things really difficult. That school is very well managed, but is now having to work with a deficit of £300,000.

I welcome last week's statement announcing an additional £3.7 million for Leicestershire as part of the transitional relief, but can the Minister assure me that he will meet a delegation from Leicestershire if we honestly feel that that was not quite enough? I know that everyone always comes to the Department saying that there is not quite enough, but I shall look around the schools and the deficits that have accrued as a one-off from last year—although there are very good teams of governors, heads and teachers—to see whether that £3.7 million is adequate.

Mr. Andrew Robathan (Blaby): I am grateful to the hon. Gentleman for so generously giving way during his Adjournment debate. Has he, like me, been told that Leicestershire schools do not think that £3.7 million is enough for this year?

Mr. Reed: As the Secretary of State said in his statement, many schools—even before they knew the figures nationwide—had already said that the amount or package was not enough. My automatic reaction to that was to sit down, look at the £3.7 million and quickly think through the schools in my constituency and the size of their deficits. A quick calculation made me realise that the amount would probably not be sufficient, so I make my plea to the Minister. I always try to be fair. I moan when necessary and praise when necessary, and I shall work through the figures carefully with others in the county. If there is a genuine case for coming back to the Department, I would appreciate it if my hon. Friend allowed us to meet him.

I want to be positive. There have been many positives for Leicestershire. There is still the problem of the funding gap, as it has been called, but I want to move on from that debate. We recognise that there will always be a formula and some discrepancies; we want only to decrease the size of them. Will my hon. Friend the Minister accept that it is difficult for people in Leicestershire to understand why there is such a gap between us and average counties, which have similar make-ups? I admit that last year was difficult, but we must be positive and say that a £2.7 million increase for education is something that we should welcome.

The Treasury has taken a good approach, but I want to know why that increase can be turned into a disaster at local level. At what point did Ministers realise that there was little headroom when all the other matters had been taken into consideration? However, we must not be negative. Investing in teachers' pay, pensions and working conditions is a real assistance for schools, but we must recognise the difficulties that it caused.

In conclusion, I wish to say that we have seen a positive change in Leicestershire. We have problems and we wish to work together with the Department to ensure that there is fair and equitable distribution of the moneys that are available. Will the Minister look again at the area cost adjustment element of the funding source? Will he confirm that he would be happy to meet us if we had a problem with the £3.7 million transitional relief for this year? So that we do not have to debate such matters again, will my hon. Friend ensure that, at every opportunity when such matters pass his desk and statements have to be made about funding, he will consider specifically the problems of Leicestershire and ensure that we achieve a fair deal? I am sure that he will do that. Over the past 18 months in which he has been in post, he has been aware of Leicestershire's problems and has done his best to alleviate them.

David Taylor (North-West Leicestershire) *rose—*

Mr. Deputy Speaker: Order. I am unable to call the hon. Gentleman. The hon. Member for Loughborough took 17 minutes to make his contribution. He has now eaten into the Minister's time. I call Mr. Miliband. *[Interruption.]* The Standing Orders are simple to understand. We are holding an Adjournment debate, which is held to allow the hon. Member to receive a reply from the Minister. The Minister's time must not be eaten into.

David Taylor: On a point of order, Mr. Deputy Speaker. I have sought the sanction of my hon. Friend the Member for Loughborough, who initiated the debate, and that of the Minister. I wrote to the Speaker's Office, which seemed to be the way to comply with the requirements.

Mr. Deputy Speaker: Order. The Standing Orders are simple. An Adjournment debate involves an hon. Member who is seeking a reply from a Minister. If the hon. Member concerned wishes to give up time to another hon. Member, he or she is entitled to do so, but taking 17 minutes, which is two minutes out of the Minister's time, does not leave time for any other hon. Member to speak. I call Mr. Miliband.

Mr. Alan Duncan: On a point of order, Mr. McWilliam. Is it not a convention under the Standing Orders that hon. Members call the Adjournment debate and that there is no strict time set for the Minister to speak?

Mr. Deputy Speaker: The hon. Gentleman is quite right, but under the basic Standing Order, it is for the Minister to reply to the hon. Member. The hon. Member for Loughborough said that he would give up time to another hon. Member, but spoke for 17 minutes, which is more than half of the time for debate. It is only fair to the Minister to allow him to come in at this time. I call Mr. Miliband.

Mr. Duncan: This is absurd.

Mr. Reed: On a point of order, Mr. McWilliam. I wish to be of assistance. I had discussed the matter beforehand and considered that if I were to take 15 minutes and my hon. Friend the Member for North-West Leicestershire took five minutes, the Minister would be more than happy to speak for 10 minutes. Can we proceed on that basis?

Mr. Deputy Speaker: Order. I cannot be privy to those decisions. I call Mr. Miliband.

4.33 pm

The Minister for School Standards (Mr. David Miliband): Thank you, Mr. Deputy Speaker. Obviously, I congratulate my hon. Friend the Member for Loughborough (Mr. Reed) on securing such an important debate. He suggested that perhaps the Department did not have unalloyed delight at the prospect of another discussion about education funding. I wish to put him completely at ease about that. We are delighted to have the opportunity to debate funding in Leicester as well as anywhere else. I am certainly happy to receive comments from hon. Members during the 11 minutes that remain, if they want to say anything.

It is important to recognise the outstanding work that my hon. Friend has done to put the case for funding for schools in Loughborough. I want to put on the record that he has been tireless in such work. I am glad that he mentioned in passing the outstanding work that is done by many schools in his constituency and in the rest of the country. He will know that, over the past five years, teacher numbers have increased by about 10 per cent.

The January 2003 teacher count of 5,290 for Leicestershire was 490 teachers up on the position in 1998. They have produced some outstanding results. I was pleased that, over the past three years, Leicestershire schools have produced a rate of improvement for GSCE at about twice the national average. It was highlighted in the May Ofsted inspection report that, at key stage 3, at the age of 14, there was a particular strength of schools in Leicestershire. My hon. Friend will know that the primary schools are also doing well at key stage 2.

I want to focus on funding. We have discussed it before, but there are new elements to consider, given the Secretary of State's announcement last week. My hon. Friend was generous in recognising the outstanding improvements that have been made in funding throughout the country as well as in Leicestershire. My figures tally with his, showing that in cash terms the increase in funding in Leicestershire has been about £950 per pupil during the past six years and that capital investment is now £28 million a year. That is up from £2.9 million in 1996–97, which is a tenfold improvement that can only be of benefit to pupils in Leicestershire.

I appreciate that people in Leicestershire are concerned that their county is the lowest funded on a per-pupil basis of the 150 local education authorities, and it is up to the Government to justify that position. One LEA will always be 150th, as one will always be first, and we must ensure that we have sound grounds for the distribution of money to local authorities.

My hon. Friend will know that the old system for calculating the local authority grant—the standard spending assessment—was out of date and based on the 1991 census. It was even more complicated than the current system and widely seen to be unfair, as it was based on historic spending patterns rather than set amounts per pupil for additional educational needs and to take account of area costs. That is what the new system does; those elements mean that similar pupils in different parts of the country are funded by the Department for Education and Skills in the same way. It is then up to local government to raise money for education and to distribute it in their area.

David Taylor: There is no doubt that the new formula is more transparent and has the potential for greater equity. Nevertheless, when the figures came into the public domain, it was clear that the disparity between counties had widened rather than narrowed, despite what counties and LEAs had hoped for and expected.

Mr. Miliband: I recognise the outstanding campaigning that my hon. Friend has done over the years, but I assure him that any changes are the result of population changes among counties. I could explain further in writing, if that were helpful.

I said that it was the Government's commitment to ensure that, as far as DFES funding was concerned, similar pupils in different parts of the country were funded in a similar way. That is why every primary school pupil is funded this year to the tune of about £2,100 as a basic entitlement. Extra money of up to £1,300 is available for additional educational needs, which is the same whether the pupil lives in Leicestershire, Lancashire or Leeds. There is also recognition of extra costs, which I will come to.

The reason for differential funding is that the English average for income support is 19.8 per cent. of pupils,

[Mr. Miliband]

but in Leicestershire it is 9.2 per cent. We take account of that relative prosperity in Leicestershire when we distribute the grant for additional educational needs. English as a second language is also considered.

David Taylor: My hon. Friend is right to point out that Leicestershire is a relatively prosperous county, but in the absence of an adequate formula within the country to recognise deprivation, the schools in the less well-off areas—which tend to be in my constituency and that of my hon. Friend the Member for Loughborough—are not receiving the benefits.

Mr. Miliband: My hon. Friend makes a profound point, but one that is outwith my powers. As he notes, it is the joint responsibility of central and local government both to raise and to distribute fairly money for education. We distribute money fairly among LEAs, and it is then for each LEA to ensure that its funding formula recognises the different needs within its boundaries.

In Leicestershire, which is a large and diverse county, there will be difficult issues in the construction of any formula, but if my hon. Friend feels that pupils in his constituency or that of Loughborough are getting a raw deal from the Leicestershire funding formula, I am afraid that I have to point him towards local democracy and decisions made in county hall in Leicestershire. I do not decide the funding formula that local authorities use for the distribution of money to schools, but I can assure him that similar pupils in Leicestershire are treated similarly for the distribution DFES grants.

I want to address some specific points made by my hon. Friend the Member for Loughborough, including the problems that have occurred this year and how we can get over them in the next two years, as they are obviously of central concern to teachers, governors and head teachers in the county.

My hon. Friend referred to the area cost adjustment. It is important to note the basis on which we distribute that money. We recognise that some local authorities have to adopt special measures to recruit and retain teachers, which means that they face extra costs, such as additional allowances to help recruit and retain staff, the cost of supply cover for vacant posts—it is worth noting that the vacancy rate in Leicestershire is now 0.6 per cent., relatively low by national standards—and the cost of recruiting and advertising for staff. The allowance is not based on teachers' pay scales, which are national—except for the inner-London allowance—because those scales do not fully reflect the differences in the costs of recruitment and retention. That is why we based the additional cost allowance on wage differentials around the country. I assure my hon. Friend that there is no political interference in that. The basis on which those wage differentials are calculated is a matter of national record.

I will now move on to some of the problems that have occurred this year, and how we propose to get out of them over the next two—

4.40 pm

Sitting suspended for a Division in the House.

4.55 pm

On resuming—

Mr. Miliband: I shall try to regain my flow and passion with as much authenticity as I can manage, having lost some hon. Members and our friends from the media, who have obviously had their fill.

It is important to recognise that schools in some parts of the country have suffered genuine problems this year. There were significant changes to the local government funding system, and the changes in the standards fund hit individual schools hard. We are trying to overcome that in moving towards our goal of ensuring that every school has a three-year budget on which it can rely and on which it can plan. That must be the aim for anybody interested in sensible budget management.

The way in which we intend to do things this year addresses the acute issue of the responsibility of local government not merely to raise money for education but to distribute it fairly within its boundaries. The whole point of a constitutional settlement that gives an important role to local government is that local government can recognise the pockets of disadvantage and the needs within an area of which it is impossible for central Government in Whitehall to take proper account. I hope that local government will take those responsibilities seriously.

David Taylor: There has been significant progress in education since 1997, but it is starting to stall in some areas, including my constituency. Class sizes are drifting up, old textbooks are not being replaced, there is less support and contact time for teachers and there are fewer extra-curricular activities. Those are the sorts of things about which I receive letters as, no doubt, do other Leicestershire Members.

Mr. Miliband: I understand the dangers, but I would urge the hon. Member to ensure that schools and the LEA are in serious dialogue about the distribution of funds. This year, we need to deliver a minimum per-pupil increase for every school in the country. That has never been done before, and it means that the variation within the county should be reduced. Every school is guaranteed a per-pupil increase of at least 4 per cent. We have given an LEA floor of 5 per cent. Last year, the per-pupil increase for Leicestershire was 3.2 per cent.; it was a floor authority. This year it is 5 per cent. That gives an immediate and significant infusion of extra funds to help in 2004–05 and beyond, because it is built into the baseline.

My hon. Friend the Member for Loughborough referred to the figure of £3.7 million. That is on top of the higher per-pupil floor for the LEA; in addition to the 5 per cent. increase, there is £3.7 million of transitional support designed to target precisely those schools that have an overhang from this year. We are fulfilling our responsibility to recognise some of the problems that have existed this year and to play our part in overcoming

them. In addition, we have reversed the plans to reduce the amount of standards fund being distributed over the next two years.

We all wait with eager anticipation to hear from the School Teachers Review Body, which will next week reveal its conclusions about school teachers' pay for the next two and a half years. Anybody who claims to know what budget problems they will have in that period before the figures are known knows something that I do not. Nobody can say whether they have problems or surpluses until they know about teachers' pay.

In conclusion, I recognise the passion and conviction that hon. Members bring to the debate. My hon. Friend the Member for Loughborough will know that my right hon. Friend the Secretary of State met an all-party delegation from Leicestershire earlier this year to talk about the problems there, and numerous parliamentary and other questions have been asked. I appreciate the spirit in which he has suggested that those discussions should continue. There is close dialogue at official level, and if he tells me that there is a need for further dialogue at ministerial level, I shall respond well to his suggestion.

David Taylor: I hope that those discussions will address the serious point that 4,500 pupils a day from the much better funded city are educated in the county. Perhaps something ought to be done to bridge that funding gap. That will be very helpful.

Mr. Miliband: It will be an interesting discussion. I suggest that we focus our attention on how to help Leicestershire schools over the next two and a half years. Stability in our funding formula is an important element, but we are guaranteed extra money on top of that. That can be put to good use by Leicestershire schools and I look forward to working with hon. Members to achieve that.

Question put and agreed to.

Adjourned accordingly at one minute to Five o'clock.

Westminster Hall

Thursday 6 November 2003

[MR. JOE BENTON *in the Chair*]

Export Controls

[Relevant documents: First joint report from the Defence, Foreign Affairs, International Development and Trade and Industry Committees, Session 2002–03, on the Government's proposals for secondary legislation under the Export Control Act 2002, HC 620, and the Government's response thereto, Cm 5988; and the second joint report, Session 2002–03, Strategic Export Controls—Annual Report for 2001, Licensing Policy and Policy Scrutiny, HC 474, and the Government's response thereto, Cm 5943.]

Motion made, and Question proposed, That the sitting be now adjourned.—*[Charlotte Atkins.]*

2.30 pm

Mr. Roger Berry (Kingswood): It is a pleasure to open this debate on the latest two reports of the Quadripartite Committee.

I am aware that the Select Committee on International Development meets at 3.15 pm, and that some members of that Committee want to speak in this debate. I will therefore try to be brief and speak for only 15 or 20 minutes to enable colleagues to contribute to the debate before they have to leave. If there is time later in the debate, I might, with permission, be able to finish what I had planned to say.

I thank my colleagues on the Committee for their efforts in producing yet another unanimous report. I also thank our Clerks for their excellent drafting and advice, and all those who gave written and oral evidence to the Committee, especially Saferworld, Oxfam, the United Kingdom working group on arms, the Defence Manufacturers Association, the Secretary of State for Trade and Industry and the Foreign Secretary.

The Committee again congratulates the Government on the significant progress that they have made in recent years in many areas of arms export control, including the development of consolidated criteria, the introduction of the ban on the export of torture equipment, the Landmines Act 1998, the Export Control Act 2002, and their annual reports, which improve and become more helpful every year and have facilitated greater transparency and accountability.

On behalf of the Committee, I acknowledge yet again the significant progress that has been made in recent years in opening up this important debate on arms export control policy. However, serious issues remain, which the Committee and others outside this place would like the Government to address, such as: licensed production overseas; prior parliamentary scrutiny; the implications for licence decisions of the "war on terror"; the application of end-use conditions; and brokering and trafficking.

I doubt that anyone would argue with the statement that the need for rigorous control of the international arms trade has never been greater. Those who have read the recent report published by Oxfam and Amnesty International, "Shattered Lives", will have had that need reconfirmed in their minds. Every year, more than 500,000 people are killed, and thousands are maimed and forced from their homes. We want to be assured that our Government are doing everything possible to end that situation.

Mr. Gerald Howarth (Aldershot): I recognise the case that Oxfam and others are making, but the hon. Gentleman should be clear that we already have a rigorous arms export control regime, and that our defence exporters are responsible people. When he links our attempts to engage in export control and the wilful distribution of low-level weapons that cause mayhem in other countries, the public might think that he is connecting that trade with British exporters, when there is little evidence that any British exporter is involved.

Mr. Berry: The hon. Gentleman well knows my views on the matter. Not only do I recognise the legitimate business activities of UK companies that export arms lawfully, but I have argued, and will repeat today, that the UK has the toughest arms export control regime in Europe. Indeed, I have just congratulated the Government on that very policy. However, I return to the point that no one, having read the report published by Oxfam and Amnesty International, can seriously disagree with the proposition that, given the slaughter and maiming that occur as a result of the use of unlawful weapons, we should have greater control over the international arms trade.

There are more selfish reasons why we should control the arms trade rigorously. When a country is engaged in conflict, it is natural to ask who supplied the other side with the weapons. When a country or a group of countries is concerned about the threat of terrorism, and the fight against it, it is perfectly legitimate to ask who is supplying arms to the terrorists. Of course we want an assurance that our Government are doing everything possible to ensure that arms do not get to terrorists in situations in which the UK Government is able to exercise controls. I do not apologise for saying that any sensible person would wish to see a rigorous regime of international arms trade control.

Mr. Howarth: The hon. Gentleman has missed my point. We know that Britain is the second largest exporter of defence equipment in the world—our major companies are represented in constituencies all over the United Kingdom. I ask him to confirm that he recognises not only that the Government are doing their bit but that our arms exporters are responsible people, who share his concerns and mine.

Mr. Berry: I have already referred to the Defence Manufacturers Association and expressed gratitude for its evidence to the Committee. I have constituents who work for BAE Systems, Rolls-Royce and other companies with business interests in the arms trade. I do not criticise lawful arms exports, nor would I argue—I never have done—against the arms trade. All I am saying is that because of the problems in conflict zones around the world, and because of the war against terrorism, we need to address the issue very seriously. I hope that the hon. Gentleman will allow me to continue and will not seek to put words in my mouth.

[Mr. Berry]

United Kingdom legislation regulates only the export of arms from the UK. There is nothing to prevent UK individuals or companies from exporting arms from some other country. It would be no surprise if I were to say that the first thing that someone might consider, if he thought that he would not get a licence to export arms from the UK, would be to try to do it from somewhere else. That is what arms brokers do. There are many examples, but I shall not bore hon. Members with more than the one that is frequently cited: the British company, Mil-Tec, which was linked with weapons shipments to Hutu militias responsible for the 1994 Rwanda massacre. Such activities remain perfectly legal under UK law if the weapons do not touch British soil.

The Quadripartite Committee's report on the draft Export Control Bill, published in May 2001, concluded that

"there are compelling arguments in favour of extending controls on brokering and trafficking to activities outside the country",

and recommended unanimously that

"controls be introduced on the activities of UK citizens and companies wherever they take place."

The Government seemed to arrive at the same conclusion before the 2001 general election, because there was a clear commitment in the manifesto:

"We will legislate to modernise the regulation of arms exports, with a licensing system to control the activities of arms brokers and traffickers wherever they are located."

We used the phrase, "wherever they take place", whereas the Labour party manifesto used the phrase, "wherever they are located". I think that they mean the same thing, but others may disagree.

I welcome many things in the Export Control Act, as does the Committee, and in particular section 4, which for the first time gives the Government the power to impose controls on trafficking and brokering conducted by UK citizens anywhere in the world. That is a welcome and long overdue provision and should be applauded. Unfortunately, however, the Government's proposals show that they believe that the actions of UK citizens overseas should be regulated only where they relate to trade either in long-range missiles or in torture equipment, or to an embargoed destination. For trade in other controlled equipment, a licence will therefore be required only if the trafficking or brokering takes place in the UK.

That is a serious weakness in the Government's proposals under the Export Control Act. Such controls would not even attempt, for example, to prevent UK arms brokers overseas from transferring weapons such as machine guns to the war-torn Ivory Coast, to FARC rebels in Colombia or to the Lord's Resistance Army in Uganda. There is no way that the Government's proposals would influence such transactions, nor would they control British arms dealers overseas who wanted to supply surface-to-air missiles, for example, to Governments who have been accused of sponsoring terrorism—such as, some would say, Syria, Lebanon and Saudi Arabia.

Those are examples of how the Government's proposals, welcome though they are, do not go far enough. It is the Committee's view that if national controls alone are applied to trade in arms, those involved in repugnant aspects of the arms trade—I make this point for the hon. Member for Aldershot (Mr. Howarth)—will simply go abroad. That is why extraterritorial controls are necessary. The Committee argues that it would be a missed opportunity if the Government failed to regulate all UK citizens and companies involved in overseas trafficking and brokering activities that would not be granted a licence in the UK if conducted in the UK.

Mr. David Drew (Stroud): Sometimes that can have a direct effect: for example, I have for many years been pursuing our licensing of arms exports to Morocco. In itself, Morocco will never cause us any particular problems, but it has illegally annexed Western Sahara. It is therefore right to ask whether any arms that are exported to Morocco can be used to subjugate Western Sahara. That is a direct example of why we need to be tough in controlling export licences.

Mr. Berry: I agree.

I should like briefly to address the Government's concerns about the Committee's position, so as to allow time to the Chairman of the International Development Committee, the hon. Member for Banbury (Tony Baldry), before he has to go. The Government have argued several things, one of which is that extraterritorial controls, on small arms for example, would be unenforceable owing to the lack of an international agreement, and that an attempt to enforce them would, under the circumstances,

"expose the futility of such a unilateral approach and undermine the credibility of our strategic export . . . control regime".

That was in their response to recommendation 7.

I have been impressed by the campaign run by Amnesty International and Oxfam in support of an international arms trade treaty. If the Minister wants to declare full Government support for that, no one in this Chamber will be happier than me. However, until we have an international arms trade treaty that addresses the issue, we must do the best we can. Of course, the Government are committed to attempting to enforce extraterritorial controls in relation to long-range missiles, torture equipment and exports to embargoed destinations. Why are the difficulties greater when enforcing extraterritorial controls for small arms? I do not believe that they are.

The United States applies full extraterritorial controls; so do a number of other countries. Do the Government believe that those controls seriously undermine the credibility of the US export control regime? If they do, given that we rightly export arms to the United States, perhaps questions should be asked. To use their own terminology, do they believe that the US approach is "futile"? I do not believe that it is.

It has also been said that it would be "unreasonable" to expect a UK citizen living and working abroad to be aware of UK laws on arms brokering of conventional weapons, small arms and the like to non-embargoed destinations. However, under the Government's own proposals, the same person would be expected to be aware that they would be subject to the new law with regard to the brokering of long-range missiles and their components, torture equipment and exports to UK-embargoed destinations.

I fail to understand how it can be reasonable to assume that UK citizens should be aware of some parts of the new legislation but not others. With respect, I must say that the Government response is entirely unconvincing. In their response to recommendation 6, the Government went on to say that extraterritorial control would be likely to lead to

"conflicts of jurisdiction where other countries take a different view to us on individual cases".

However, the Government already propose to assert extraterritorial controls on the brokering of torture equipment and on destinations subject to a national embargo. In both cases there is no international consensus.

The concern about the conflict of jurisdiction is also thrown into doubt when we recognise that the Government address such concerns more sensibly in other areas. For example, under of the Anti-terrorism, Crime and Security Act 2001 bribery is a criminal offence under UK law when committed anywhere in the world by a UK citizen. Why is bribery more self-evidently a criminal act than arms dealing without a licence? Arms can kill. The indirect effect of bribery may be the same, but the direct effect certainly is not.

Why is asserting the legal right to prosecute UK citizens abroad when evidence shows that they have committed acts of bribery and corruption not a problem, whereas doing so when it comes to arms deals is? Do the Government seriously believe that it is easier to obtain a successful prosecution for corrupt payments to foreign officials than for unauthorised trafficking overseas? I do not believe that.

Finally, the Government argued that:

"Extending extra-territorial controls . . . would spread our licensing and enforcement resources ever more thinly, distracting our efforts from enforcing controls on the activities of greatest concern".

They have calculated, however, that the additional costs of their new controls would be £500,000 to £800,000 a year. Those are not large amounts, given our concerns about arms falling into the hands of terrorist organisations.

In the wake of the tragic shootings in Birmingham at the start of the year, the Government announced their intention to allocate significant resources to prevent the illicit trafficking of weapons in the UK. They have identified countries in central and eastern Europe as significant sources of such weapons. Those countries have also been identified as the sources of illicit weapons that are exported to conflict zones around the world.

The information and co-operation needed to prevent illicit arms entering the UK can and should be used to enforce controls on arms brokering overseas. Yesterday, the all-party group on gun crime published a significant report. One of its recommendations, which I believe was unanimous, was that part of the response to the gun crime problem in the UK should be full extraterritorial control on arms brokers.

I concentrate on this issue not because other issues are not important but because I passionately believe that the Government have yet to get it right. The Committee's unanimous view is that the Government should fulfil their election manifesto commitment to tackle those who engage in arms brokering and trafficking. I repeat that I very much welcome the significant progress of the proposals for legislation, and I hope that no one will interpret my comments as a suggestion that the Government are making anything other than dramatic progress, which is long overdue. However, by failing to tackle brokering, their proposals fail to tackle one of the main causes of suffering and instability around the world, and that is why the issue should be addressed again.

2.51 pm

Tony Baldry (Banbury): The hon. Member for Kingswood (Mr. Berry) has chaired the Quadripartite Committee with great skill, and managed to steer it to produce an excellent report with unanimous conclusions. It is not easy to bring together four Select Committees with diverse views.

I apologise to you, Mr. Benton, and to the Minister and the Chamber, because the Select Committee on International Development is taking evidence from the Chancellor of the Exchequer and the Secretary of State for International Development this afternoon, so the hon. Member for Putney (Mr. Colman) and I, and other members of the International Development Committee, will have to leave fairly soon to take that evidence. Therefore, I will keep my comments as brief as possible.

On Tuesday, the House debated African development strategies. During that debate, many hon. Members raised concerns about conflict constricting development. The Under-Secretary of State for International Development responded to those concerns at the close of the debate, when he stated that the Government

"are spending a total of £110 million specifically on conflict management and prevention activities. Much of that amount is spent on UN operations, such as those that took place in the Congo. However, we are also working on security sector reform, reducing the prevalence of small arms and carrying out peace-building work."—[*Official Report*, 4 November 2003; Vol. 412, c. 767.]

I do not doubt that the UK is investing such sums for peacekeeping in Africa, but such spending is often negated by aspects of the UK's defence export control legislation, which hampers international development and allows for the proliferation of small arms in Africa and elsewhere.

Small arms account for nearly all combat deaths in developing countries. In some parts of Africa, every child appears to have an AK45. It is terrifying to hear what the Lord's Resistance Army has been doing in northern Uganda, and what was happening in Sierra Leone before the UN and British forces intervened. Practically every child seemed to have an AK45. Poverty fuels conflict and conflict fuels poverty. Civil wars leave countries poorer, with many more people living in absolute poverty. Almost all the countries that have recently had civil wars are developing countries. Nearly half the countries with the highest defence burden have the lowest indicators of development. Angola and Eritrea, for example, spend more than 20 per cent. of their gross domestic product on the military. Indonesia, the second highest recipient of net overseas aid, spends almost the same sum on its military forces as it receives in development aid. Pakistan's total defence spending consumes a third of its GDP at the same time as its servicing of debt on loans to finance defence purchases rises to 50 per cent.

[Tony Baldry]

Overall, some $22 billion a year is spent on arms by countries in Africa, Asia, the middle east and Latin America. That sum would enable those countries to be well on track to meet the millennium development goals by 2015—to achieve primary education for all and to meet the UN's targets to reduce infant and maternal mortality.

Those stark facts are highlighted not by the Quadripartite Committee's report but by "Shattered Lives: The Case for Tough International Arms Control", the report that was recently published by Oxfam and Amnesty International. I know that hon. Members are conscious of the report, much of which reinforces the conclusions and recommendations of the Quadripartite Committee's report.

The Committee has been speaking much the same language as the "Shattered Lives" report. One need only reflect on the Committee's recommendations in 2001 about sustainable development and enforcement of the EU's criterion 8 on arms exports, with respect to the Export Control Act 2002. Given much of the language used by Ministers during its passage—at least by Ministers from the Department for International Development—it is disconcerting that it is still necessary to raise concerns about the likely effectiveness of the 2002 Act and, now, its secondary legislation.

I shall not repeat what I said in the House on Third Reading. I simply say that putting sustainable development in the schedule to the Bill was a start, but was not nearly enough. From my perspective as Chairman of the International Development Committee, the Quadripartite Committee's report supports the case for robust checks on arms brokering and end use, and robust prior scrutiny.

I believe that the Quadripartite Committee's report supports many of the recommendations in "Shattered Lives". The Oxfam and Amnesty International campaign is sensibly seeking the adoption of the UN's arms trade treaty by the time of the 2006 UN review conference on small arms. Such a treaty would be legally binding and would help to ensure that the international community worked together to the same standards to prevent the irresponsible transfer of arms and to seek to prevent violations of international human rights and humanitarian law. The UK should champion such an arms trade treaty.

The Quadripartite Committee's report also demonstrates the need for the Government to take action domestically. It shows the need to create new international instruments to prevent irresponsible arms brokering, transporting and financing, and foreign licensed production, using the arms trade treaty criteria to define and prevent irresponsible transfers; to establish independent mechanisms to bring to justice, without delay, those who perpetrate serious violations of international human rights or humanitarian law, ensuring that such violations are adequately punished and other steps are taken to end impunity; and to enforce existing legislation or create new legislation to control the import, export, transit, production, management and use of all arms.

The standards outlined in the arms trade treaty should be used when taking decisions on national arms exports, ensuring that human rights, international humanitarian law and sustainable development do not suffer as a consequence of commercial pressure. Transparency and oversight should be ensured by the provision of regular and meaningful information to the public about the production, possession and transfer of arms; the reports should be subject to regular review by legislatures and parliaments.

It is therefore of some concern that the *Financial Times*—a periodical not known for being left-leaning—reported last month, about the measures that we are discussing, that

"the legislation will fail to include regulations permitting law enforcement agencies to prosecute Britons who sell small arms illegally outside the country. The legislation is also expected to omit other regulations, including a register for UK arms dealers and a requirement that all arms contracts include end-user certification, which would allow British authorities to ensure that dual-use technologies had been used for non-military purposes. Similar regulations are in place in several leading arms-exporting countries, including the US."

One of the questions that we need to ask the Government is why we are doing less than the United States in this context? My hon. Friend the Member for Aldershot (Mr. Howarth) accurately observed that the UK is one of the largest defence equipment exporters in the world. The United States' defence exports outstrip ours by a considerable factor. If the United States can feel confident with that legislation, why cannot the United Kingdom?

That approach contrasts sharply with recent international developments on trafficking and brokering activities, including the EU common position on brokering of June 2003, and the statement of understanding on arms brokerage adopted by the Wassenaar arrangement in December 2002. In response to the Committee's report, the Government stated that they remain

"convinced that the most effective way of preventing the illicit trade in small arms is through multi-lateral action."

However, it is slightly difficult to reconcile that statement with the Government's response to the launch of the "Shattered Lives" report.

Let us further consider the secondary legislation. The Government have rejected calls from the Quadripartite Committee to introduce full extraterritorial controls on arms brokering. In response to the Committee's report, they stated:

"The new controls will criminalise anyone trading, without a licence, in military equipment from the UK or a UK person anywhere trading in 'Restricted Goods' and in arms to embargoed destinations. This latter control should capture many of the circumstances in which arms are transferred to areas of conflict or rogue States."

That statement contrasts considerably with the commitments that the Minister made to me during the passage of the Export Control Bill. In a letter dated 21 February 2002, he said:

"there is no question of the Government going back on its manifesto commitment in this area."

Unfortunately, the Government response to the Quadripartite Committee does not support that claim; rather, it suggests a somewhat stunted ambition on the part of the Government to attempt to control brokering.

It is simply not enough to design legislation to capture, in the words of the Government report, "many of the circumstances". That is a very loose line to take.

Comprehensive controls are required. The measure will not capture many of the circumstances in which arms are transferred to areas of conflict or rogue states. It will not prevent UK arms brokers overseas from transferring machine guns and helicopters to the Lord's Resistance Army in Uganda, FARC rebels in Colombia or the war-torn Ivory Coast. It will also still be legal for UK dealers to supply surface-to-air missiles to countries whose Governments have been accused of sponsoring terrorism, such as Lebanon, Saudi Arabia and Syria. Unless the secondary legislation is tightened, the risk will remain that arms brokers will carry out activities overseas to sidestep the legislation.

Similarly, the Government made it clear to the Committee that they believe that the proposed legislation

"would also be likely to lead to conflicts of jurisdiction where other countries take a different view to us on individual cases, and to enforcement difficulties and administrative overload."

That is nonsense. Ministers already propose to exert such controls on the brokering of certain torture equipment and arms to destinations subject to a national embargo, so if they can do that there, why not elsewhere? That raises the question whether the Government believe that it will be easier to obtain a prosecution for corrupt payments to foreign officials made overseas than for the unauthorised trafficking in conventional weapons to a non-embargoed destination. I do not understand the logic in that, so I would welcome clarification from the Minister today.

In evidence to the Quadripartite Committee on 3 April, the Secretary of State for Trade and Industry referred to controls where any part of the transaction, including an email, fax or telephone call, takes place in the UK. However, in response to a question about a company being able to enter into a provisional agreement relating to the sale of equipment that it owns in one overseas country to another overseas country before acquiring the licence, the Secretary of State said that a licence would be required only when a commitment was entered into.

On that basis, there is clearly the risk that UK regulations could be avoided by carrying out the marketing and promoting in the UK, while brokering the deal offshore. Such a loophole needs to be closed by the Government, and the most straightforward and effective approach would be to license all arms transfers brokered by UK persons, regardless of their whereabouts. If all transfers are regulated, the control of negotiations becomes redundant.

I alluded to the Minister reaffirming the Government's manifesto commitment on export controls. As the hon. Member for Kingswood, who chairs the Quadripartite Committee, acknowledged, the Labour party's 1997 manifesto contained the commitment to

"strengthen monitoring of the end-use of defence exports to prevent diversion to third countries and to ensure that exported equipment is used only on the conditions under which the export licence has been granted".

The Government have failed to introduce an effective end-use monitoring system. In the past year, several reports have surfaced regarding the diversion of military equipment from third countries into Iraq, and to Jordan, Ukraine, United Arab Emirates and Yemen, all countries to which the Government authorised weapon sales in 2001, a number of which were suspected of being links in the Iraqi military equipment supply chain.

In February it emerged that UK forces had found UK-made equipment in an Iraqi weapons store outside Basra, and Ministry of Defence sources were reported to have said that the find highlighted the threat from the burgeoning black market arms trade across the middle east.

Obviously, that raises a number of questions, yet the Government declare themselves satisfied that existing pre-licensing checks are sufficient to prevent diversion or unauthorised export, and refuse to institute a system of end-use monitoring. That leads me to the subject of prior parliamentary scrutiny.

The Quadripartite Committee has long called for the introduction of prior parliamentary scrutiny, but Ministers continue to reject it. The Committee's report recommends that the Government come up with proposals for a system of prior parliamentary scrutiny of export licence applications by a Select Committee or Committees of the House. I agree. That same letter of 21 February said that the Government believe that the system of prior parliamentary scrutiny of individual export licence applications cannot be made to work without having a materially adverse impact on the efficiency and effectiveness of the export licensing process, and risks making Parliament complicit in the eventual licensing decision.

Ministers are clearly seeking to say that there is some sort of constitutional impediment to proper prior scrutiny. I do not think so—there is no constitutional impediment that would prevent Parliament from legislating to give itself a role in scrutinising arms export licences, it is simply that Ministers do not wish to enable Parliament to have a greater say or role in this activity.

The impact of small arms on the lack of development in many parts of the world, especially in several parts of Africa, is self-evident to anyone who reads a newspaper. If we are to have an Export Control Act, it is essential that it is effective, as if it is not, it is not worth having. The International Development Committee will shortly be considering the impact of small arms on migration. I hope that the Quadripartite Committee in its next work will want to consider the calls for the strongest possible United Nations arms trade treaty by 2006.

3.7 pm

Sir John Stanley (Tonbridge and Malling): Let me say at the outset that although the Government's policy on arms export control still has some material shortcomings, which I will refer to, the present Government since 1997 have made the most enormous strides in achieving a quantum leap in accountability, openness and transparency to the House, and therefore to the wider public, on the issue of arms exports.

Indeed, I do not believe there is any Government, probably in the world, who produce a document that in terms of comprehensiveness and detail is equivalent to the United Kingdom strategic export controls annual report. The Government should be commended for producing such a document, and within the word "Government" I most emphatically include a commendation of the civil servants in the four

[Sir John Stanley]

Departments who put in a great deal of effort to provide the House, and therefore the wider public, with the information in the annual report.

I hope that this does not sound self-serving as far as the Quadripartite Committee is concerned, but having been privileged to serve on the Committee since its inception, I believe that the progress that has been made in achieving greater parliamentary accountability and public accountability on arms exports owes quite a bit to the intensive work that the Committee has done in scrutinising the Government's policy and pressing for additional improvements. If it has made a significant contribution, that has been due in no small measure to the excellent chairmanship of Ted Rowlands, the former hon. Member for Merthyr Tydfil, in the previous Parliament, and the equally excellent chairmanship of the hon. Member for Kingswood (Mr. Berry) in this Parliament.

Those are the bouquets. I now have one or two brambles. They are significant brambles that were highlighted by the hon. Member for Kingswood and by my hon. Friend the Member for Banbury (Tony Baldry). I want to make my own comments on the issue of prior parliamentary scrutiny. I was among a small group of members of the Committee in the last Parliament who visited Sweden and the United States, the two countries that for some years have had a system of prior parliamentary scrutiny of their arms exports. Sweden is a fellow EU member country with a not insignificant arms export business, certainly historically, and the United States is far and away the most significant arms exporter in the world. Our inescapable conclusion from those two visits was that it is definitely possible to operate a prior parliamentary scrutiny system without improperly curtailing the freedom of ministerial decision making and without adversely affecting the competitiveness of the arms export business of those two countries.

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I do not want to interrupt the right hon. Gentleman, but did the report not conclude that the system in operation in Sweden

"could not readily be translated into a UK parliamentary context"?

Did it not also highlight four weaknesses of the American system, without coming up with four solutions?

Sir John Stanley: I certainly acknowledge that every country's parliamentary system and the interface between the Executive and the legislature in each country will be different. If we produced our own system of prior parliamentary scrutiny, we would no doubt make it compatible with the way in which we operate here. That does not detract from my main point, that both those countries, in the context of their parliamentary and congressional systems, have been able to run a system of prior parliamentary scrutiny without the dire impact that the Government have consistently and mistakenly forecast would happen if such a scrutiny system were operated here.

If the Government were prepared to show more flexibility, it would be possible to operate a satisfactory system of prior parliamentary scrutiny here. An accommodation could be reached if they were less stony-faced and more willing to accept some give and take and to allow the Quadripartite Committee to proceed on a selective basis. We are looking only at a selective basis in relation to major export contracts and contracts that are particularly sensitive in terms of foreign policy. Once again, I urge the Government to take a fresh look at this, to show more flexibility and to try to work with the Committee to see whether we can reach a middle-ground position that would enable some prior parliamentary scrutiny to take place.

Mr. Martin O'Neill (Ochil): The right hon. Gentleman and I visited Sweden and the United States. In both cases, the relationship between the legislature and the Executive is different from ours. Our Executive holds powers that are not quite unaccountable but certainly of an inaccessible character in relation to the legislature. It is on that basis that they are not prepared to give anything up—hence the asinine but well-intentioned intervention from the Minister. The Executive and their creatures in Government will not concede one iota on giving the legislature an opportunity to second-guess. That is the fundamental constitutional point with which we, as a group of legislators confronting the Executive, must contend.

Sir John Stanley: I will leave to the hon. Gentleman the choice terminology of criticism that he made of those on his own Front Bench. I endorse the broad thrust of what he said, but I hope that we can achieve some accommodation. In certain areas, the Government have made important progress in prior consultation. They have made important changes in relation to the prior scrutiny of legislation and of major decisions.

On 18 March, the Government gave the British Parliament and the House of Commons the opportunity to be consulted and to vote on the issue of peace and war. They were the first Government to do that, and I commend them for it. If they can do that, surely it is possible to have prior consultation with the Quadripartite Committee on an altogether less massive decision on individual export cases. I urge the Government to consider the subject afresh and show more flexibility than they have hitherto, in the light of the views expressed today.

I will now move on to the Government's policy on trafficking and brokering. When the Secretary of State for Trade and Industry appeared before the Quadripartite Committee on 3 April, I expressed deep scepticism about the adequacy of the Government's policy. Their brokering provisions cover just three areas. The first, which is self-evidently desirable, is brokered sales to destinations under an embargo, and those are rightly included in the parameters of the legislation. Beyond that, only two other areas of military goods and equipment are covered by the legislation. The first area is torture equipment, and I still hold the view that the definition of torture equipment is too limited; the second is missiles, but only those with a range in excess of 300 km.

I had to go to a Clerk to discover the definition of torture equipment employed by the Government for the legislation, and which items of torture equipment fall within the extraterritorial brokering provisions. Other hon. Members may have found it easier, but in case they

had the same difficulty, and for anyone interested outside, it is necessary to look at the schedule to the Trade in Goods (Control) Order 2003. In paragraph 1, the reader is directed to

"Any good falling within paragraph c. or g. of PL5001 in Schedule 1 to the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003."

Looking at paragraphs c. and g. of the second statutory instrument, one finally finds a reference to those items of torture equipment that fall within the ambit of this anti-brokering legislation. It is worth reading out those items for the record. They include leg irons, gang chains, electric shock belts, various dimensions of handcuffs, various dimensions and types of shackles, and certain portable devices for the purpose of riot control or self-protection by the administration of an electric shock. The list is limited to those items. Hon. Members may think that it sounds comprehensive, but it does not take much further thought to realise that it excludes a substantial number of items that could be regarded as torture equipment.

I stress to the Minister that the definition is seriously inadequate. It is far too limited. I will repeat the illustration that I gave when the Committee met the Secretary of State for Trade and Industry. I reminded the Committee that one form of torture used—I fear that it may still be used—in Northern Ireland, by paramilitaries on both sides, is a particularly foul use of the handgun. The handgun is not used in the conventional way, but is placed at the back of the knee, in order to shoot out people's kneecaps. That is torture, by any definition, and is a commonplace form of so-called punishment shooting by paramilitaries. Handguns are wholly excluded from the definition of torture equipment. No doubt there are many other types of military goods and other equipment that could be used to inflict torture on people. The Minister should continue to examine very critically the definition of torture equipment as laid down in the statutory instruments. It is wholly inadequate and should be widened significantly.

The second item concerns missiles. I shall repeat what I said to the Secretary of State when she appeared before the Committee. The policy of including within the legislation only long-range missiles with a range in excess of 300 km seems to me to be unsustainable and, in the present terrorist environment, wholly irresponsible. When I raised that issue with the Secretary of State, I received a disturbing reply. I will quote the exchange that took place between us on 3 April, as reported in paragraph 112.

I asked the Secretary of State:

"How can you defend missiles above 300 k and not shorter?"

The Secretary of State, who was accompanied by her official, Mr. Glyn Williams, replied:

"I wonder whether Mr. Williams would like to comment on that because I am not aware of the detailed thinking on that one."

I found that an extraordinary reply. I commend her for her candour, and in fairness, she went on to give a generalised response to my question. However, I found it extraordinary that, in speaking about such a significant policy decision—to restrict the ambit of this legislation to missiles with a range of 300 km or longer—the Secretary of State could say to the Committee that she was not aware of the detailed thinking on that policy issue.

Michael Fabricant (Lichfield): Does that mean that surface-to-air missiles of the type that were used in Mombasa against an Israeli charter aircraft, or that may indeed have been used more recently against aircraft taking off from Heathrow, would not come under the legislation?

Sir John Stanley: My hon. Friend, with his usual acumen, has anticipated a point that I was about to reach.

The Government have got their policy back to front on the brokering of missiles. I do not know whether there is any history of brokering long-range surface-to-surface missiles, but I am certain that the concentration of brokering activity is on short-range missiles, including surface-to-surface and surface-to-air missiles, and even rocket-propelled grenade launchers. That is where brokers are active and where huge amounts of military goods could be available to terrorist groups. I will not advocate the removal of the provisions affecting brokers of longer-range missiles, but the Government must address the question of shorter-range missiles.

I urge the Minister to reflect on known events that have taken place in the past few months. An El-Al civil airliner, on take-off from Nairobi airport, was fired at by a terrorist organisation with a surface-to-air missile, which according to reports missed by just a few metres. The infrared locking-on device was apparently programmed for a fast jet take-off aircraft rather than the much slower-moving civil airliner. If the missile had hit, all the passengers and crew would be dead.

We have also seen one or more full-scale security alerts at Heathrow, backed up with full military deployment, because of intelligence about a possible surface-to-air missile attack on civil airliners taking off from Heathrow. As has been widely reported, a British citizen, Mr Hemant Lakhani, was arrested in the United States while he was allegedly trying to sell up to 50 Russian surface-to-air missiles. The intelligence services should be warmly congratulated on the success of that operation, which happily thwarted that attempt. Tragically, there have also been continuing deaths among Coalition forces in Iraq from rocket-propelled grenades, and in the past few days we have seen the worst ever number of casualties as a result of the downing of a Chinook, apparently by a surface-to-air missile.

Every one of those terrorist events or threatened events would have fallen outside the provisions of the current and proposed legislation, and I am in no doubt that the Quadripartite Committee's recommendation on trafficking and brokering, which we agreed unanimously, was right. In paragraph 50 of the report, we said:

"We recommend that the Government should seek to extend extraterritorial control to all trafficking and brokering which, if conducted in the UK, would not be granted a licence."

[Sir John Stanley]

I am certain that on this policy issue the Committee has got it right and the Government have got it seriously wrong. I urge them to adopt the Quadripartite Committee's policy as quickly as possible.

Mr. Joe Benton (in the Chair): Before I call the next speaker, I should point out that a number of people still want to speak and that I propose to start the winding-up speeches, subject to any Divisions in the House, at 4.40 pm. I ask hon. Members to bear that in mind, so that we can try to allow everyone to speak.

3.29 pm

Sue Doughty (Guildford): I welcome the first joint report. It sets out clearly some of our problems with the proposed secondary legislation. I recognise—albeit slightly grudgingly—the huge progress that the Government have made with controlling arms exports with increased transparency. I certainly support the words of the Chairman of the Quadripartite Committee and the report: there is a long way to go yet. The report sets out clearly the outstanding issues that need to be addressed. In particular, I share the worries that have been expressed about full extraterritorial controls on arms broking. At a time when there is so much arms proliferation throughout the world—we have heard about the problems of arms and their end use—it seems that we are backing off from putting controls in place.

The Government have said that it would be difficult to prove the part played by United Kingdom nationals and that it would not be worth the effort to try to do so. I do not know whether they think that, if they do not close such a loophole, arms brokers will just stay in the UK and desist from such activities. That is not so. Arms brokers will go overseas, do the deal and return. We are almost encouraging such behaviour.

The Government should require that all arms brokers who hold United Kingdom passports operate under a licence. If not, what else could happen? Worries have already been expressed by the Irish Government about there being nothing to stop arms brokers flying to Ireland to conduct business. At this critical stage, the last thing that the Irish Government want is for brokers to go to Ireland to sell arms. The loophole will provide an unregulated shop window for brokers.

The Government have proposed to keep a close watch on matters and said that, if evidence comes to light, they will act. However, evidence can be hard to obtain. Given that we know such events will happen, we must have the common sense to act now. A broker who sells 3,000 Kalashnikov rifles may be supporting the further provision of weaponry in countries that have already been ruined by internal conflict. The Chair of the International Development Committee referred to the problems in Africa. In a debate that took place the other day, he raised important points, as he did earlier. He asked how there can be peace when there are so many arms and said that we must ensure that expenditure is on development, not warfare.

Even though some of the countries have peace, it is a fragile peace. The last thing that we want is a lot of guns, small arms and larger munitions washing around in such countries. We have asked the Foreign Office to put pressure on other Governments, but it is becoming a bit late to do that. How many dead bodies need to be counted before the Government decide that prevention is better than cure? In the case under discussion, there is no cure. It is death and war, or nothing.

The Government said that they could not alone realistically hope to control all exports of military goods arranged and undertaken wholly within other states. We have debated whether it is possible to do so. Finland and Poland have fought extraterritorial control over their respective nationals. Belgium is bringing in a law. Austria, the Netherlands, Norway and Sweden all require their residents to apply for licences when brokering arms between third countries. It is essential that we do not wait for a review. We recognise that we have a national responsibility, and we must take that responsibility.

Do the Government believe that the United States and other extraterritorial systems lack credibility? Is that why they will not bring in such proposals? Given that so many other European countries are introducing comprehensive extraterritorial controls on arms brokers, why is the United Kingdom not acting similarly? At present, £1 billion worth of Hawk aircraft are apparently being sold as training planes to India and not for use in combat, yet that is in a territory where, particularly in the mountains of Kashmir, planes need to fly slower, as training craft do. What will happen with those craft? Will they be used in combat? How would we prevent that? Even if they are training craft, do we want to support the training of pilots in a country that is so often in conflict with its neighbours? Should we be easing the path to training for pilots in a country that wants to improve its nuclear capacity? Those exports are worth £1 billion. How many years' support for sustainable development would that money provide?

What is happening with arms exports? The A team go out to sell the goods in India, but those managing the sales are possibly not the A team. The Prime Minister, the Deputy Prime Minister, the Foreign Secretary and the Secretary of State for Defence have talks with their opposite numbers—high-profile talks between high-profile politicians. Export priorities come faster than scrutiny of use. When we consider what those planes will be used for, how difficult will it be to say that we will not grant a licence, given the sales team who went ahead and promoted those sales? There are a lot of questions about that.

We have queries about licensed production facilities. The Government have said that they will seek more information from exporters about the intended use of their exports. Those of us outside—the great British public—might ask whether they should not be asking those questions already. We are moving a long way forward, yet we are building delay into what could be a major improvement in the way in which we license exports. How do we know where those facilities will export to, and what controls will be in place at those facilities?

What happens if there is a regime change in Saudi Arabia? What end-user restrictions might be needed and what production ceiling should be in place? Should we not ask those questions now and make those points a condition of licence, rather than worrying about the matter later? What do we do when it all goes wrong, and

we find that exporters are producing for export to countries that we would not export directly to? Those are major questions.

Parliament has insufficient information. We are not able to scrutinise arms export licences—that is essential. We have historic problems, such as the dubious al-Yamamah deal between BAE Systems, then British Aerospace, and Saudi Arabia. We are still not getting clear answers to those questions and Parliament needs many such answers.

Mr. Gerald Howarth: The hon. Lady has made a serious assertion. She said "the dubious" al-Yamamah project. BAE Systems headquarters are in Farnborough, which I represent—it is near her constituency. Many of her constituents will be employed there. Perhaps she can explain what she thinks is dubious about the al-Yamamah programme?

Sue Doughty: I would like to correct my words to "allegedly dubious". They relate to the articles that have appeared in *The Guardian*. I will not take up the time of the Chamber on that one deal. They are serious allegations, which have not been proved. However, it would be useful to have more information when such allegations are flying about. The deals may or may not be respectable. However, we do not know what is going on, and Parliament does not have access to that information.

A point was made earlier about the international arms trade treaty proposals made by Amnesty International and Oxfam. I welcome the support that hon. Members, particularly the Chairman of the Quadripartite Committee, have given them because we need legally binding international arms controls. We cannot continue seeing British weapons being used by corrupt Governments at the cost of lives, stability and economic stability. We need to monitor that, instead of saying, "Yes, there are all these guns in Iraq and, gosh, isn't it difficult to bring about peace?"

Mr. Howarth: The hon. Lady said that British Governments—by definition, she means this Government—have exported to corrupt Governments around the world. Will she be more explicit?

Sue Doughty: Yes, I would be delighted to repeat exactly what I said: we are seeing British weapons being used. I did not say that they were exported directly by the British Government. However, it is a fact that British weapons find their way around the world through third-party deals. That is why we have to accept responsibility and ensure stringent controls. We should be placing stronger and more effective controls on brokers in the first place.

It is not too much to expect the Government to take note of the concerns raised, rightly, in the report. I am an opponent of the arms trade, and that is well known, but that does not mean that the Government and our country should not realise that, if we continue to export arms—and many people's livelihoods depend on that—the Government must accept their responsibilities and do much more to control the business.

3.40 pm

Mr. Gerald Howarth (Aldershot): This is a useful debate. I join the hon. Member for Kingswood (Mr. Berry) in expressing revulsion at the tragic waste of life around the world as a result of the proliferation of small arms in particular.

I was in the House yesterday when Mr. Parry, the father of Tim Parry, launched an appeal for funds and told us about what the Tim Parry Jonathan Ball Trust is trying to do to bring people together. As part of the launch, there was a presentation, during which a film was shown of some of the atrocities that are being committed throughout the world. No one who sees children aged 13 bearing weapons can feel anything other than huge revulsion, and a duty to do something about the issue and to stop such things happening. The hon. Member for Kingswood and I have that opinion in common.

My hon. Friend the Member for Banbury (Tony Baldry) referred to the AK45; I think that he meant the AK47, which is, of course, Russian, not British, and which is readily available throughout the world. It is the most easily tradeable kind of weapon. It causes the most damage to people's lives and the greatest injury across the world.

Anyone who has been to Peshawar in Pakistan will know that if they drive out of Peshawar towards the border, they will come to a huge arms market where people make whatever small arms people want. I did not venture into it to find out exactly what went on. Instead—rather more calmly—I made my way up the Khyber pass. People at the market make to order whatever weapons the customer wants in a matter of hours or days. The issue that faces us is how to try to deal with that trade.

I am concerned about the effect that the legislation is having on our defence industry, and I make no bones about that. I represent Aldershot, the home of the British Army, and Farnborough, which is the birthplace of British aviation and the main administrative headquarters of BAE Systems, the fourth largest defence contractor in the world. However, I rise to support BAE Systems not because it is in my constituency but as a matter of principle. It is imperative for the defence of the people of our islands that there is a vibrant defence manufacturing capability in this country. Sadly, in order to defend our country, we cannot rely simply on our home market; we have to engage in defence exports in order to ensure economies of scale, so that we can sustain our industry.

Of course, that of itself would be an insufficient argument but there are further moral justifications for the defence industry, and for supporting and approving of its activities. One of them is that we can defend our friends. The hon. Member for Guildford (Sue Doughty) mentioned Hawk sales to India. It is entirely proper to debate whether it is right for the United Kingdom to sell Hawk aircraft to India. The Hawk aircraft is an advanced jet trainer capable of being adapted for more offensive use. The Hawk 200 was developed by British Aerospace for that purpose, but it has not been so used. It is perfectly legitimate for the United Kingdom to support our friends and allies around the world, and one

[Mr. Gerald Howarth]

way in which we can do that is to help them to defend themselves. India happens to be a member of the Commonwealth—

Malcolm Bruce (Gordon): So is Pakistan.

Mr. Howarth: So is Pakistan, which is why it is entirely right that we should have this debate. I have no problem with that. However, the idea that Hawk aircraft are being exported in the absence of any public debate and that Ministers are secretly negotiating deals without telling anyone is wide of the mark.

Sue Doughty: I object to the implication that I suggested that there were secret sales, because I made no such comment.

Mr. Howarth: The hon. Lady came clean towards the end of her comments and said that she was opposed to the arms trade. I am sure that those of her constituents who are employed in that wholly honourable business will take note of that at the next general election.

Sue Doughty: My views on that were known to my electorate at the last election, and they made their decision accordingly.

Mr. Howarth: They will be known even better at the next election, because we shall make sure of that.

It is no good adopting a holier-than-thou attitude. If India did not have access to the Hawk, plenty of similar aircraft are available around the world, and I understand that the Treasury was urging the Ministry of Defence to look at some of the weapons that are available from other parts of the world. I assure the hon. Lady that if we do not export the Hawk to India, plenty of other Governments with similar equipment will be only too keen to take our place, and that they will be a great deal less fussy than even this Government about policing their exports and ensuring that they are used for training purposes rather than adjusted for offensive purposes. She is kidding herself if she thinks that she can stop these exports from the United Kingdom, and the weapons will thereby disappear.

Malcolm Bruce: I hear what the hon. Gentleman is saying but he is inviting us to go down a dangerous avenue. Is he not implying that it would be foolish of us to try to impose standards that are higher than the lowest in the world, on the ground that we would lose business? If that is what he is saying, this debate is pointless.

Mr. Howarth: No, I am not saying that, but I am issuing a warning: this is an important industry in this country. It employs well over 300,000 honourable people, many of whom are constituents of Members in this Chamber.

Mr. Berry: I am one of the joint authors of the two reports. They recognise the important contribution of the UK defence industry to our economy. I do not think that anyone doubts that.

Mr. Howarth: The hon. Member for Gordon (Malcolm Bruce) may have been leading us down that road. I am trying to make the point that it is important to put the matter in context: we are discussing an honourable business that employs many people in this country and contributes to our indigenous ability to defend ourselves.

I agree wholeheartedly with the point made by my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) on long-range missiles. I will not repeat what he said, save to draw to the attention of the Chamber the concerns expressed by the Defence Manufacturers Association, which questions why the Government have identified the trade in long-range missiles, unmanned air vehicles and their components as "activities of greatest concern". I hope that the Minister will answer my right hon. Friend's points, because it is inexplicable why long-range missiles and unmanned air vehicles should be restricted goods. Unmanned air vehicles will take on an even greater importance in future developments of defence technology. It is important that we do not do anything that will interfere unnecessarily with that business. However, the DMA states that it is

"unaware of any such notorious cases involving LRMs or UAVs or shady gun runners hanging around on street corners in Africa approaching passers by and saying 'Psst . . . wanna to buy a Tomahawk Cruise Missile?'"

That amply makes the point.

Sir John Stanley: I am wholly in favour of long-range missiles in excess of 300 km continuing to be restricted goods. My point was that I also wish to see short-range missiles included in that category. Is my hon. Friend sure about his reference to pilotless aircraft? The only missiles that are within the ambit of the brokering provisions are those that are capable of a range of 300 km or more, and specially designed components for them. If, like me, he is not sure, perhaps the Minister will clarify the point.

Mr. Howarth: I am afraid that I cannot enlighten my right hon. Friend. It is for the Minister to explain what the Government have in mind. Clearly, there is some opaqueness about this, and it would be helpful if it were clarified.

The industry has had a long-standing concern that the new legislation could impose excessive burdens on it. That applies almost as much today as it ever did. The industry has indicated that the Government have listened to its concerns and have moved towards meeting them. However, we have had a note from the Society of British Aerospace Companies, which represents the aerospace industry. It is concerned about the training implications for its staff. It has been suggested that something like half the staff of BAE Systems—some 25,000 people—will have to be specially trained in how to understand the implications of the legislation. As it is a large company, BAE Systems has a range of training resources at its disposal. The same cannot be said of smaller companies, which are located all over the country: they do not have such resources. I would like the Minister to explain how he proposes to deal with that.

There is also the issue of intangible exports. I understand that the United States of America's regulations mean that when a US business man visits London and opens his laptop computer, he is opening it

in a discrete part of the United States, which has moved temporarily to London. However, when a British business man goes to New York or Washington and does the same with his laptop, which contains, of course, all the information about the technology or the deal that he is working on, he is opening it in the United States, and therefore he has exported the knowledge to that country. Those are difficult areas. I should like the Minister to explain how he proposes to deal with what could turn out to be an absolute nightmare, in terms of the conduct of business.

My final concern is a parochial one, about the Farnborough air show in my constituency. I hope that all right hon. and hon. Members have visited the show—or, if they have not, that they will accept an invitation to come to next July's show—because it is one of the greatest air shows in the world. However, it is not just an air show: it is also a trade fair. It has won its place in the world by virtue of the fact that we welcome people from all over the globe, and give other manufacturing nations equal access to the world's markets. That does not happen in quite the same way in Paris, which will surprise some right hon. and hon. Members. American manufacturers, in particular, like coming to the UK because they get a fair crack of the whip.

I understand that some progress is being made on the Farnborough air show, but it has been pointed out that the essence of the business that is conducted there—meeting people, negotiating and signing deals—could be put in jeopardy by the new legislation. In 2000, deals worth about $54 million were signed at the air show. That is a huge sum. Much of that business had, of course, been negotiated in advance, but it was signed at the Farnborough air show. I do not want anything to imperil the air show, and nor do the many UK companies for which it is the major shop window.

I hope that the Minister recognises that the global air show circuit is becoming more competitive, and that Paris is not the only competitor—Dubai, Singapore and other places are also important. The SBAC fears that the new legislation could still create a disincentive to sign major contracts in the UK, and lessen the commercial attractiveness of Farnborough as a global business event, so I hope that the Minister will reassure me on that point.

3.56 pm

Paul Farrelly (Newcastle-under-Lyme): Thank you for allowing me to say a few words, Mr. Benton. I shall make some brief remarks about the Committee's recommendations on extraterritorial controls on arms trafficking and brokering, with particular reference to an international arms dealer based in the UK. I raised my concerns about that dealer with my hon. Friend the Minister during the passage of the Export Control Act 2002. I apologise to him for not giving notice beforehand, but I originally planned to have another meeting, which was subsequently cancelled.

Since I was elected two years ago, I have repeatedly raised the issue of military supplies and arms being supplied to Zimbabwe, both for internal repression and to support its military adventures in the Democratic Republic of the Congo. I have highlighted the activities of one John Arnold Bredenkamp, who holds a dual Zimbabwean-Dutch passport but is resident in the UK—indeed, he has residence rights here. He is certainly not small fry, but is one of the Mugabe regime's biggest arms suppliers, from small-calibre weapons right up to—it is reliably understood—MiG Hind attack helicopters from parts of the former Soviet Union. Cleverly, Mr. Bredenkamp supplies those arms via Zimbabwe-incorporated companies, so they are not directly exported from the UK, but his business empire is firmly based in this country—in Berkshire—and he well known in military and intelligence circles.

When the Export Control Act 2002 was passing through the House, my colleagues and I were naturally concerned to establish whether its provisions and sanctions would catch the activities of those such as Mr. Bredenkamp. The Minister who is to wind up today's debate assured me that they would, saying:

"My hon. Friend the Member for Newcastle-under- Lyme (Paul Farrelly) referred to some specific examples, but as he knows, I cannot comment on individual cases. However, he raised an important point of principle on which I think the House will want to have the Government's views on record. I can assure my hon. Friend and the House that the Bill will give us the power to control UK citizens and anyone operating in the UK, which I think was the point that he was making. He was concerned about someone who was not a UK citizen who was a trafficker and broker in arms to arms-embargoed destinations such as Zimbabwe. Such people will be caught. That is important."—[*Official Report*, 8 November 2001; Vol. 374, c. 416.]

At a distance, those so inclined might want to quibble about semantics, especially about the meaning of the word "caught". As my question and the debate thereafter show, however, there can be no doubt about the meaning of the assurance that the Bill would catch people such as those I described. I do not want to embarrass my hon. Friend the Minister—the legislation and its implementation are complicated, and I am certain that his assurance was given in good faith—but I have to tell him that his assurance was incorrect because, under the legislation, people like Mr. Bredenkamp will continue to operate with impunity from a UK base. It is simply wrong that people like him can cleverly organise their affairs to outwit legislation and to make a mockery of arms control legislation.

Nigel Griffiths: My hon. Friend is simply wrong.

Paul Farrelly: I repeat that I am certain that the assurance was given in good faith, but the record is in *Hansard* for everyone to see.

Nigel Griffiths: I am not correcting the *Hansard* reference, but my hon. Friend's mistaken interpretation of the current and future state of the legislation.

Paul Farrelly: For the first time in my two years in the House, I am grateful to be told that I am mistaken. I look forward to my hon. Friend's concluding remarks. Given hon. Members' contributions today, however, it is fair to say that the question still stands: when will something be done about merchants of death such as Mr. Bredenkamp who are operating from the UK? When I have asked that question outside the context of the Act, the answer has generally been, "Bring us the evidence and we will have a look." That brings me to another aspect of the effectiveness of our arms control regime.

[Paul Farrelly]

Mr. Bredenkamp is well known. He is one of the UK's richest people—one only has to look at *The Sunday Times* guide to the rich every year—and he has a long track record of arms dealing. He helped Ian Smith's Rhodesia bust international sanctions, and supplied weapons, including anti-personnel mines, to Iraq during its bloody war against Iran, which were eventually used against British troops in the 1990 Gulf war. *[Interruption.]* My apologies. I have now switched off my wife.

Cleverly, in pursuit of profits, Mr. Bredenkamp has long since turned his allegiance to Robert Mugabe. He was named in a recent United Nations panel report as one of those who are supposed to have profiteered from the tragic war in the DRC by looting the country of its precious minerals, which is the price for his arms supply to Zimbabwe. The hon. Member for Aldershot (Mr. Howarth) may be interested to know that he has also been a BAE Systems agent in Zimbabwe. Given the position of the hon. Gentleman's right hon. Friend the shadow Foreign Secretary on the Mugabe regime, I am sure that he will be as concerned as I am if BAE Systems is exporting spares to Zimbabwe for use in Hawk jets, which are being used to prosecute the war in the DRC. I mention this history because any arms control regime needs to be proactive, not just reactive, if it is to deal with merchants of death.

Given that my hon. Friend the Minister corrected me, will he state the Government's position on UK-based individuals who are trafficking arms abroad by whatever mechanisms? Will he also agree to calls made by hon. Members here today and by the Quadripartite Committee for the scope of the Act and its implementation to be extended to cover such individuals?

Mr. Berry: I understand that it is correct to say that section 4 of the Export Control Act 2002 gives the Government the power to exercise full extraterritoriality, but that under secondary legislation, it specifically will not cover trafficking and brokering unless part of that transaction takes place in the UK. Is that my hon. Friend's understanding? That may help to clarify the Minister's response later.

Paul Farrelly: The problem is indeed the scope of the secondary legislation to give effect to the Bill.

4.4 pm

Sitting suspended for Divisions in the House.

4.28 pm

On resuming—

Paul Farrelly: I was just saying how important it is for any arms control regime to be seen to be proactive and not merely reactive. I do not want the Chamber to misunderstand my comments today. I welcome the Act and congratulate my hon. Friend the Minister on the effort that he has put into a complicated piece of legislation, the implementation of which is also complicated. However, confusion and misapprehension remain as to how easy it may be for clever and resourceful individuals and businesses—such as those involved in the arms business—to evade the provisions, particularly by relocating offshore.

I hope that I am simply confused and wrong. In view of the Minister's comments, I would be grateful if he wrote to me to clarify the position of individuals such as Mr. Bredenkamp, who have UK residence rights but who organise their affairs so that no transaction takes place in the UK. Will they fall under the new legislation, which is to be enacted on 1 May? If not, as part of a learning process, will the Government consider extending the legislation?

4.29 pm

Mr. Andrew Lansley (South Cambridgeshire): I am grateful for the opportunity to contribute briefly to the debate. I had not thought that I would do so, because I spoke in the debate on 27 March, in which I covered some of the principal subjects according to my lights. Hon. Members know my views, but I wish to add a few points, as events have moved on slightly since then.

I will not talk about prior parliamentary scrutiny, as it has been mentioned by my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) and others. As he knows, we are not unanimous on that. I do not wholly endorse the use of prior parliamentary scrutiny as a mechanism to scrutinise the export control system. However, if we are not to have formal prior parliamentary scrutiny, it is important that at every point at which something might be construed as changing policy in the export control system, it should be disclosed to Parliament and the Committee in a form that enables the Committee to seek to influence and scrutinise that policy before it is put into practice. It is not wholly the case that that happens now. Policy has seemed to develop, particularly in relation to incorporation. That was discovered during our inquiries, rather than its being disclosed to us as an explicit intention of the Government.

That leads me on to the subject of incorporation, which I touched on in March. The Government have responded to us on that subject, among others, but I am not entirely happy with where we have gone since March. The Government interpreted my concerns as though our argument about incorporated equipment was simply that the Government were abandoning the consolidated criteria in favour of some other set of criteria. That is not really my argument. I am sure that the Government continue to look at applications against the consolidated criteria, but they then go one step beyond that and add particular considerations of incorporation that could conflict with the consolidated criteria. In their response to our recommendation 30 in the annual report, the Government stated that

"it is likely that if the UK is the only source for certain goods, or if the UK-origin goods are being supplied as part of a long-standing supply programme that the implications of refusing licences on the UK's defence relations with the incorporating country are likely to be greater. This will be taken into account in reaching any decision."

As far as I am aware, that is expressly beyond the consolidated criteria. We do not say that if there is a long-standing supply contract and if circumstances change, export licences will none the less be granted in recognition of that fact. We do not say that if the UK is

the only source of particular licensable goods, they should be licensed because of the impact that not doing so would have on someone else's defence industry. We are lucky that the consolidated criteria do not operate in that way. We want to know whether equipment that is relatively immaterial to the final product is more likely to be licensed.

The Government are not answering that question If it is immaterial, it may not make too much difference, but if the items are integral to the defence equipment and the UK is the only source or origin, the question whether it is licensed becomes very relevant. It is instrumental to the further point of whether the export controls of the country to which goods are sent—America is the obvious case in point—are not only robust in themselves, as the American ones no doubt are, but aligned with those of the UK. In one relevant instance they are not. After May, the waiver regime with respect to the Americans, and collaboration with them, may make some difference to us.

On the matter of small arms and light weapons, and the question of extraterritoriality, I am somewhat heartened by the Government's response to the first joint report, and particularly our recommendation 7. The Government have rightly set out how they have pursued international consensus on the trade in small arms and light weapons, and I think that the range of that response reinforces the Committee's argument that, in so far as we should extend the scope of our extraterritorial jurisdiction, small arms and light weapons meet the Government's broad criteria.

There is an international consensus, which seems sufficiently well established to be the basis of the UK's activity in the international arena. It should not necessarily require us to go to the point of turning every potential destination into an embargoed destination to achieve enforcement. As the Government said, the approach is about international consensus, and that was the basis on which we discussed the matter in March; there is an international consensus on small arms, and if it is not enforceable in every state of the world, it is substantially enforceable in line with a set of international agreements. It would certainly encourage other countries to subscribe to those agreements if we were to extend our extraterritorial jurisdiction to show, in this very particular respect, the UK Government's intentions.

I want to mention the timing of what is happening. As I understand matters, we should have seen the orders by now, and I confess that I have not. I do not think that the orders have been laid, although the Minister may tell us otherwise. We were told in the Government's response that they would be laid by the end of October. The Minister is not interrupting me, so I assume that that has not happened.

I think that the Government's response stated that the user guidance was going to be made available at the same time as the orders and that the final regulatory impact assessment would also be available then. I think that the latter item is available to the industry. If we are moving towards a commencement date in May 2004 and the orders are now late I should like to be sure that we know the precise timetable.

Much hangs on what is being done. As my hon. Friend the Member for Aldershot (Mr. Howarth) said, there is a substantial training and implementation task for the industry. Training sometimes seems to be a discretionary activity, but in the present context it is not. It would be rash to allow—and I do not think that any responsible employer would allow—someone to be engaged in the relevant kind of activity without the appropriate training, because of the penalties that might ensue if they behaved contrary to the regulations. If 50 per cent. of the staff of BAE Systems were thus affected, the training requirement would be enormous. That would be very testing if it had to be achieved in six months.

All that work must be done by the industry alongside its continuing tasks. Of course, one of the questions that we considered during our inquiry was the extent of the additional burden. The industry tells us that the regulatory impact assessment cites the latest figure of a 22 per cent. increase in the number of applications that are required. That is something like six times more than the number of additional licences originally anticipated in the first regulatory impact assessment. When we return to the question of minimising burdens on business, the Minister must address those points.

In particular, will the Minister consider what we have not seen from the review of the licensing system, which is the point about compensating reductions in burdens in the licensing system in the range of existing applications, to be achieved through the use of more open licensing and so on? Will he also consider continuing to speed up the system? Ensuring the certainty of the timing of licence applications will mean that, even if the burdens of bureaucracy still exist, those in the industry can be reasonably confident of an early response, which will give them some commercial benefit.

The situation has moved on since March, and I wanted to put those points on the record, not least because many believe that the Minister can give us some information on them.

Mr. Joe Benton (in the Chair): As hon. Members will recall, to facilitate the attendance of the hon. Member for Banbury (Tony Baldry) at a Committee, the hon. Member for Kingswood (Mr. Berry) curtailed his speech. With the leave of the Chamber, I call him again.

4.41 pm

Mr. Berry: Thank you, Mr. Benton. With your permission, I have two points to make to complete my speech, and I will make them as quickly as possible.

I commented almost exclusively on trafficking and brokering because they are an important part of the debate about how the Government use the Export Control Act 2002, which gives the Government powers further to control the arms trade. On the Committee's behalf, the Clerk of the Quadripartite Committee wrote to the Foreign Office on 12 September to raise the case of Hemant Lakhani, the British citizen about whom hon. Members may have read in the press. He was arrested in the USA and accused of attempting to sell shoulder-launched surface-to-air missiles to supposed terrorists.

It is my understanding, and that of our Clerk, that the Government's proposals would not make it an offence for a British citizen to sell or arrange for the sale of such missiles from outside the UK. Such missiles would be covered if their range were 300 km or more. Therefore, if someone is trying to broker arms sales to terrorists, as

[Mr. Berry]

long as any missiles on the shopping list do not have a range of 300 km or more and the sale takes place outside the UK, they will not be controlled by proposals under the Export Control Act.

We asked the Foreign Office to clarify why the Government's proposals do not regulate extraterritorial trade in equipment that would be of such obvious interest to terrorist groups. We have not yet received a reply, which is not a criticism. However, if the Government are not proposing to take control over the activities overseas of British citizens who are brokering the sale of missiles to terrorists, I would not want to be a Minister if, heaven forbid, a terrorist group used a missile that had been brokered by a British citizen. I mentioned terrorism at the beginning because one reason to be ever more vigilant about controlling the international arms trade is the threat and reality of terrorism. I would appreciate my hon. Friend the Minister's comments on that. I cannot emphasise strongly enough how seriously all Committee members, including the right hon. Member for Tonbridge and Malling (Sir John Stanley) who raised it earlier, feel about it.

My other point relates to end use. The Government try to control arms exports from the UK by not granting licences for exports that they believe are going to the wrong places and by granting licences for legitimate arms exports. From time to time, the Government attach specific conditions to the use of equipment that they allow for export: for example, in 2000 they sought and received assurances from Israel that United Kingdom military equipment purchased by Israel would not be used in the occupied territories. It turned out that our attaché observed equipment such as Centurion tanks being used in the occupied territories. The Government were clear that the Israeli Government were in breach of the assurances that they had given to the United Kingdom and decided that they would no longer take Israeli assurances into account when deciding whether to allow exports. However, I no longer know what that means. We export a fair amount of military equipment to Israel. Do the Government have assurances that henceforth all exports will not be used in the occupied territories? Do they believe that they can accept those assurances?

Richard Burden (Birmingham, Northfield): My hon. Friend will know that the issue has caused great worry. Does he share my concern about an article that appeared in *The Guardian* yesterday? Perhaps the Minister can comment on it. The newspaper claimed:

> "Exports approved by the government this year cover categories including leg-irons, electric shock belts and chemical and biological agents such as tear gas. They also include categories covering mortars, rocket launchers, anti-tank weapons, military explosives, and infrared and radar sensors."

The report focuses on exports from this country to Israel that seem to breach absolutely all our guidelines.

Mr. Berry: I share my hon. Friend's concern. I confess that I am great reader of *The Guardian*. Although it occasionally contains inaccurate information, hon. Members will know that that is true of all sections of the media. Sometimes, those in the media get things right; other times, they get it wrong. More importantly, I hope that the Minister can arrange for those of us who have an interest in the issue, especially my hon. Friend the Member for Birmingham, Northfield (Richard Burden) and me, to receive a written response to the series of allegations outlined in *The Guardian*. I will understand if the Minister is unable to response to such matters today, because he has so much to cover in the winding-up speech. If the allegations were true, that would be of enormous concern.

In reference to the use of British-supplied Hawk aircraft and Scorpion personnel carriers in Aceh in Indonesia, I was advised that the UK Government had received assurances that military equipment in Indonesia would not be used against civilians who were exercising their human rights and that that meant specifically that the equipment could not be used to harass the citizens of Aceh. After that, I had the pleasure of appearing on the "Today" programme—I have now alienated more than half the Chamber by referring to *The Guardian* and the "Today" programme in the same speech. When I recounted what I understood to be the Government's policy, I was astonished when a spokesperson for the Indonesian Government said, "Well, we bought these planes and I do not know what on earth people thought we were going to use them for if we weren't going to fly them around and enforce our policy."

What information do the Government have about the Indonesian authority's use of British-built military equipment in operations in Aceh this year? Was the equipment used in a way that breached the Indonesian Government's assurances not to use such equipment offensively or in violation of human rights? What representations have the Government made to the Indonesian authorities about the way in which they have used British-built military equipment in Aceh? Do the Government believe that the assurances have—or may have been—breached? Have they taken any action against Indonesia or in relation to existing export licence applications that may be pending?

In conclusion, there are general issues about the assurances that our Government rightly seek from those who purchase weapons from the UK, and about the assurances that are given. I am not clear about a couple of points. What do the Government believe would be the appropriate action for them to take if an end user did not abide by assurances it had given? If you have received an assurance, but it becomes clear that the end user has broken that assurance, what can you do? Do you stop exporting and review all existing arms licences? What do you do? I am using "you", Mr. Benton, in the "what does one do?" sense. What particularly interests me is whether, when end user assurances are requested and obtained, the Government set out to the end user what the consequences of breaching those assurances might be and, if so, how they do it.

Those questions require detailed answers. In fairness to my hon. Friend the Minister, he has been asked thousands of questions this afternoon. I hope that all of them will be answered, but if he cannot answer them in his winding-up speech, please will he do so in writing as soon as is convenient? I am grateful for having been allowed to speak again.

4.50 pm

Malcolm Bruce (Gordon): This has been a useful, interesting and informative debate. I congratulate the Quadripartite Committee, although I wish we could find a friendlier term for four Committees coming together in one body to do work that has, both in the reports before us and over the years, been so productive.

Let us recognise that we started from a point at which there was considerable embarrassment about the lack of a control system, and we had an incoming Government who had a clear political obligation to put in place a regime that was considerably better than the one that had been exposed. We have the Committee to thank for identifying the considerable progress that has been made: there is much greater transparency and consequently we can justifiably claim to have one of the best and most transparent systems in the world. We should acknowledge that and I do so unreservedly.

Having said that, it seems that there are some underlying problems. Let us start with public opinion. Many people are uncomfortable about all aspects of the arms trade—indeed, my hon. Friend the Member for Guildford (Sue Doughty) says simply that she is against the arms trade. She is not alone; many say that we should not trade arms at all. In return, the hon. Member for Aldershot (Mr. Howarth) points out perfectly reasonably that the nature of the defence industry is such that one cannot sustain one's capabilities purely within the domestic market and that it is therefore necessary to internationalise it. However, it is important to set out clear criteria for what we are trying to achieve. The argument that if we do not sell somebody weapons, somebody else will, is about the weakest that I can think of for not imposing controls and standards.

We have to acknowledge two fundamental facts. One is that the purchasing power of the United States in defence systems is 50 per cent. greater than that of the rest of the world combined. The US can afford to waste a great deal on its contracts and it throws a lot of money away; however, it ends up with much more powerful equipment and more of it, and the capacity to undercut and compete with everybody else in the world. Secondly, the only counterbalance to that in the European context is both to co-operate where we can with the United States, and to develop some Europe-wide capacities. I remind the hon. Member for Aldershot that that issue has at times rent his party asunder, leading on one occasion to the spectacular resignation of Michael Heseltine.

Having put that into context, we should identify the countries with which we have a natural defence association and with which we wish to trade, co-operate and share technology—as well as compete in business. Clearly, the United States, our main NATO ally, is at the core of that. What can become a problem are cases in which competition and co-operation cut across each other—that has been alluded to. In addition, competition in third markets can become a significant economic raison d'être for some defence contractors. We need two things: first, a clear policy on who we will and will not sell to, and what we will and will not sell; and, secondly, a transparent mechanism for delivering that. When making decisions, we have to accept that there may be some economic disadvantage attached to certain decisions, but that we may have to balance the issues and conclude that what might be called the higher aspirations of public policy should take precedence.

Reading the report, particularly the country-by-country report, it is satisfying to note that many countries that I think should not be in the list are not, and that, in the case of some of the countries over which there are question marks, there appear to be answers. Take Uzbekistan, for example, to which my immediate reaction is: "Are we sure we should be doing business with that country?" The reassurance given is that we are not; I hope that that is true. The United States and we are operating out of Uzbekistan. Given the travails of our ambassador there, we have to be assured that what goes on in Uzbekistan is entirely under our control and that of our allies, and that it is not in the hands of a Government whose human rights record is severely questioned.

I take the point made by the hon. Member for Kingswood (Mr. Berry). There is something slightly perverse about selling weapons to people and then complaining when they use them, or about what they use them for. Clearly, one expects the country to use the weapons, or at least have them in provision, for the purpose for which they were intended. That brings me to a particular point of debate: the supply of weapons, in particular Hawks, to India. That is a matter of debate and I do not have a definitive view about it, but it must be acknowledged that there is genuine public concern, given the potential escalation to the point of nuclear trigger of the situation between India and Pakistan. Many people think that we should not be arming either side, or adding any kind of fuel, and there are much more complicated arguments that people can put into play. Although I regard myself as a friend of India, I have great concerns about the imbalance between India and Pakistan. India has a substantial conventional superiority, and it worries me to add to that because to do so lowers the nuclear threshold.

Mr. Gerald Howarth: The point is that the issue is in the public domain and is being discussed. It is not as though the Hawks will be marketed by nefarious characters operating from Berkshire, Zimbabwe, or anywhere else.

Malcolm Bruce: I accept that, but there is legitimate concern. The prime purpose of the aeroplanes being sold is to serve as training aircraft. The question is: who is the country training? It is training pilots to fight in combat. It is a little naive to suggest that by selling only trainers, one is not adding to defensive or offensive capabilities. The basic point of concern—the imbalance still applies, although I completely take the hon. Gentleman's point.

A subject that has not been touched on but is worth mentioning is the role of the Export Credits Guarantee Department in guaranteeing exports in some cases. It has been identified that it is quite difficult to get detailed information out of the ECGD on how much of its total guarantee budget is for defence and non-defence projects. However, it appears that £3.1 billion is spent on underwriting defence contracts. Some of that will go to countries with a bad record on payment. I ask the House to consider the following: if a contract with a Government for military equipment is in some way in

[Malcolm Bruce]

default, or if payments are not being made on time, how can one be sure that a Government who cannot fulfil their financial obligations will fulfil their contractual obligations regarding what they do with the equipment that has been supplied? Any Government who have been given guarantees for defence contracts that they have not honoured should, de facto, fall off the list as a matter of principle. I should be interested to see whether the Minister thinks that that such a view is in process or should be.

The role of Ministers in promoting contracts has been mentioned. No one suggests that they should not be doing so or that it is wrong of them to do so, although some people do not like them doing it and would prefer them to promote other things. However, it is a problem if Ministers promote something in a questionable area where a licence is a debatable issue. If high-profile Ministers have made anything that looks like a commitment, it clearly prejudices the licensing process thereafter.

One matter to which the report alludes—I am surprised it has not been given more attention—is the trade between ourselves and the United States and third parties, the most obvious example being Israel. I happen to be a member of the Technological and Aerospace Committee of the Western European Union. I do not regard myself as an expert, but serving on the Committee gives me an opportunity to engage in discussions about the exchange of technology, trade and joint ventures. Having visited defence interests in the United States, I am aware of some of the obvious issues.

A "Buy America" Act is proposed. It is clear that it is part of a populist campaign. It is superficially attractive to be able to say on US doorsteps, "If we are spending all this money on defence, we should make sure that every cent goes to American contractors. We should only buy American, and we can do it. We spend two thirds of the world's defence budget." Defence experts, however, say that America must get some things from other sources either because they are better or because they are subject to patents and therefore unobtainable from domestic sources. A component may be very small, but if the Americans were prevented from buying it, in extreme cases, their planes would not be able to fly. Defence contractors never want to be constrained in their ability to buy the best, whatever it costs and wherever it comes from. That is the natural instinct of every defence procurement person I have ever met. That is one of the reasons why that piece of legislation will not come into play, but the sentiment behind it will not be lost.

The head-up display units that we traditionally supply through established contracts in the United States to be fitted in aircraft that are subsequently sold to Israel would, if they were supplied direct to Israel, fall completely under our own ban. In other words, we would supply neither the planes nor the equipment to be installed in such planes in a direct contractual arrangement with Israel. The Government argue that they have a long and established contractual arrangement with American defence sources and if, having bought the units from us, the Americans choose to fit them in aircraft and send them to Israel we should not interfere. As I understand it, the Government are worried about the implications for defence contract relations between the US and Britain, which I understand are large, and feel that they just have to accept that.

The Committee makes it clear, and I entirely endorse its recommendation, that as the United States has no compunction in attaching conditions to its armament exports to any third party, including this country, it is not unreasonable of us to say that we will not sell certain things to the Israelis and the condition of our selling them to the US is that it will not use them in that context either.

Mr. Gerald Howarth: It should be put on the record that a head-up display has no offensive capability whatsoever. It simply enables the pilot to see out of the cockpit without having the instruments reflected on the glass. It adds nothing to the offensive capability of the aircraft.

Malcolm Bruce: I am not sure that I am grateful for that intervention. Certainly the report suggests that it is an aid that is relevant. Before the Chairman of the Committee intervenes, I should point out that the fact remains that we have decided that the units are not something that we would sell to the Israelis. My argument is not altered by that intervention.

Mr. Berry: Is it not the case that the Government's export control criteria apply not only to finished products, but to components? The fact that one cannot commit an offensive act with a head-up display on its own—although one could probably hit someone with it—is neither here nor there. It is a component in a piece of hardware that can be used offensively and therefore is subject to controls.

Malcolm Bruce: I am grateful to the hon. Gentleman for his intervention. The report makes that point clear, which is why I picked up on it. I repeat: we have identified the items as a product that we would not sell direct to Israel.

The hon. Member for Newcastle-under-Lyme (Paul Farrelly) put his finger on a point that needs to be clarified. I do not wish to be churlish, and I hope that now or in future we will have put our finger on something that becomes positive rather than negative. There is a danger that we pass primary legislation which sets out clear, fine criteria about ideals that we wish to set as our standards, but in the detailed administration, either there are exemptions or we do not take up the powers that people thought were important. In a sense, we create primary legislation that sets out the ideals, and secondary legislation that overtly creates loopholes in order to undermine the spirit, and to some extent the letter, of the primary legislation.

That is putting it starkly, and it is up to the Committee to get their hands on it and decide whether it is a genuine point of criticism. We are in part talking about ethics, not just about the defence industry. We all acknowledge that the defence industry is important, but we are trying to set ethical standards and limit the misuse of defence equipment. Small arms are perhaps the biggest problem, but as the right hon. Member for Tonbridge and Malling (Sir John Stanley) said, none of us would regard

missiles with a capacity of 300 km as small arms. The Chairman of the Committee made it clear that equipment that terrorists are actively seeking and trying to use—indeed, some have used it—is the subject of real, legitimate and active concern

I listened with considerable interest to the right hon. Member for Tonbridge and Malling, who is familiar with the subject and has been through the hearings and reports. I am astonished by the situation as he described it. It flies in the face of our practice and policy and makes absolutely no sense—indeed, it makes nonsense of the objective of preventing the misuse of weapons. I strongly endorse what the hon. Member for Kingswood said, and I advise the Minister responding to the debate to communicate the message to his colleagues very powerfully. If any such terrorist activity happened here and it became apparent that a British citizen had been instrumental in the weapon's procurement, I think that not one Minister, but the whole Government, would have to resign, so serious would the matter be. We have identified that there is a problem and it seems absolutely clear that the loophole should the closed as quickly as possible. I am genuinely grateful to the Committee for drawing that to our attention, because it is an issue that Ministers cannot walk away from.

We have had a good debate. The Quadripartite Committee is serving an extremely useful purpose. I acknowledge that the dialogue is producing a genuine improvement in our transparency and our principles, but—to put my finger on the nub of the problem—there is still a conflict of interests involving British defence contracts and capabilities, important though they are. Ensuring that our exports are not misused is not only an ideal but a principle that we wish to establish. We need to check our experts, to follow them through and, on occasion, to do random tests on what is being done with our export commodities in third-party markets, so we can be sure that they are not being misused.

I commend the report's recommendations to the Minister, who should respond positively to this debate and recognise that there is some additional action that the Government need to take if people are to be reassured that both principles and protection are at the heart of the Government's objectives.

5.8 pm

Michael Fabricant (Lichfield): As the hon. Member for Gordon (Malcolm Bruce) said, this has been an important, interesting and unusually surprising debate, because a number of issues have been raised that were not necessarily covered by the two reports, yet are vital to the interests of the United Kingdom and its citizens. I will return to that shortly.

The debate was opened by the hon. Member for Kingswood (Mr. Berry) in his usual admirable style, which we all expect from him. He presented a private Member's Bill on disability in 1992–93, which he also did very well. He talked in this debate about the progress in recent years. Opposition Members accept and welcome the very good progress that has been made.

The hon. Gentleman mentioned that there is considerable interest in the issue outside Parliament. I for one will receive a petition on it in the close of Lichfield cathedral on Saturday from Andrew Jacobs, representing Amnesty International. The issue interests not only pressure groups such as Amnesty International and Oxfam but other organisations and individuals, because the trade in arms is an emotive issue. It is also important because, as my hon. Friend the Member for Aldershot (Mr. Howarth) pointed out, it involves jobs, and even the defence of the realm.

The hon. Member for Kingswood said that we have the toughest regime in Europe, in which we can take pride, but that does not mean that we can be complacent. Knowing the Minister, I suspect that "complacency" is not a word in his lexicon. Nevertheless, we have seen that there is a huge lacuna in respect of brokering and factoring, to which I shall come shortly.

The hon. Member for Kingswood spoke about gun crime. That is interesting because gun crime is increasing in this country, partly as a result of weapons—small arms—being imported from eastern Europe. When those countries join the European Union—I welcome their entry—we must ensure that rules are in place to impede any illegal arms transfer between countries in the EU.

My hon. Friend the Member for Banbury (Tony Baldry) apologised and explained why, as Chairman of the International Development Committee, he could not stay for the whole debate. He made the interesting point that, on the whole, it is the poorest developing countries that spend most on arms. I was tempted to ask him about the causality of that. Does the purchase and consumption of arms make those countries poor, or do they feel that they need to buy arms to protect themselves because they are poor? That is an interesting question, but I suspect that it is not for debate today.

My hon. Friend talked about the brokerage of torture equipment and the controls on that, as did my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley). My right hon. Friend made the interesting point that Sweden and the United States offer prior parliamentary scrutiny of export sales, and called for a similar legislative procedure here. I do not think for one moment that he would expect every export licence to be discussed here first, but I suspect that he was saying that Parliament should have the prerogative to look at any export licence before it is issued. That would have advantages and disadvantages. One disadvantage might be that it could slow the provision of an export licence, but my right hon. Friend addressed that when he asked why, if that were the case, the system worked in Sweden and the United States.

The Minister said, rather robustly, that he thought that the system did not work in the United States and that it did not work well in Sweden. The hon. Member for Ochil (Mr. O'Neill), the Chairman of the Trade and Industry Committee, referred to the Minister's comments as "asinine".

One of the most interesting and relevant points made by my right hon. Friend the Member for Tonbridge and Malling concerned trafficking and brokering, which were also mentioned by the hon. Member for Gordon. The definition of torture equipment seems far too limited. I accept that it is difficult to define these things in Acts of Parliament or secondary legislation, but I would welcome the Minister's comments on whether there is some way of drafting statutory instruments more tightly, so that torture equipment is defined more closely. It would be dreadful if there were a loophole.

[Michael Fabricant]

On the subject of loopholes, surely the biggest is the brokerage of missiles. I was shocked, and people listening to this debate will be shocked, to know that missiles with a range of less than 300 km do not come within the ambit of trafficking and brokering as defined in the Export Control Act. Again, I remind colleagues of the point made by my right hon. Friend the Member for Tonbridge and Malling. At a time when we are at war with agents of terror and know that they have used ground-to-air missiles in Kenya, are using them in Iraq and could use them on us here—there was a scare only a few months ago—it is quite extraordinary that ground-to-air missiles are exempt. I, for one, want a commitment from the Minister that that loophole will be closed. It must be closed and it is in our national interest that it be closed.

My hon. Friend the Member for Aldershot is always a doughty defender of the defence industry, and rightly so. He said that there is always a balance between ensuring that we try to protect the interests of those who suffer from terrorists or belligerent nations, and recognising that many people in the United Kingdom are legitimately employed in the defence industry. That is a difficult balance. Slow and cumbersome regimes will do nothing for the defence of the realm, or the employment of the tens of thousands of people who are gainfully and legitimately employed directly in the defence industry in the UK. Some have argued that several hundreds of thousands of people are indirectly employed in the industry.

My hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly)—I am allowed to call him my hon. Friend because he is a fellow Staffordshire Member and we rightly co-operate closely on a number of issues, as does the hon. Member for Staffordshire, Moorlands (Charlotte Atkins), who is the Government Whip in this debate—raised an extraordinary case. I will not repeat the Dutch—I believe he is Dutch—gentleman's name. However, it seems that he is able to operate legitimately—although there may be some doubt about that, according to the Minister—in the UK in the sale of arms overseas to Zimbabwe and from there to other countries. I must repeat the stricture raised by the hon. Member for Gordon: the Minister will bear a huge burden of responsibility if a single British citizen or a single person on UK soil is injured due to those lacunae in the law. Directly or indirectly, he will be responsible and we need some clear answers at the end of the debate.

My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) always speaks informatively and raised a number of issues. I shall not cover them all but he referred to a growing and helpful international consensus on the control of small arms and light weapons. We sometimes forget when discussing ground-to-air missiles, grenade launchers and fighter and trainer aircraft that small arms and light weapons often cause much damage. I remind the Chamber that the Lord's Resistance Army, which operates in Sudan and Uganda, has abducted more than 10,000 children in the past few years. That is appalling. Many other people have been murdered and maimed not just by the LRA but by other terrorist groups, not with heavy weapons but with light arms and small weapons. Those issues need to be dealt with.

The Conservatives welcome the findings of the Quadripartite Committee's report on Government proposals for secondary legislation. The report correctly highlighted the extreme sensitivity in the industry about the Government's original consultation document.

There is no question but that the issue of licensing proposals is one of pivotal importance for British industry, as my hon. Friend the Member for Aldershot pointed out. The Quadripartite Committee received protestations about the Government proposals from such established trade bodies as the Defence Manufacturers Export Licensing Group, representative of exporters in the Defence Manufacturers Association, which said that it had "grave concerns" about such proposals, and that they "could be disastrous" when they are implemented. In that situation, it is vital that the proposals are laid bare and undergo thorough scrutiny. This debate is a part of that.

The primary issue of importance for the industry was the lack of clarity in what the proposals mean for business. The DMELG said that the proposals are

"phrased far too vaguely and loosely . . . relying on a pragmatic and common sense approach by Government".

Will the Government have that pragmatic and common-sense approach? The Quadripartite Committee stated:

"Industry and the public rely on a pragmatic and common-sense approach by Government in many areas of life. We fail to see why such an approach should be undesirable here".

We can all agree with that.

The proposed new trade controls are at the centre of the industry's concerns about the lack of clarity in the new regulations. The Government have estimated that annual individual trade licence applications will number between 100 and 250. The DMELG believes that those hypothetical figures are a gross underestimate of the number of licences that will be required by both UK industry and overseas business visitors to the UK. The system has to work.

For example, a coincidence took place a couple of days ago. I received an e-mail from a Mr. Anderson, the managing director of a firm in Burntwood, in my constituency, called Eco-Tec. He wanted to know whether equipment that the company was selling to China needed an export licence. On 5 September, the firm contacted the Department of Trade and Industry. Eco-Tec is a small firm wanting an export licence. I used to be in business—not in the arms trade, I hasten to add, but selling radio and television stations overseas—and if one does not move quickly on such matters, other countries come in as well. All that the firm wanted to know was whether it needed a licence.

Two months passed and nothing happened. The DTI gave no answer. Finally, we managed to contact the DTI and, as ever with any large organisation, spoke to a number of jobsworths. At last, we got through to a Mr. Richard Hickman. I hope that the Minister is listening, because Mr. Richard Hickman deserves a gold star. Richard Hickman promised that he would contact Mr. Anderson. He did so within hours and the matter was resolved. If Mr. Hickman is here today, he should stand up and we should salute him, because at least he got things moving. However, that is just one small example. If hundreds of applications are going to be made and the DTI get slower in dealing with them, the industry is right to be concerned.

The important issue of open licences also caused concern in the industry. We have discussed some of the issues. The Government have informed us that open licences are intended to reduce some of the burden of applying for individual licences and to ensure that applications for such licences can be kept to a minimum. We welcome that but we are not sure that it will work in practice. It is worrying when we feel that there has not been a clearly thought through process regarding how the licences will work.

Then there is the question of record keeping. The Government have proposed two options for companies: the prescriptive approach and the functional approach. The Committee believes that industry and the Government should devise a pragmatic record-keeping system between them, which would be sufficient to show compliance and avoid imposing an unreasonable burden on industry. We welcome that. However, there are problems with the electronic transfer of information. If a company is exporting around the world, the quickest way to get something delivered on paper from A to B is by e-mail. In fact, that is the quickest way to get something on paper delivered from A to B in this country, given the postal unrest. Under the draft Export of Goods, Transfer of Technology and Provision of Technical Assistance Order, it is not clear how e-mails and other forms of electronic data should be stored.

My hon. Friend the Member for Aldershot raised the question of trade fairs and gave a good advertisement for Farnborough. I am sure that all Quadripartite Committee members will go if we receive tickets, provided that we are let off by the Whips—there might be an important debate that week. The Committee emphasised that it recognised the great importance attached to trade fairs by the British defence industry. The report concluded that there is a danger that the new legislation will make it difficult for participants in trade fairs in the UK to take advantage of spontaneous business opportunities, which do occur. I am not saying that someone will appear at Farnborough and say, " I would like to buy a squadron of fighters." However, from time to time, people make spontaneous purchases and although firms have a duty of care to ensure that a spontaneous sale is not made to an unreasonable company or individual, it would be unfortunate if they were overburdened. There needs to be greater flexibility. The industry and I feel that the Government have not addressed the question of trade fairs adequately.

I have raised a series of issues, and many more have been raised in the reports and in the debate today. It behoves the Minister to address those issues. He must turn to the issues raised by my hon. Friend the Member for Aldershot: how do the Government intend to achieve the balance between promoting exports and employment in the defence industry and ensuring that arms do not fall into the hands of terrorists and belligerent nations?

My hon. Friend the Member for Banbury and my right hon. Friend the Member for Tonbridge and Malling raised the question of the overseas brokerage of arms and torture equipment. Why can controls in place in the United States not be applied here? If they work in the United States, why can they not work here? Why is there such a loophole regarding the brokerage of small arms and missiles? How can decisions leading to the issue of licences, or a refusal to issue them, be made more efficient? At a time of world instability and terror, does it make any sense for grenade launchers and ground-to-air heat-seeking missiles to be exempt from the brokerage provisions? Is that not a most reckless omission?

Will the Minister clarify that non-UK nationals trading in arms from the UK fall within the ambit of the Export Control Act? When will the Government take action on the sort of individuals named by the hon. Member for Newcastle-under-Lyme? Why are such individuals still permitted to carry on with nefarious activities, which cost lives in Zimbabwe and in the poorest parts of Africa? At a time when we are fighting a war against terror, those giant loopholes cannot be allowed to persist. Would it not be both ironic and desperate if those loopholes permitted British weapons, or weapons provided either by people in Britain or by British citizens operating overseas, to be used against us?

The Minister bears a heavy burden of responsibility on export controls. He has a great duty of care to prevent acts of terrorism and belligerence through arms sales. Serious issues have been raised in this debate. They deserve serious answers.

5.30 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I am grateful for the opportunity to discuss the helpful reports that the Quadripartite Committee has published on both secondary legislation on export control and the annual report. I am grateful for the thoughtful contributions that right hon. and hon. Members have made, and for the serious points that they have raised, which I shall address.

Before I do that, however, may I say how pleased I am to be the Minister who supervised the completion of the most comprehensive and open review of the UK's export control regime for more than 60 years? The review followed Lord Scott's recommendations, and the new legislation consolidates all existing controls, puts on a statutory footing many of the innovations that were introduced on a voluntary basis, such as our annual reports, and extends our control to reflect 21st century technologies. The new controls will ensure that we do better than the assessment that was given by the right hon. Member for Tonbridge and Malling (Sir John Stanley), who was generous enough to say that we have the toughest export control regime in Europe, and will give the UK one of the most comprehensive, open and transparent export control regimes in the world.

That is reflected in the annual report, which, I am told, gives more information than any other annual report. We introduced the annual report on a voluntary basis after taking power in 1997—before then there was no annual report—to aid Parliament's scrutiny of our export licensing and decisions, and to open up the Government's export licensing policy and practice. We have put the reports on a statutory footing to ensure that future Governments cannot cancel them without primary legislation in Parliament. We also hope that placing a statutory requirement on the Government to produce a report every year will ensure even greater transparency.

I am determined to do more, however: to put more information in the public domain, and to work with the Quadripartite Committee to ensure greater

[Nigel Griffiths]

accountability and transparency in the licensing process. I welcome the Committee's input on the Government's secondary legislation under the Export Control Act 2002, which shows the House's commitment to a strong, effective and transparent UK export control regime. The Committee's helpful report on our secondary legislation proposals also contains a number of recommendations that we have acted on.

We share the same overarching objective that the UK should be actively involved in the fight against proliferation and that the UK strategic export control policy should effectively promote global security. The Government are already committed to assessing all licence applications on a case-by-case basis against other national arms export licensing criteria and the consolidated EU criteria. We are committed to ensuring that UK strategic exports neither contribute to regional instability, internal repression or external aggression, nor seriously undermine the development of poor nations, and we want to prevent the proliferation of weapons of mass destruction.

More than one hon. Member referred to the report in *The Guardian*, so let me say that the Government have not licensed leg irons, electric shock belts or tear gas for export to Israel. Leg irons and electric shock belts are never approved for export to any country.

The new legislation consolidates the existing controls, which I have referred to in one specific case mentioned by hon. Members. It puts on a statutory footing many innovations that had previously been voluntary, such as the annual report. The 2002 Act ensures that the UK has one of the most comprehensive, open and transparent export control regimes in the world. The Act achieves that by introducing powers to impose controls on the electronic transfer of technology for military goods, and on the transfer of technology intended for use in connection with weapons of mass destruction. It also introduces powers to impose controls on the provision of technical assistance to a WMD programme, and the trafficking and brokering of goods outside the UK. The Act implements the recommendations of the Scott report by providing for greater Government accountability and transparency in the export control regime.

The new weapons of mass destruction controls were first proposed in 1998, but, in the aftermath of 11 September 2001, we all recognise the threat posed by the use of weapons of mass destruction by terrorists and terrorist regimes. In responding to questions about the range of the missiles, it may be helpful if I tell hon. Members that the controls were originally proposed and accepted under arms control regimes, such as the missile technology control regime, which identified the range of 300 km as the threshold of WMD capabilities. I appreciate that it is a problem that weapons of mass destruction below that threshold would not fall under present regimes, and that is why we have addressed the problem.

Several hon. Members raised the issue of terrorism and terrorists. The trafficking in shorter-range missiles by terrorists, or for the purposes of terrorism, is covered in many circumstances by the anti-terrorism legislation, which also has extraterritorial effect. United Nations sanctions are already in place to prevent trafficking and brokering to designated terrorists and their associates. We have made it an offence for anyone in the UK, or any UK citizen abroad, to supply or arrange to supply arms to those designated people, wherever they are located.

Mr. Berry: I appreciate my hon. Friend's response to the queries raised, but he said that the issue has been addressed in most circumstances. Will he advise us in which circumstances the issue has not been addressed? Does he acknowledge that if missiles are not covered through the extraterritoriality provisions, they could be supplied to one or two individuals who could subsequently supply them to terrorists? He will appreciate our concerns if we do not have comprehensive extraterritorial control.

Nigel Griffiths: My hon. Friend's point is covered. One reason why we consider exports on a case-by-case basis is to review reports on where they end up. It is our intention to stop exports being passed on by anyone beyond the designated destination. That is the most effective way to keep weapons out of the hands of terrorists, or anyone else.

Mr. Lansley: Will the hon. Gentleman give way?

Nigel Griffiths: I shall not, because I want to make progress. Several questions were put and it is unfair to other hon. Members if I do not answer their points in as much detail as I am attempting to answer points already made.

We corrected the anomaly in the previous regime that controls the physical transfer of technology but not the transfer of the same technology—

Sir John Stanley: On a point of order, Mr. Benton. Given that there have been two Divisions, could you clarify for the Chamber how much injury time we have beyond 5.30 pm, and at precisely what time you will call for the debate to end?

Mr. Joe Benton (in the Chair): The Chamber will adjourn at 17.54.

Nigel Griffiths: Thank you, Mr. Benton.

As I was saying on the key issue of the extension covering the transfer of technology under the new Act, it is covered if it is a physical transfer but not if it is by e-mail or by other electronic means. In 2000, we introduced controls on the electronic transfer of dual-use technology and are extending those powers to cover all electronic transfers of controlled items.

I share the strong desire of all my hon. Friends to control the supply of weapons that fuel so many conflicts throughout the world. We already have stringent controls on exports from the UK, and we will now also have controls on trade overseas. These controls are the first of their kind in UK legislation, and our EU partners recently agreed a common position on arms trafficking and brokering, which is reflected in our new controls.

Since the 1998 White Paper, the Government have consulted extensively on the scope of the controls, and the scope of the legislation and our intention to introduce secondary legislation were set out during the

Bill's passage through Parliament in 2001–02. The consultation on the draft secondary legislation, which ended on 30 April, provided an opportunity for detailed comments on the operation of the new controls.

The Committee's reports have provided further opportunity to scrutinise the Government's secondary legislation proposals. We have responded in each phase of the consultation process, and have accepted most of the recommendations made by the Committee in its recent report. The new controls are far-reaching. They will challenge industry and the Government, but are also designed to be practical, workable, effective and enforceable in our fight against proliferation. They will affect every aspect of modern defence business.

As we heard today, UK manufacturers have voiced serious concerns about the practical implications of the controls, emphasising the increasing globalisation of the sector. Manufacturers engaged in international collaboration were concerned that they would not be able to communicate easily with partners abroad, as the hon. Member for Aldershot (Mr. Howarth) suggested. The new controls must not undermine legitimate defence exporters who want to abide by the export control regime, nor should they be undermined by shady and unscrupulous illegal arms dealers.

The Committee's report contained helpful recommendations on how the Government should work with industry to ensure effective implementation of the new controls while minimising the burden on legitimate business. As I said, we have acted on most of its recommendations. The DTI has worked closely with business to secure effective solutions to the practical administration of the new controls, and its export control organisation has worked with industry representatives to develop detailed user guidelines that explain how to operate under the new controls. This guidance makes clear the essential record-keeping requirements and how companies will be expected to comply fully with them.

The Quadripartite Committee reflected concerns that defence companies should not have to keep records of all the e-mails that they send out about electronic transfers, which we accept.

Mr. Gerald Howarth: Will the Minister give way?

Nigel Griffiths: No, I want to make progress.

We have also agreed that the requirements on record keeping should relate only to technology that is controlled and that can therefore be licensed. They will relate only to the actual transfer of the technology and not to extraneous matters, such as associated follow-up e-mails, which are not part of the actual transfer. We do not require records to be kept of every e-mail to a particular end user if a transfer takes place over a prolonged period. I am informed that it is sufficient to identify the technology transferred, the dates between which it was transferred and the identity of the end user.

As for record keeping for trade transactions under open licences, we recognise that it will not always be possible for businesses to obtain the paperwork from overseas companies on the shipment dates of brokered deals. However, we will require records to be kept of the date on, or period of time over which, the trading activity took place. For example, a project manager in the UK who authorises the movements of components between various third countries will have to record the nature of the goods to be transferred and the dates over which the activity took place.

It is vital that the staff of companies fully understand their responsibilities. Compliance officers from ECO will work closely with industry throughout the implementation period to ensure that staff are fully prepared for those record-keeping requirements and that they are fully aware of what is required in order to be compliant.

I welcome the Committee's strong endorsement of the need to maximise the use of open licensing to minimise the burdens on legitimate industry and to enable us to focus our licensing effort on the areas of most concern. The user guidance sets out what licences will be available under the new controls. I am grateful to my hon. Friend the Member for Kingswood (Mr. Berry), the Chairman of the Committee, and to the Committee as a whole for supporting the need to maximise the use of open licensing to

"minimise the regulatory burden on legitimate business, and in particular to ensure that new business is not lost."

That will enable us to focus the licensing efforts on the areas of most concern.

In addition to extending existing licences automatically to cover electronic transfers, an open general licence is available to cover most transfers of goods involving the EU and most other OECD countries. If the trade is to a destination that is too sensitive to be included on the open general licences, companies will have to apply for open individual licences.

The Committee reflected industry's legitimate concern that some employees may inadvertently breach export controls by opening their e-mails while abroad. A new open general licence will cover remote access of controlled military technology to allow persons authorised by the exporter and normally based in the UK to access their intranet site in the UK from a temporary destination overseas, but only for their own personal use and on condition that the technology would not be further disseminated.

Two new open licences are being introduced. The first will permit the export of most goods on the military list—

Mr. Howarth: The Minister is dealing with the particular point that I raised about accessing computers. He says that the individual should not be able to disseminate that information. What would happen if that individual were to open his e-mail and find information there that was not available to him when he left the UK, and then discuss that information with, for example, his joint strike fighter partner in the United States, or with a potential customer?

Nigel Griffiths: What is important is that a record is kept of all those transactions. We are trying to make it clear that an e-mail such as that would be highly pertinent to the export licence relating to technology, compared with communications of a less significant or insignificant nature between the employee and their base in the UK.

[Nigel Griffiths]

We are introducing two new open licences, one to permit the export of most goods on the military list, provided that the export relates to an eligible UK Government contract. The second will permit the supply of goods and technology as set out in the licence to UK forces engaged in a specific operation. There will be such an open licence for each operation. Unusually, those licences will include nuclear, biological and chemical equipment, which is typically excluded from open general licences, due to the potential for it to be misused if it falls into the wrong hands, and assist illicit WMD programmes. Those licences specifically address the Committee's concern that the new controls could impede industry's ability to fulfil contracts with the Ministry of Defence and provide operational support to UK armed forces, in particular protection for our troops from nuclear, biological or chemical attacks.

Recommendation 21 of the Committee's report highlighted the importance of trade fairs to British defence manufacturers—a point that was raised by more than one hon. Member today. Following discussions with the organisers of major trade fairs, it is clear that the speculative marketing activity that typically takes place will not fall within the definition of trafficking and brokering because the legislation refers to a specific activity done in return for a consideration. That will be kept under review. The Department of Trade and Industry, the Ministry of Defence and trade associations will ensure that a full package of information and guidance on the controls and available licences is provided to companies registering to attend trade fairs. We have secured the agreement of fair organisers to ensure that overseas exhibitors and visitors are made aware of the new controls and agree to abide by them.

As Minister with responsibility for export control, I have taken several steps to ensure that the system of considering licences is made more efficient. I introduced timelines to ensure that all Departments providing input into licences were aware of unacceptable delays. Partly as a result of that, for the first nine months of this calendar year the Government have for the first time exceeded the target of processing 70 per cent. of standard individual licence applications in 20 days. I am glad that the constituents of the hon. Member for Lichfield (Michael Fabricant) have benefited from a speedy decision.

We have focused on reducing the number of long-standing export licence applications and have successfully reduced them to less than a handful. When I became Minister, over 174 cases were more than six months old and approximately 270 were between three and six months old. At the end of October, we had only three cases more than six months old and 25 between three and six months old. I am now looking at them individually.

The Committee stressed the need for the civil service to be geared up to operate the controls effectively. ECO is reorganising and will redeploy staff. New processes are being introduced as a result of the JEWEL project—joined-up more efficient ways of export licensing—to ensure that all relevant Departments work together and that applications are dealt with expeditiously. We are formulating new performance indicators, IT systems, business processes, joint working arrangements and our interface with exporters to achieve a speedy and fair processing of the controls, whether the answer is yes or no.

The Committee urged that transitional periods for implementing the secondary legislation should not be unduly protracted. I met representatives of the industry last week and was pressed for a delay in the implementation period of the orders. Suggestions ranged from 12 months to a rather longer period. I have considered that carefully and, in the light of the Committee's request for a "modest delay" in implementation, I have already agreed to twice the normally recommended implementation period. I am informed that six months should be adequate for industry to prepare. The user guidance will set out in detail the practical record-keeping requirements under the new controls and how businesses will be expected to comply with them.

In addition, to assist industry preparations and ensure full compliance, ECO is already holding seminars on the new controls and, together with trade associations, will hold further seminars, workshops and regional roadshows in the new year to raise awareness and understanding of the new controls and the licences available. Officials have agreed to monitor industry preparations, through the seminars and from direct feedback from compliance visits, to ensure that staff are fully prepared for the record-keeping requirements and aware of what is required in order to be—

It being six minutes to Six o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Written Ministerial Statements

Monday 27 October 2003

HOME DEPARTMENT

Immigration and Asylum

The Minister for Citizenship and Immigration (Beverley Hughes): The Parliamentary Secretary, Department for Constitutional Affairs, my hon. Friend the Member for Tottenham (Mr. Lammy) and I have today announced new legislative proposals for asylum reform. We are writing to a number of key stakeholders outlining these proposals and inviting comments. I will be placing copies of this letter in the Libraries of both Houses of Parliament and on the IND and DCA websites. The major proposals include: reform of the immigration and asylum appeals system into a single tier of appeal with restricted access to the higher courts; measures to tackle the problem of asylum seekers deliberately destroying or disposing of their documents to make unfounded claims; provisions removing NASS support from families whose claim for asylum has been rejected and enhancing the effectiveness of the Office of the Immigration Services Commissioner.

The Nationality, Immigration and Asylum Act 2002 has enabled us to make significant progress in reforming the UK's nationality, immigration and asylum systems. In the asylum system this has meant that the number of people claiming asylum has halved, removals are at record levels and the number of claims awaiting an initial decision is at the lowest for a decade. The Government determined that there should be a balanced approach in asylum and immigration policy so that we bear down on those who would seek to enter the UK illegally and who make unfounded asylum claims, whilst ensuring effective help for refugees who need our protection. Our policy on asylum has to be seen in the wider context of managed migration, through which we are opening up routes for people to enter the UK legally. That is why we are committed to continued reform, as necessary, of the asylum system to ensure that those in need of protection are identified quickly and those who try to exploit the system are prevented from doing so.

We believe that these reforms should be in place as a matter of urgency and will introduce legislation to enact the measures as soon as parliamentary time allows. We are therefore urgently seeking comments from interested parties on the proposals. We would welcome views on the proposals by 17 November.

TREASURY

National Insurance Fund

The Paymaster General (Dawn Primarolo): I have today laid before the House a report that the Government Actuary has made on the operation of the legislation governing national insurance contributions and contributory social security benefits between 6 April 1995 and 5 April 2000 in accordance with Section 166 of the Social Security Administration Act 1992.

Copies of the report are available in the Libraries of the House.

WORK AND PENSIONS

Incapacity Benefit

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I laid before the House on 18 November 2002 a consultation document entitled "Pathways to Work, Helping People into Employment" Cm 5690. This outlined a range of proposals to provide more effective support to people with health conditions and disabled people. The Pathways to Work pilots represent the next steps in the Government's strategy of providing people with health conditions and disabilities with the help and support they need—particularly support in helping them into employment. My Department, together with the Department of Health and appropriate Scottish Executive and Welsh Assembly officials, have been preparing for the implementation of the Pilots.

On 26 March I announced the locations of the first three Pathways to Work pilots and on 5 June I subsequently announced the locations of the final four pilots.

Today, I am pleased to announce the launch of the first three pilots—Bridgend Rhondda Cynon Taf; Renfrewshire, Inverclyde, Argyll & Bute; and Derbyshire.

The pilots will provide a range of individual help and support (including new condition management programmes provided by the NHS and a range of financial incentives) for people with health conditions and disabilities. We will fully evaluate the impact of the extra support we are providing.

Cold Weather Payment Scheme

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I am pleased to announce that, following advice from the Meteorological Office, the annual review of the cold weather payments scheme has now been completed. Amending regulations were laid on 10 October and will come into force on 1 November, in time for the beginning of the winter period.

Six of the weather stations used in the scheme last winter, Bracknell, Dumfries, Dyce, Leeds, Ringway and Redhill are closing and six new weather stations are being introduced at South Farnborough, High Wycombe, Dundrennan, Craibstone, Woodford and Charlwood to provide data for the scheme. In addition to changing two weather station linkages to more

representative links, eight postcode to weather station linkages have been changed on the advice of the Meteorological Office following representations made by hon. Members.

Cold weather payments are separate from, and in addition to, winter fuel payments, which are paid to eligible people from age 60.

I have written to each of the hon. Members affected by the changes.

DEPUTY PRIME MINISTER

New Millennium Experience Company

The Minister for Housing and Planning (Keith Hill): Further to the statement by my hon. Friend the Member for Harrow, East (Mr. McNulty) on 17 December 2002, *Official Report*, column 41WS, the shareholding in the New Millennium Experience Company was transferred from Lord Falconer of Thoroton to me on 17 October 2003.

Written Ministerial Statements

Tuesday 28 October 2003

DEPUTY PRIME MINISTER

The Standards Board for England

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I have today laid the Standards Board for England's Annual Report and Accounts for 2002–03.

The Report and Accounts cover the first year of significant operations by the Standards Board for England. At the end of March 2003, 2,948 allegations of misconduct had been referred to the Standards Board since the introduction of the Code of Conduct in May 2002.

As the Annual Report shows, the Board is continuing to work in partnership with local government to promote and sustain the high standards of conduct which are essential to public confidence in our local democracy.

Copies of the Report are available in the Libraries of the House.

Electoral Pilot Schemes

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): The Government are looking at many ways, including all-postal ballots and e-voting, to modernise our electoral system and to increase the opportunities that people have to vote. To test the robustness of the new options and to build public confidence in them, we have undertaken an extensive programme of pilot innovations at local elections. This is why we are promoting legislation to permit further pilots to be held in a number of regions at the European Parliament and combined local elections in June 2004.

Our focus over the forthcoming months will be on working to ensure that pilots held at the combined elections are successful in delivering elections that are more straightforward and accessible for all electors. As a result, we are currently not minded to approve applications for by-election pilots for the period from 1 April 2004 until 1 August 2004.

Outside that period, our general approach on local authority by-election pilots is that while we will consider, as legislation requires us to do, all applications for pilots at by-elections, we are minded normally to approve such applications only if the proposals are consistent with the recommendations of the Electoral Commission as set out in "The Shape of Elections to Come".

TREASURY

United Kingdom Listing Authority

The Financial Secretary to the Treasury (Ruth Kelly): The Financial Services Authority, acting in its role as the competent authority for listing, is referred to as the United Kingdom Listing Authority. Every year, the operational objectives of the UKLA are discussed with the Treasury. The annual objectives for 2003–04, which the Treasury has endorsed, will be placed in the Library, and also put on the Treasury website.

Child Trust Fund

The Financial Secretary to the Treasury (Ruth Kelly): The Government are today publishing their detailed proposals for the Child Trust Fund. Copies are available in the Vote Office and the Libraries of the House.

NORTHERN IRELAND

Compensation Agency

The Secretary of State for Northern Ireland (Mr. Paul Murphy): The Compensation Agency will publish today its Corporate Plan for 2003 to 2006 and Business Plan for 2003 to 2004. I have set the Agency the following Key Performance Targets for 2003 to 2004:

Claims under the Criminal Damage (Compensation) (Northern Ireland) Order 1977

Maintain average time taken to reach decisions at 19 weeks for claims received from 1 April 2003;

Reduce by 85 per cent. the number of claims in hand at 31 March 2003 on which no decision has been reached; and

Process claims under the Criminal Damage and Terrorism Act schemes at a combined average unit cost of £140.

Claims under the Terrorism Act 2000

Reach decisions on claims in 53 days for claims received from 1 April 2003;

Reduce by 85 per cent. the number of claims in hand at 31 March 2003 on which no decision has been reached; and

*Process claims under the Criminal Damage and Terrorism Act schemes at the combined average unit cost of £140.

*This unit cost target relates to claims under the Criminal Damage and Terrorism Act schemes. The work involved in processing these claims is carried out in a single organisational unit within the agency so the efficiency of this element of the agency's operations is measured by reference to a combined unit cost target.

Claims under Criminal Injuries (Compensation) (Northern Ireland) Order 1988

Reduce by 45 per cent. the number of claims in hand at 31 March 2003; and

Reach a decision on 50 per cent. of undecided criminal injuries claims in hand at 31 March 2003.

Claims under the Criminal Injuries Compensation (Northern Ireland) Order 2002 (Tariff)

To decide 45 per cent. of all applications within 12 months of receiving the application.

To reach decisions on applications at an average unit cost of £290.

Compliance with Legislation/Standards of Adjudication —All Schemes

That the agency's standards of adjudication are appropriate which will be confirmed by the Department's internal audit branch through random sampling of claims.

Value for Money—All Schemes

Manage the workload in 2003–04 within a running costs budget (to cover salaries and administrative expenditure) to financial limits agreed with the Department (including in-year adjustments).

DEFENCE

Iraq

The Secretary of State for Defence (Mr. Geoffrey Hoon): HQ 3 (UK) Division continues to command the multinational division (South-East) (MND(SE)) in Iraq, with contributions from the Czech Republic, Denmark, Italy, Lithuania, the Netherlands, New Zealand, Norway, Portugal and Romania.

We have begun a process of roulement of United Kingdom Forces, which involves the incremental replacement of HQ 3 (UK) Division with a composite HQ MND(SE), the replacement of 19 Mechanised Brigade with 20 Armoured Brigade, the replacement of HQ 101 Logistic Brigade with a composite HQ UK National Support Element (NSE), the roulement of the combat service support units that will make up the UK NSE, and the mobilisation of around 1,000 reservists. We expect the maritime and air elements of our presence in theatre to remain broadly stable.

A number of adjustments to our force levels in Iraq were made over the summer. Some of these were relatively minor, such as the withdrawal of around 30 armoured engineers and the short-term deployment of around 30 personnel from 23 Pioneer Regiment Royal Logistic Corps to undertake building and construction tasks around Shabah Logistics Base.

On a larger scale, we also deployed the 2nd Battalion The Light Infantry (2LI) and the 1st Battalion The Royal Green Jackets (1RGJ), to conduct a number of additional security and training tasks and provide MND(SE) with the flexibility and capacity to carry out surge operations designed to counter crime and enhance security. A recent major operation in MND(SE), OPERATION SWEENEY, has resulted in 291 arrests, the seizure of six weapons caches, and the interception of 57 vessels and 58 vehicles involved in criminal activity.

Some of the additional requirements for which 2LI and 1RGJ deployed are now being reduced or progressively transferred to Iraqi security forces. But some other requirements will continue over the next few months, including the provision of training for the new Iraqi Civil Defence Corps. In overall terms, we assess that these continuing requirements can be met by approximately one battalion rather than two. When 2LI and 1RGJ are withdrawn from theatre in November and December they will therefore be replaced by the 2nd Battalion The Parachute Regiment (2 PARA). We envisage that 2 PARA will deploy from early November.

In addition to adjustments to force levels, we have also deployed further equipment to theatre, including over 200 armoured Land Rovers, three Puma helicopters and three Gazelle helicopters. Taken together, these enhancements provide MND(SE) with greater mobility, force protection and surveillance capabilities, increasing the flexibility and effectiveness of the force.

We will continue to keep the size and mix of forces in theatre under close review, and we expect to make further adjustments as a matter of routine to ensure that MND(SE) have appropriate capabilities for the tasks in hand. This is likely to include temporary increases in force levels when appropriate, to provide the General Officer Commanding MND(SE) with additional tactical flexibility and help ensure that progress and momentum are maintained and where possible accelerated. To facilitate this process we intend as a matter of course to nominate two battalions as over-the-horizon operational reserves for Iraq.

Skill Force

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): Skill Force is a nationwide Ministry of Defence originated and Department for Education and Skills supported youth initiative to reengage disaffected 14 to 16 year-olds with mainstream education. There are currently 23 teams operating in around 100 schools with 3,000 participants. Pupils drop two GCSE options in favour of a more vocationally based education. Skill Force mainly uses former military Instructors, who have recently left the armed services to deliver a wide range of Key Skill-based subjects to young people who are in danger of becoming disaffected with the formal academic education system.

Evaluation of the first 12 schemes showed that Skill Force had been very successful in reducing truancy and exclusions by around 80 per cent. and had had a positive impact upon behaviour. As a consequence, DfES has helped to fund a further 11 schemes, which have been operating for a year as part of the behaviour improvement programme.

The Institute of Education, London University, has recently conducted an independent and comprehensive evaluation of Skill Force. The report concluded that:

> "Overall, Skill Force is an extremely well managed programme which provides a unique service to schools. It has been successful in meeting the needs of many disaffected students, improving their motivation, confidence, communication and social skills. It has reduced exclusions, improved behaviour, attendance, attitudes towards education and attainment and also provided students with a range of practical, vocational qualifications. It offers excellent value for money. The comments from students and parents provided in this report are a testament to the opportunities it offers. Perhaps more importantly it has the support of school management. The ethos of Skill Force is positive, 'can do' and focused on problem solving. The challenges outlined above will be tackled with enthusiasm and solutions found."

I am today placing a copy of this report in the Library of the House. We are currently assessing, with the Connexions Service, the impact that Skill Force has had upon participants entering employment, training and

education on leaving secondary school in July 2003 at the end of the initial two year course. The Ministry of Defence and the Department for Education and Skills will continue to work together on the longer term future of Skill Force.

Veterans Agency

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I have set the following Key Targets for the Chief Executive of the Veterans Agency for 2003–04. They are as follows:

SERVICE

Key Target 1: To reduce the average time it takes to issue decisions on claims to war pensions to no more than 63 working days. This is an improvement of 19 working days on the 2002–03 target; and it represents a cumulative improvement of 37 per cent. against the 2000–01 baseline level of 100 working days.

Key Target 2: To reduce the average time it takes to issue decisions on war widows claims to no more than 23 working days. This is an improvement of 11 working days on the 2002–03 target; and it represents a cumulative improvement of 36 per cent. against the 2000–01 baseline level of 36 working days.

Key Target 3: To achieve an externally validated claims accuracy rate of at least 97 per cent.

PERSONNEL

Key Target 4: To carry out an externally validated programme of internal Investors in People assessments during 2003–04 to determine whether the Agency continues to meet the requirements of the IiP standards.

WORKING IN PARTNERSHIP

Key Target 5: To work with the Department for Constitutional Affairs Court Service to reduce the average time it takes an appeal to pass through the war pensions appeals process. By 31 March 2004 the average time should reduce to no more than 250 working days. This is an improvement of 60 working days on the 2002–03 target; and it represents a cumulative improvement of 56 per cent. against the 2000–01 baseline level of 565 working days.

EFFICIENCY

Key Target 6: To use the Agency output costing methodology developed in 2002–03 to help identify and generate such administrative efficiencies and other savings as will enable the agency to operate within a 2003–04 running cost baseline figure that is 3 per cent. less than its resource departmental expenditure limit for that year.

SKYNET 5

The Minister of State, Ministry of Defence (Mr. Adam Ingram): We announced in February 2002 that the British-based consortium Paradigm Secure Communications had been selected as preferred bidder to supply the SKYNET 5 satellite communications service to the MOD under the Private Finance Initiative.

I am pleased to announce that last Friday contract negotiations were successfully concluded and that the SKYNET 5 PFI contract, the biggest yet placed by the MOD, has been enacted.

The full value of the contract, which is planned to run until 2018, is expected to be around £2.5 billion and Paradigm expect it to create or sustain up to 1,900 jobs across the UK at its peak.

The MOD is getting this service at a significant value for money advantage compared to the costs that would have been associated with a more traditional procurement route.

The move to a PFI approach and accompanying fresh and innovative thinking has resulted in substantial savings. SKYNET 5 is within budget and remains on target to achieve initial provision of new services from 2005. It is a clear example of how we are getting better military capability and better value for money by using Smart Acquisition principles.

This deal will provide the MOD with a number of benefits, including transfer to risk to the contractor. SKYNET 5 will also provide a greatly improved service with regular technology upgrades, and the flexibility to cope with the growth in military satellite communications requirements we expect over the next few years.

The events of 11 September 2001 provided us all with a timely reminder to make sure that our key military communication and information systems have the necessary resilience to ensure business continuity. SKYNET 5 services will provide this assurance under almost any conceivable scenarios.

TRANSPORT

Disability Discrimination Act (Taxis)

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): The Government will today announce their proposals for implementing the taxi provisions of the Disability Discrimination Act 1995. This will allow us to set standards for wheelchair access and a range of other features to help disabled people use taxis. We intend to vary the application of the regulations to target first those areas where we believe accessible taxis will make the biggest impact in meeting the needs of disabled people and where additional cost will not have a major effect. We are calling these first phase authorities and propose to introduce the Regulations in these areas over a 10-year period from 2010–20.

Authorities within the first phase have been identified and each meet one or more of the following criteria:

A licensing authority population of at least 120,000 people;

A major transport interchange;

A major tourist attraction; or

An existing mandatory policy resulting in 100 per cent. accessible vehicles.

A list of those authorities that are currently included will be placed in the Libraries of both Houses.

Licensing authorities outside of this first phase would not be subject to the regulations in the first instance. We would instead issue voluntary guidance to these authorities on establishing an appropriate mix of vehicles and on the design parameters that they should be considering. We would also monitor the introduction of accessible vehicles in these areas to determine whether the guidance is effective. A view would then be taken on the necessity of extending the regulations to these areas.

The proposals, which apply to England and Wales only, will be the subject of a full public consultation process in due course. Scotland and Northern Ireland will be holding their own separate consultation processes.

CONSTITUTIONAL AFFAIRS

Judicial Appointments Annual Report for 2002–2003—10–28

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The judicial appointments annual report, covering the period 1 April 2002 to 31 March 2003, is published today. This year's report shows that:

Six hundred and ninety seven appointments were made in 2002–03 from 3,449 applications.

Appointments of minority ethnic candidates rose from 7.8 per cent. in 2001–02 to 8.9 per cent. (this includes lay appointments) and is more than double the 1999–2000 figure which was 4.2 per cent.

Women accounted for 31 per cent. of appointments and although this was a decrease of 3 per cent. compared with 2001–02, the figure remains significantly higher than it was five years ago when the first report was published.

The pilot Assessment Centre in October/November for the Deputy District Judge (Civil and Magistrates) competitions and the Deputy Queen's Bench Master competition was a success. The Commissioner for Judicial Appointments' audit of the pilot was very positive.

The report also explains other recent action on equal opportunities.

Copies of the report have been placed in the Libraries of both Houses. The report is also available on the Department's website at http://www.dca.gov.uk./

WORK AND PENSIONS

EU Pensions Directive

The Minister for Pensions (Malcolm Wicks): Copies of the Government's consultation document on the implementation of the European Directive (2003/41/EC) on Institutions for Occupational Retirement Pensions have today been placed in the Library. Copies of the consultation and the Directive are also available on the Department for Work and Pensions' website at http://www.dwp.gov.uk/resourcecentre/consultation_papers.asp

The Directive supports the Government's plans for reform of the UK pensions system, as outlined in the recent Green Paper Simplicity, Security and Choice: Working and Saving for Retirement (Cm 5677) and the Government's response, Action on Occupational Pensions (Cm 5835).

It sets up a common framework across Europe for the operation and supervision of institutions providing occupational retirement pensions. It allows pension schemes established in one EU Member State to be sponsored by employers in another Member State, enabling the establishment of cross-border pension schemes.

The consultation being undertaken builds upon the extensive pensions consultation carried out by the Department for Work and Pensions over the last year. It focuses upon implementation of those areas of the Directive which have not been covered in the earlier consultations.

The consultation period will close on 23 December.

Written Ministerial Statement

Wednesday 29 October 2003

EDUCATION AND SKILLS

Teachers' Pension Scheme

The Minister for School Standards (Mr. David Miliband): Parliamentary approval for additional resources of £45 million will be sought, prior to funding from the winter supplementary estimate process becoming available, to meet a further cash requirement for existing services (teachers' pension scheme payments), as provision for the total net cash requirement on the estimate is exhausted.

The teachers' pension scheme fund is managed by The Department for Education and Skills and administered under contract by Capita Business Service Ltd. The Department's funding to Capita is completed on a daily basis with the funded amount being determined by the net cash requirement for payments that Capita makes on behalf of the teachers' pension scheme.

Cash drawn down from the consolidation fund is greater at the beginning of each month because appropriation in aid arrives too late to fund this expenditure. To enable the Department to meet its November and December funding obligations, £45 million will be required to make up the shortfall between the funding requirement and winter supplementary funding becoming available.

Parliamentary approval for additional resources of £145 million for teachers' pensions will be sought in the winter supplementary estimate for the Department for Education and Skills. Pending that approval, expenditure estimated at £45 million will be met by repayable cash advances from the contingencies fund.

Written Ministerial Statements

Thursday 30 October 2003

DEPUTY PRIME MINISTER

Combined European Parliamentary Elections

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): My right hon. Friend the Deputy Prime Minister and the Secretary of State for Constitutional Affairs have today issued a joint consultation document seeking views on draft Statutory Instruments which would make provision for the conduct of European parliamentary elections in Great Britain and Gibraltar, for the combination of polls of these elections and certain other elections in England and Wales, for amendments to the Greater London Authority election rules, and for giving effect to the Government's announced intention to move the date of the English local council and Greater London Authority elections in 2004, so that they take place at the same time as the European parliamentary elections.

Comments are invited from key stakeholders and interested parties for the deadline of 11 December 2003.

Copies of these documents are available in the Libraries of the House and will also be available on the OPDM and DCA websites.

NORTHERN IRELAND

North/South Implementation Bodies

The Secretary of State for Northern Ireland (Mr. Paul Murphy): I have today placed in the Library papers relating to decisions that have been taken during the period 1 July 2003 to 30 September 2003 which relate to the North/South implementation bodies and Tourism Ireland Ltd under the terms of the exchange of notes of 19 November 2002 (Cmnd 5708).

TREASURY

Tax Law Rewrite

The Paymaster General (Dawn Primarolo): The tax law rewrite project at the Inland Revenue has completed its rewrite of the pay-as-you-earn (PAYE) regulations. The regulations were laid today. They were accompanied by a detailed commentary on them by the project. Copies of the commentary have been placed in the Library of the House.

The rewritten regulations complement the modernisation of the legislation for employment income in the Income Tax (Earnings and Pensions) Act 2003.

There will be no change in practice for employers and employees generally. But those who do use the regulations will find them clearer and more consistent.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Sustainable Procurement in Government

The Secretary of State for Environment, Food and Rural Affairs (Margaret Beckett): The UK Government is committed to the achievement of sustainable development. Continued action is needed by all sectors in society to ensure that our social, economic and environmental objectives are achieved simultaneously. The scale of central civil government procurement—estimated at £13 billion per year—means that the purchase of goods, works and services by Government has the potential to contribute directly to sustainable development across a wide range of sectors, from construction to information technology.

Following the recent high-level cross-Government review by the sustainable procurement group, we are clear that central Government procurement can and should support sustainable development within the framework of the Government's procurement policy and its overarching aim of achieving value for money, and the EC procurement rules.

The revised guidance published today by Defra and the Office of Government Commerce makes clear the relationship between sustainable development objectives and the legal and policy framework for procurement. It demonstrates practically how to integrate relevant sustainable development issues at the various stages of the procurement process. It replaces the *Joint Note on Environmental Issues in Purchasing* issued in 1999 by HMT and DETR. Followed properly, there should be no conflict between relevant sustainable development objectives and obtaining value for money. Indeed, there will be synergies between them, for instance in purchasing energy efficient goods that reduce whole life costs.

We are keen that consideration of environmental impacts should be built in right at the start of the procurement process (at the business case and specification stages), when options are being considered, as this approach is likely to have most potential to contribute to sustainable development objectives, as well as being more appropriate under the EC rules. The consideration of whole life costs is important at these early stages, as well as at the award stage.

This revised guidance signals our support for sustainable procurement across government and meets one of the headline recommendations of the Sustainable Procurement Group. Defra and OGC will continue to work closely together with other departments and the Government's central buying agencies OGCbuying.solutions and NHS PASA on minimum standards for commonly purchased products, departmental environmental procurement strategies, ongoing development of sustainable product information and environmental risk assessment for larger procurement projects. These will be progressed

primarily under the procurement section of the *Framework for Sustainable Development on the Government Estate.*

Our first priority is for environmental procurement to become embedded across the board in Government purchasing, in order to build upon the progress already made in this area. The understanding, by purchasers, of the scope to consider social issues in procurement is less developed, and further discussion of this by the cross-Government Sustainable Procurement Group is planned, leading towards more comprehensive guidance.

Sustainable procurement will not be achieved overnight, but this guidance is a vital first step to put in place the structures to support and encourage all those involved in government procurement in delivering this important commitment. Copies of the *Joint Note on Environmental Issues in Purchasing* have been placed in the Library and can also be found online at www.ogc.gov.uk/ or http://www.sustainable-development.gov.uk/sdig/improving/contextf.htm

TRADE AND INDUSTRY

Equality and Human Rights

The Secretary of State for Trade and Industry and Minister for Women (Ms Patricia Hewitt): A fair and prosperous Britain must provide opportunity for all. A society that is to flourish must make full use of the talents of all its members. Thriving societies and economies are based on strong, cohesive communities where diversity is celebrated as a strength and discrimination tackled.

Equality matters to everyone—it is not a minority concern.

Last October the Government launched the consultation document "Equality and Diversity: Making it Happen" to seek views on the role, priorities and structure for Great Britain's statutory equality institutions in the new century to help meet this vision of a cohesive and prosperous society.

The consultation drew a strong response from a wide range of interested groups and individuals. I am placing a summary of those responses and copies of the responses themselves in the Libraries of both Houses.

In the light of the consultation the Government have concluded that a single body represents the best option for realising its vision of a fairer, more inclusive and prosperous Britain. A single equality body provides an effective and flexible framework for supporting our equality legislation as well as underlining the importance of equality as a mainstream concern.

Many respondents also highlighted the potential role a new body might play in providing support for human rights as well as equality. The government also considered carefully the sixth report of the Joint Committee on Human Rights, which called for integrated institutional support for human rights and equality. We have therefore decided that the new body's remit should cover the promotion of human rights together with its equality responsibilities.

The Government recognises the crucial contribution to the diversity agenda already made by the Commission for Racial Equality, the Disability Rights Commission and the Equal Opportunities Commission and the need for a single body to build on and protect the programmes they have put in place.

Role of the New Body

The working title of the body will be the Commission for Equality and Human Rights. It will promote an inclusive agenda, underlining the importance of equality for all in society as well as working to combat discrimination affecting specific groups. It will promote equal opportunities for all and tackle barriers to participation. It will play a key role in building a new, inclusive sense of British citizenship and identity in which shared values of respect, fair treatment and equal dignity are recognised as underpinning a cohesive, prosperous society. It will promote a culture of respect for human rights, especially in the delivery of public services.

I intend to publish a White Paper next spring making detailed proposals for the body and seeking comments. At this point the Government has reached no conclusions on key issues such as the governance of the body and its internal structure. A range of views on these and other questions were expressed during the consultation, which need further examination and debate with interested stakeholders. I am therefore establishing a task force with members reflecting the interests concerned to provide advice on these issues. This reflects the Government's commitment to an open and transparent process for developing the new body. The task force will include representatives of the existing commissions and the new anti-discrimination strands of sexual orientation, religion and belief, and age. It will also include members with a particular interest in human rights as well as people from Scotland, Wales and other interests.

The responses to the White Paper will inform the preparation of legislation to establish a single body which will be introduced as soon as Parliamentary time allows. Late 2006 would be the earliest that the new body can be established.

There was a strong call in the consultation for the body's arrangements in Scotland and Wales to fit well with devolved legislation, institutions and policies and for its policies to take account of the social, cultural and economic circumstances of Scotland and Wales. The Government will set out proposals for the Commission's Scottish and Welsh arrangements in the White Paper to be published next spring.

Key Priorities for the New Commission

The Government looks forward to the Commission's priorities being defined through continuing consultation and debate. However, the Government believe the following principles should underline its work:

> Promoting equality and diversity in the round, fostering understanding of their importance in underpinning a prosperous and cohesive society; promoting a culture of respect for human rights and acceptance of the responsibilities that go with them.

Giving full attention to the specific needs of individual groups who receive legislative protection against discrimination, ensuring the availability of relevant skills and expertise.

Improving support for individuals through better and more accessible provision of services, particularly advice and information.

Working in partnership with business and public sector organisations, meeting the requirement expressed strongly by business and others for a single, accessible source of advice and guidance covering the breadth of legislative obligations as well as advice and support on good practice.

Mainstreaming equality and human rights in the public sector and public service delivery. Key tools will be the promotion and enforcement of the Race Relations Amendment Act statutory duty on public bodies to promote equality of opportunity, the planned disability duty, awareness of the duties under the Human Rights Act and working to encourage good practice in equality and human rights generally.

Developing partnerships with a range of bodies at regional and local level, including statutory, voluntary and business organisations, to deliver local, accessible information and advice to individuals, public sector bodies and businesses.

Bringing a strategic, modern approach to enforcement of equality legislation supported by up to date enforcement tools.

Promoting community cohesion through providing support to local initiatives to promote dialogue and understanding between different communities and groups, where relevant drawing upon the balance between rights and responsibilities contained in the Human Rights Act.

The Government are committed to ensuring that the needs of all groups covered by equality legislation will be met by the new body, as well as supporting our legislation on human rights, and that relevant levels of focus, expertise and influence are all retained.

We will therefore ensure that the single body has robust and transparent means of ensuring that the voices of specific groups are heard and that they have a significant role in steering the policy and approach of the body on matters of concern to their strand. We will also ensure that strand specific work is clearly identified, supported and attracts appropriate priority, visibility and profile within the organisation; and that fit for purpose governance and organisational structures are developed which reflect this approach.

Disabled people and their organisations have raised concerns that a single equality body should meet their particular needs. The Government recognise the distinctive aspects of the disability rights agenda and the concerns above that reflect the relatively recent establishment of the Disability Rights Commission and the fact that there has been relatively little time for the distinctive disability rights legislation to take hold. There is also a demanding programme of disability legislative reform over the next few years requiring sustained and major campaigns of information, advice, publicity and guidance to ensure effective implementation.

Our White Paper will put forward proposals developed in conjunction with key stakeholder interests to deal with these and other related concerns.

DEFENCE

Ministry of Defence (Annual Report and Accounts)

The Secretary of State for Defence (Mr. Geoffrey Hoon): Information about the Ministry of Defence's performance during the last financial year is contained in the Ministry of Defence Annual Report and Accounts for 2002–03, which will be laid before the House today as HC 1125.

Copies will be placed in the Libraries of both Houses and it will also be available on the Ministry of Defence website.

FOREIGN AND COMMONWEALTH AFFAIRS

Opium Poppy Crop (Afghanistan)

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The United Nations Office on Drugs and Crime released its survey results for the 2003 opium poppy crop in Afghanistan on 29 October. The survey showed that opium poppy cultivation increased by 8 per cent. from 74,000 hectares in 2002 to 80,000 hectares in 2003 while production rose by 6 per cent. from 3,400 tonnes in 2002 to 3,600 tonnes in 2003. The UN survey also revealed that cultivation in traditional areas—where the Afghan Government has been able to exert control—decreased and moved into more marginal areas.

The UK uses the UN survey, which is produced in partnership with the Afghan Government, as a reference point for its work as the lead nation on counter-narcotics support in Afghanistan. While the increase in opium cultivation and production is unwelcome, it is not unexpected. Experience of counter-narcotic policies in other countries, such as Pakistan and Thailand, shows that cultivation tends to increase before declining. Production also tends to move from traditional areas to more marginal and inaccessible areas to protect crops against law enforcement activity. Reductions in the traditional areas demonstrates that drug control policy has been effective where the Afghan Government has been able to exert control. Increasing security and stability in Afghanistan remains key to progress in reducing opium production.

Afghanistan's national drug control strategy, agreed earlier this year, has set the target of eliminating opium poppy by 2013. The UK is investing £70 million on sustainable measures over the next three years to support implementation of that strategy; additional staff are being deployed to Kabul to assist in the implementation. Other nations are also contributing, either directly or indirectly, to counter-narcotics work in Afghanistan, complementing the UK's efforts. I will be co-hosting, with President Karzai and the United Nations, an international conference in Kabul in February next year to boost further the international counter-narcotics effort in Afghanistan.

Iraq

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): In response to an oral question from the right hon. Member for Sleaford and

North Hykeham (Mr. Hogg) on 14 October 2003, *Official Report*, column 9, I undertook to inform the House of the costs of the United Kingdom's involvement in Iraq. They are as follows:

Military Costs

The Chancellor has set aside £3 billion for military operations in Iraq. The Ministry of Defence has drawn down £1 billion from this special reserve during the 2003 Spring Supplementary Estimates. From this amount, the cost of preparatory activity in the 2002–03 financial year is currently estimated to have been £700 million. Further information on the total net additional cost of the military operation during the 2002–03 financial year will be found in the Ministry of Defence's Resource Account for 2002–03, which is due to be published around the end of October.

For the current financial year, further sums have been drawn down from the special reserve. These are subject to scrutiny by HM Treasury and Parliament through the normal estimates process.

Reconstruction

Her Majesty's Government plan to spend a total of £544 million on reconstruction in Iraq for the three years from April 2003, including our contribution to EC assistance and our secondment of personnel to the coalition provisional authority.

Other Costs

The Foreign and Commonwealth Office spent £5.62 million on additional security at posts in the Middle East during 2002–03, and expects to spend a further £1.3 million in this financial year on security costs at posts directly attributable to our action in Iraq.

The Foreign and Commonwealth Office estimates that it will have spent up to £12.1 million on the British Office in Baghdad and other bilateral representation by the end of this financial year.

The Foreign and Commonwealth Office forecasts a further £1.8 million of Iraq-related costs outside Iraq during this financial year.

Future Costs

Her Majesty's Government have not so far committed any other amounts in connection with the United Kingdom's involvement in Iraq.

It is too early to predict the continuing costs of military deployment, support for the Coalition Provisional Authority and development of bilateral relations with Iraq beyond the end of this financial year.

CONSTITUTIONAL AFFAIRS

Unified Courts Agency

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Secretary of State and I have carefully considered all the representations made to us about the location of Hampshire and the Isle of Wight within the structure of the new courts agency. We have focused on what produces the best justice system for the public in the South East and South West regions. A number of submissions have been made to us on the administration of justice if Hampshire were to be part of the South East region. We acknowledge that making a change at this stage would raise a number of potentially difficult issues for the Judiciary and the Bar, which could impact on the administration of justice for the public. In addition we have received representations from partner criminal justice agencies locally to the effect that from their perspective change would not bring significant benefit.

The established Government policy of aligning public bodies with the Government regions is important and can potentially bring significant benefits to the administration of justice. However the immediate benefits of that policy do not, currently, justify realigning Hampshire and the Isle of Wight in the South East region. Taking account of the widespread strength of feeling, we have decided not to realign Hampshire and the Isle of Wight at this time. As the regional agenda develops, however, we believe there may well be a much clearer case for realignment and we will therefore reconsider this issue in 2006–07.

In reviewing the distribution of business across Hampshire, Dorset and Wiltshire, we have decided that in order to provide a better service for court users in Dorset that subject to the views of the senior judiciary Bournemouth Crown Court should become a first tier centre. This would mean that serious cases from Dorset could be tried more conveniently—clearly a benefit for victims and witnesses in the area.

Written Ministerial Statements

Monday 3 November 2003

TRANSPORT

Disability Discrimination Act (Rail Provisions)

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): The Government today published a consultation paper on its proposals to amend the rail provisions in Part V of the Disability Discrimination Act 1995 (DDA). The consultation period will end on Monday 26 January 2004.

Amending the rail provisions of the DDA was one of the recommendations made by the Disability Rights Task Force (DRTF) in their report "From Exclusion to Inclusion". The Government have accepted the DRTF's recommendations on transport. This consultation process fulfils the commitment to take forward the recommendations for the introduction of an end date by which all rail vehicles must comply with the Rail Vehicle Accessibility Regulations 1998 and regulations covering the refurbishment of rail vehicles.

The consultation also takes the opportunity to invite views on a number of associated issues that affect the operation of the rail provisions of the Act. These additional issues, which include changes to the enforcement regime and the removal of the requirement for exemptions to be granted via statutory instrument, were not covered in the DRTF report.

As rail services are not devolved, this consultation will cover England, Scotland and Wales.

Copies of the consultation document have been placed in the Libraries of both Houses.

WORK AND PENSIONS

Housing Benefit

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Deductions from eligible rent for heating and hot water were not increased in the 2003 uprating Order (S.I. 2003/526) from £1.15 to £1.20 as was indicated in the statement made by my right hon. Friend the Secretary of State, Mr. Andrew Smith, on 18 November 2002, *Official Report*, column 365. Eligible rent forms part of local authorities assessment of Housing Benefit.

The annual DWP uprating circular quoted a deduction rate of £1.20, which means that some housing benefit recipients will have been underpaid. Local authorities are being advised today of the issue and are being advised to take corrective action on affected cases, and that they should consider how best to take that action given their individual circumstances.

DEPUTY PRIME MINISTER

Regional Referendums

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): My right hon. Friend the Deputy Prime Minister and I will be launching an information campaign in the North East, North West and Yorkshire and Humber on 3 and 4 November. This campaign will explain to voters the issues around the referendums on regional assemblies and the associated local government changes, which we expect to be held next autumn. Further events will be held over the next year. Copies of the voter friendly leaflet are available in the Libraries of both Houses.

HOME DEPARTMENT

Voluntary and Community Sector

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): I am pleased to announce that the Government and the voluntary and community sector will be celebrating the fifth birthday of the Compact on Relations between Government and the sector with Compact Week from 3 to 9 November. The Compact is the partnership agreement for improving our relationship. Since the Compact was launched in 1998, this has been followed by five Codes of Good Practice (on consultation, funding, black and minority ethnic organisations, volunteering and community groups), and Local Compact Guidelines. Progress is being achieved across Government and the Sector in implementing the Compact and Codes. We have been working with Local Government and the majority of local authority areas are now covered by a Local Compact, also involving other local public sector bodies, for building on relationships at local level.

We need to build further on the achievements to date by continuing to promote the Compact and good working practice between Government and the sector, and the sector's activity. Compact Week is an excellent opportunity to take steps to encourage greater awareness and make the Compact a reality across the breadth of Government and the voluntary and community sector.

INTERNATIONAL DEVELOPMENT

Iraq (Madrid Donors' Conference)

The Secretary of State for International Development (Hilary Benn): I represented the United Kingdom at the Donors' Conference on Iraq held in Madrid on 23 and 24 October. My right hon. Friend the Chief Secretary to the Treasury and Baroness Symons also attended.

The Conference was opened by UN Secretary General Kofi Annan. A total of 73 countries attended, along with 20 international organisations and 13 non-governmental organisations. The Iraqi Governing Council was represented by their President, Dr. Ayad Allawi, and a number of other members. Iraqi Ministers also participated. The Conference was characterised by a strong and visible Iraq presence, as well as by a sense

of the international community coming together to focus on how it can help Iraqis secure a stable and prosperous future.

Over US$33 billion in grants and concessional loans was pledged towards Iraq's reconstruction for the period 2004 to 2007, significantly exceeding expectations. $20 billion was pledged by the USA, $5 billion by Japan, $3 billion–$5 billion by the World Bank, $2.5 billion by the IMF, and the rest by other bilateral donors, mainly from European and Arab countries. Additional pledges were made by way of export credits and assistance in kind.

In addition to the finance committed at Madrid, Iraq's investment needs are expected to be met increasingly by oil revenues, foreign direct investment and commercial lending once Iraq's debts have been rescheduled through the Paris Club. Another donor meeting could be called in the future if necessary.

As set out in my statement to the House on 14 October, I pledged £296 million over the next two years on behalf of the United Kingdom, bringing our total commitment in Iraq since April 2003 to £544m. This commitment will not result in any reduction in DFID's planned development expenditure for low income countries, or affect our commitment of £1bn for Africa by 2005–06. Nor will it result in any reductions to existing programme commitments in the current financial year.

The Conference Chair's Conclusions can be found on the Conference website: http://www.comisionadoiraq.org/donors/index_ing.htm

My speech to the Conference is on DFID's website: http://www.dfid.gov.uk/

Written Ministerial Statements

Tuesday 4 November 2003

DEFENCE

Regional Prime Contract South West

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The Ministry of Defence has undertaken to make significant improvements to the defence estate through a restructuring of the service and construction delivery mechanisms. Regional prime contracting is a key element of that policy for which the South West region represents the second of five regional contracts. The initiative aims to provide a better quality of service and greater value for money through a suitably incentivised contract awarded on Smart Procurement principles that encourages innovation and efficiency.

I am pleased to tell the House that the assessment phase is now complete. Revised bids have been received from three consortia and the bids have been evaluated against detailed criteria. The preferred bidder has been identified as Debut Services Ltd, a consortium of Bovis Lend Lease and Babcock Services Group International.

The South West regional prime contract will provide for capital works, property maintenance and facilities management services throughout the MOD's estate in South West England over the next seven years. The value of this contract is likely to be in excess of £500 million. It is expected that contract award will take place in spring next year.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Bovine Tuberculosis

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): The Independent Scientific Group on cattle TB (ISG) was appointed by Ministers in 1998 to design and oversee a large-scale field trial, the randomised badger culling trial (RBCT), aimed at evaluating badger culling as a means to reduce the incidence of cattle TB. The trial involves three experimental treatments: (i) proactive culling, which aims to reduce badger densities to very low levels across entire trial areas, (ii) reactive culling, which seeks to remove only those badgers geographically close to recent cattle TB outbreaks on particular premises, and (iii) no culling (survey only).

The culling of badgers in reactive treatment areas of the RBCT will be suspended from today. The decision to suspend the culling of badgers in these areas has been taken on the basis of recent scientific findings from the ISG.

The ISG has advised Ministers that its interim analysis of trial data so far indicates that there was a 27 per cent. increase in the number of cases of bovine TB (breakdowns) occurring in reactive culling areas compared to the related survey only areas where no badger culling took place.

I have decided to suspend operations immediately because of the risk that a further three months of culling would cause additional TB breakdowns.

The results that have now emerged from the reactive culling part of the trial will be published as soon as possible in a peer reviewed scientific journal. Data on herd breakdowns from the reactive trial areas will continue to be collected and subjected to further analysis with the more detailed results being submitted for publication in a peer reviewed journal at a later date.

On the advice of the ISG, operations will continue in proactive areas because the data for these areas do not yet yield a statistically significant result. The survey-only (control) areas will also continue to be monitored.

The Government's policy on bovine TB is based on scientific advice and these findings will be taken into account in the development of the forthcoming TB strategy.

TREASURY

Double Taxation Convention (United Kingdom and New Zealand)

The Paymaster General (Dawn Primarolo): A protocol to the double taxation convention with New Zealand was signed on 4 November 2003. After signature, the text of the protocol was deposited in the Libraries of both Houses and made available on the Inland Revenue's website. The text of the Protocol will be scheduled to a draft Order in Council and laid before the House of Commons in due course.

Financial Services and Markets Act 2000

The Financial Secretary to the Treasury (Ruth Kelly): I am today announcing the scope of the two-year review of the Financial Services and Markets Act, details of which are set out in a paper which is available in the Vote Office and the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Bermuda

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Pursuant to my written statement of 3 March 2003, *Official Report*, column WS72, the Governor of Bermuda has, on 2 November 2003, initiated a public debate in Bermuda on this subject, by publicising and distributing widely a consultation document seeking comments from political parties, organisations and interested individuals by 31 December 2003. Copies of this document have been placed in the Library of the House.

HOME DEPARTMENT

Extradition Bill

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): The Government are today publishing a report containing their response to the consultation on the draft extradition code of practice.

The draft code of practice, which sets out the operation of police powers under Part 4 of the Extradition Bill, was published on 9 June 2003. The consultation closed on 8 September.

We are grateful to all those who took the time and trouble to respond to the consultation. The responses (other than those where the author requested that the response remain confidential) were placed in the Libraries of both Houses of Parliament and made available on the Home Office website on 30 September.

The report contains a summary and analysis of the comments received and sets out the Government's position in response to the main issues raised by respondents. Copies of the report are available in the Libraries of both Houses and can be accessed through the Home Office website at http://www.homeoffice.gov.uk/crimpol/oic/extradition/bill/documents.html

Assuming that the Extradition Bill receives Royal Assent, the code of practice will be revised in the light of the comments received and laid before Parliament for approval by a resolution of each House.

National Policing Plan 2004–07

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): I have today placed in the Libraries of both Houses copies of the National Policing Plan 2004–07 and the consultation paper "Policing: Building Safer Communities Together".

The national policing plan sets the framework and context for policing in England and Wales for the next three years. It sets out the vision for successful policing, the key priorities, underpinning themes, national standards and the operational tools to deliver the service wanted and demanded by the public. The national policing plan will inform local planning and help to ensure that all communities know what they should expect from their local police force.

The plan is central to our determination to ensure the police are able to work within a modern and efficient criminal justice system and to be engaged with the communities they serve. That is why we have published it jointly with our consultation paper "Policing: Building Safer Communities Together".

The consultation paper sets out our broad thoughts on the future direction of police reform. We want to build on the successes of the existing reform programme in moving towards a modernised, truly representative, more responsive police service delivering, consistently, core national standards of policing that the public has a right to expect, within a framework which allows for local flexibilities. We want a genuine dialogue on the issues contained in the paper which are grouped under four main themes—increasing community engagement, strengthening accountability arrangements, improving operational effectiveness and modernising the police service.

Both documents are available on the Home Office website at http://www.homeoffice.gov.uk/

Written Ministerial Statements

Wednesday 5 November 2003

DEPUTY PRIME MINISTER

Excellent Authorities

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): Authorities categorised as excellent[1] by the Audit Commission following comprehensive performance assessment are given a wide range of freedoms and flexibilities in recognition of their performance and capacity to improve.

These freedoms and flexibilities include the removal of almost all plans, virtually no inspection and a dramatic reduction in ring-fenced grants. A programme is in train which has already provided some substantial freedoms. Others will become available as the Local Government Act 2003 and other deregulatory measures come into effect.

The Government have decided that councils which lose their status as excellent where their performance has slipped should in principle retain the full range of freedoms and flexibilities for the following year, 2004–05. Exceptionally freedoms could be retained for a further year if that proves necessary in securing improvement in key areas of weakness.

The Government will meet with formerly excellent authorities as soon as possible after recategorisation to determine how best to secure the necessary improvement in performance. The relevant Inspectorate/Department (as appropriate) will agree with the authority:

- the way in which the authority will tackle declining performance and what steps are needed to move back up to excellent;
- the time period within which improvement in performance is expected to take place; and
- how performance improvement will be supported and assessed.

The principle of an inspection holiday will be retained for councils subject to an agreement, but there will need to be some inspection involvement in respect of any specific service in which performance has deteriorated. However, the scale and scope of assessment will be the subject of discussion with each authority and will be proportionate to the scale of the problem to be addressed. It could include a large degree of self-assessment.

The duration of the agreement will be tailored to individual councils' circumstances but will be up to 12 months, although in exceptional cases it could be up to 24 months.

[1] Excellent authorities that are currently less then 3 star education performers will gain access to the full package of flexibilities, including the inspection "holiday", as they relate to education on achieving 3 star status.

Councils which have been recategorised downwards from excellent will remain members of the Innovation Forum.

An agreement will be made when:

a rule comes into play eg

- Social services performance falls below 2 stars;
- Education performance falls below 2 stars;
- Financial standing; the auditor's judgement falls to 2 or below on the 4 point scale;
- Any other core service scores 1 on the 4 point scale.

Overall service scores fall below the 2002 threshold for excellent based on the 2002 CPA methodology.

In exceptional circumstances drops in service or corporate performance may be sufficiently serious as to warrant immediate removal of some or all freedoms and flexibilities. These circumstances include:

- Service failure in either social services which would lead to zero star or special measures status, or education, in the event that an LEA receives an OFSTED inspection report graded "unsatisfactory" or worse;
- Exposure of fundamental problems in the council that had not previously been evident;
- Breakdown of relations between members and officers such that the council ceases to be able to run itself effectively.

The reaction would be different in different cases and would be proportionate to the scope and severity of the failure. In the event of service failure in education or social services any removal of freedoms and flexibilities would be limited to those related to the relevant service area.

Renewable Energy

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I am today announcing the start of the public consultation period for planning policy statement 22, which sets out this Government's planning policy for renewable energy projects.

Increased development of renewable energy resources is vital to facilitating the delivery of the Government's commitments on both climate change and renewable energy. This new draft planning policy statement clearly sets out positive planning policies, which will facilitate renewable energy developments and contribute to all four elements of the Government's sustainable development strategy.

This statement makes clear:

- that local planning authorities should set clear criteria in their plans on which renewable energy projects will be judged rather than identifying any specific locations suitable for certain types of development. We believe that the past emphasis on identifying specific areas of search within development plans has proved unsuccessful;
- that targets for renewable energy generation should be set within regional planning guidance, as indicated in the Energy White Paper. Such targets may be disaggregated sub-regionally if appropriate, but the aim should always be to exceed any targets set, rather than just meet them;

the latest Government planning policy relating to renewable energy developments and the additional safeguards for national parks or other national and internationally designated areas.

Due to the need for clearer and more concise statements of Government policy this PPS does not include technical advice or good practice guidance. The intention is to publish separately a companion guide containing the technical details of what was originally in the annexes of PPG22. We are also keen to include evidence of good practice from both developers and local planning authorities within this guide. Work on the guide will commence shortly and it will be published alongside the final version of PPS22.

TRANSPORT

School Buses

The Secretary of State for Scotland (Mr. Alistair Darling): My Department is today publishing a research report by Steer Davies Cleave which evaluates the impacts of three yellow school bus pilots in Hebden Bridge (West Yorkshire) Runnymede (Surrey) and Wrexham (North Wales), plus a variety of other schemes around the country. I am arranging for copies of the report to be placed in the Libraries of both Houses. This research sets of the potential advantages of well designed dedicated bus schemes and the service features which are most highly valued by both primary and secondary school children.

Although the pilots evaluated have been relatively small in scale, there is clear evidence that dedicated bus schemes have the potential to reduce car dependency on the journey to school, the key objective of the travelling to school action plan, which my right hon. Friend the Secretary of State for Education and Skills and I published jointly on 17 September.

Several local authorities have already submitted, or are in the process of submitting, capital funding bids for dedicated school bus schemes through the local transport plan process. I welcome the initiative that is being taken by local authorities in considering how dedicated school buses can contribute to the overall mix of transport policies at local level. Where these schemes can meet our normal appraisal criteria, and subject to affordability constraints, my Department will give full and fair consideration of such bids, consistent with its approach to other bids for major capital funding.

DEFENCE

Gurkha Prisoners of War

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The Government have carried out a detailed review of the eligibility for the ex-gratia payment scheme established in 2000 for far east prisoners of war. This follows the ruling in the High Court by Mr. Justice McCombe in November 2002.

I am now able to announce that, in accordance with the principles set out in the judgment of the Court, the scheme will be formally extended to include those Gurkha far east prisoners of war (FEPOW) who were held captive by the Japanese in the second world war and who, in 1951 when the peace treaty between the United Kingdom and Japan was signed, were citizens of Nepal. Claims can be made by the FEPOW or by their surviving spouse for the payment of £10,000.

In order to deal with applications, a team from the Ministry of Defence will be established in Kathmandu and in Delhi by the end of February 2004. Application forms will be available for claims after this date but in the meantime an internet site http://www.army.mod.uk/fepow is available now for potential claimants to register their interest.

TRADE AND INDUSTRY

Oil and Gas Licensing

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): I am pleased to inform the House that I am today offering Burlington Resources (Irish Sea) Limited an oil and gas exploration and production licence on Seaward Blocks 113/21 and 113/22 in the East Irish Sea.

The successful applicant will have a fixed period in which to decide whether or not to accept the offers.

DTI undertook an environmental appropriate assessment prior to advertising these blocks to ensure compliance with European Union environmental legislation.

Overseas Exhibitions

The Minister for Trade and Investment (Mr. Mike O'Brien): Details of UK Trade & Investment's £20 million programme of support for UK company participation in supported groups at overseas exhibitions, seminars and sector focused outward missions will be placed in the Library of the House. Sponsor organisations that bid for support to organise groups are being informed.

These overseas exhibitions, seminars and sector focused outward missions continue to be central to trade development work world wide. UK Trade & Investment is conscious of sponsor organisations' need for flexibility in the way in which the funding is allocated. The operation of the programme during the 2004–05 financial year will continue to take account of this need for flexibility, within the overall budget provision, and the need for efficient administration.

CONSTITUTIONAL AFFAIRS

Magistrates Courts Service

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Annual Report of Her Majesty's Chief Inspector of the Magistrates' Courts Service for 2002–03 has been laid before Parliament today. This document gives full details of the Magistrates Court Service Inspectorate's performance for that year. Copies of the Report have been placed in the Libraries of both Houses.

INTERNATIONAL DEVELOPMENT

Baku-Tbilisi-Ceyhan Pipeline

The Secretary of State for International Development (Hilary Benn): On 4 November the Executive Board of the International Finance Corporation (IFC) agreed to provide a loan to help fund the Baku-Tbilisi-Ceyhan (BTC) Pipeline. The IFC decision was taken by the IFC Executive Board on which 175 shareholders are represented by 24 Directors, including the UK. The IFC loan, which will be at commercial rates of interest, is for around 4.5 per cent. of the total cost of the BTC pipeline and accompanying Azeri-Chirag-Gunashli (ACG) Phase 1 oil field development projects.

The BTC pipeline will provide an export route for oil from Azerbaijan's Caspian oil fields. The Governments of Azerbaijan, Georgia and Turkey—the countries through which the pipeline passes—strongly support the project and have negotiated agreements with BTC Corporation, the pipeline company. Azerbaijan, a low-income country, will benefit from significant revenues from the ACG oil field development. Georgia, also a low-income country, will benefit from transit revenues of up to 10 per cent. of current GDP/year. The pipeline will help to strengthen cooperation between the three countries and increase their links to global markets. It will provide local employment and demonstrate the potential for foreign investment. The construction of the pipeline, which will be buried underground, has already started.

Responsible and transparent management of oil revenue will be vital if the BTC project is to achieve real development benefits for the people of the region. Working to achieve this will need to be a priority for the Governments of the region, with support, assistance and oversight from civil society, the private sector and the international community. The agreement of BTC to "publish what it pays" and in turn the agreement of Georgia and Azerbaijan to "publish what they receive" are welcome steps. The UK will continue to work to increase transparency and build local capacity in decision making on the use of revenues, including through the Extractive Industries Transparency Initiative (EITI).

DFID is not providing any direct funding for the BTC project. DFID's role is as a shareholder of IFC and of the European Bank for Reconstruction and Development (EBRD)—whose Executive Board will consider finance to BTC on 11 November. The institutions carried out rigorous social and environmental, integrity, legal and commercial due-diligence procedures. In accordance with our standard practice, we did not duplicate the due diligence undertaken by these institutions.

Over the last year DFID officials have met with local and international NGOs, staff from IFC and the EBRD, BTC and representatives of the governments involved to build a better understanding of the benefits and risks associated with the pipeline. In view of the project's complexity, DFID commissioned consultants to do an assessment of the BTC Environmental Assessment. They confirmed compliance with the IFC and EBRD policies and procedures. I will place a copy of this report in the House of Commons Library.

The Government recognise that large-scale pipeline projects such as the BTC pipeline present risks as well as potential benefits. Project risks include the weak governance environment and the potential social and environmental impacts of the pipeline. The multilateral institutions have thorough environmental and social safeguards procedures and genuine expertise of working in the region. We believe that their engagement provides the best prospect that the BTC pipeline will be constructed and operated to the highest standards. The UK Director at IFC therefore supported the project.

We are now focusing on ensuring that the project is implemented properly. In particular we recognise the importance of very strong monitoring including NGO and community representatives. We therefore pressed IFC to:

Ensure regular independent consultation on monitoring the implementation of the project—IFC will set up a mechanism that brings together IFI staff, the sponsors, Governments from the region, civil society (local and international) and representatives from the IFI Executive Boards in order to resolve issues arising during project implementation.

Encourage enhanced transparency of revenue management—IFC will support the IMF and the World Bank in their efforts to promote the transparency of revenues in both Azerbaijan and Georgia and to encourage the use of these revenues to support Poverty Reduction Strategy Paper objectives.

Demonstrate how IFC has learnt from the BTC/ACG projects—IFC will ensure that these lessons are properly reviewed and inform future policy development, including in discussions of the Extractive Industries Review (EIR), and report back to the Board. We made clear that we would strongly support the use of Strategic Environmental Assessment (SEA) for future infrastructure projects on this scale. IFC agreed to include in its review an assessment of the potential for SEA in future large scale and cross border projects. Other shareholders supported the UK points.

The challenge now is to ensure that the people of the region benefit from the opportunities offered by the Caspian's natural resources. This will require concerted effort by the countries of the region, and also by civil society, the private sector and the international community. The UK Government will work to ensure that risks, which might impact on this project's contribution to sustainable development, are addressed.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Council Meetings

The Minister for Europe (Mr. Denis MacShane): The forthcoming business in the Council of the European Union is as follows:

Date	*Location*	*Event*
November		
4	Brussels	ECOFIN
6	Brussels	EU—Russia Summitt
6	Brussels	Justice & Internal Affairs (Informal Council)
6	Milan	Meeting of Ministers for Urban Policies
6–7	Catania	European Conference on Employment

Date	*Location*	*Event*
14–15	Taormina, Sicily	Ministerial Seminar on Mountain issues in the EU
17–18	Brussels	General Affairs and External Relations Council (GAERC)
17–18	Brussels	Agriculture & Fisheries Council
18	Milan	European Conference on Immigration & Labour Market
21	Rome	Informal Ministerial on Consumer Policy
24–25	Brussels	ECOFIN
24–25	Brussels	Education, Youth & Culture Council
27–28	Venice	Euromed Agriculture
27–28	Padua	Informal Ministerial Meeting on Housing
27–28	Brussels	Justice & Internal Affairs (Informal Council)
28–29	Naples	Foreign Ministers Conclave on IGC
28	Brussels	EU & Western Balkans JHA
December		
1–2	Rome	Euromed Meeting
1–2	Brussels	Employment, Social Policy, Health and Consumer Affairs Council
1–3	Rome	Informal Public Administration Ministerial
2–3	Naples	EuroMed Foreign Affairs
4–5	Brussels	Transport, Telecom & Energy Council
5–7	Rome	Closing Conference for the European Year of the Disabled
8–9	Brussels	General Affairs and External Relations Council (GAERC)
9	Brussels	EU and Western Balkans Foreign Ministers meeting
12–13	Brussels	EUROPEAN COUNCIL
15–17	Brussels	Agriculture & Fisheries Council
16	Brussels	ECOFIN
22	Brussels	Environment Council
January		
8	Brussels	Agriculture & Fisheries Council
16–17	Brussels	Employment & Social Policy (Ministerial Informal)
16–17	Galway	Informal Employment and Social Policy
19	Brussels	Eurogroup
20	Brussels	ECOFIN
22–23	Dublin	Justice & Home Affairs (Ministerial Informal)
26–27	Brussels	General Affairs and External Relations Council (GAERC)

Date	*Location*	*Event*
February		
10	Brussels	ECOFIN
19	Brussels	Justice & Home Affairs (Ministerial Informal)
23–24	Brussels	General Affairs & External Relations (GAERC)
23–24	Brussels	Justice & Home Affairs (Ministerial Informal)
25–26	Porlaoise	Meeting of Regional Policy Ministers
26	Brussels	Education, Youth & Culture Council
March		
2	Brussels	Environment Council
4–5	Brussels	Employment, Social Policy, Health & Consumer Affairs (Ministerial Informal)
8–9	Brussels	Transport, Telecom & Energy Council
9	Brussels	ECOFIN
11	Brussels	Competitiveness Council
22–23	Brussels	General Affairs & External Relations (GAERC)
22–23	Brussels	Agriculture & Fisheries Council
25–26	Brussels	EUROPEAN COUNCIL
25–26	Dublin	Informal on Humanitarian Aid
31	Brussels	Justice & Home Affairs (Ministerial Informal)
April		
2–4	Punchestown	ECOFIN
16–17	Tullamore	GYMNICH
18–19	Unconfirmed	ASEM Foreign Ministers Meeting
23–24	Brussels	Economic & Financial Affairs (Informal)
26–27	Brussels	General Affairs & External Relations (GAERC)
26–27	Brussels	Agriculture & Fisheries Council
29–30	Brussels	Justice & Home Affairs (Ministerial Informal)
May		
6–7	Dublin	EuroMed Foreign Ministers
9–11	Killarney	Informal Agriculture
11	Brussels	ECOFIN
14–16	Waterford	Informal Environment
17–18	Brussels	General Affairs & External Relations (GAERC)
19–20	Offaly	Informal Budget Committee
23–25	Brussels	Agriculture & Fisheries Council
27–28	Brussels	Education, Youth & Culture Council

Written Ministerial Statements

Thursday 6 November 2003

DEPUTY PRIME MINISTER

Planning Aid

The Minister for Housing and Planning (Keith Hill): Planning aid is the provision of free and independent professional advice on town planning to groups or individuals in need of such advice and who cannot obtain it without an aid service. It is currently funded by the Royal Town Planning Institute and by grants and donations from public, private and charitable organisations but it is significantly under-resourced and stretched in respect of its current role. On 5 February 2003 the Deputy Prime Minister announced in "Sustainable communities: building for the future" that planning aid would receive up to £4 million of Government funding over the next three years to expand its service.

The enabling legislation supporting wider Office of Deputy Prime Minister spending on planning aid is contained in the Planning and Compulsory Purchase Bill. The Bill received Second Reading on 17 December 2002, *Official Report*, column 729, and it was anticipated that Royal Assent would be received by September 2003. Funding for planning aid was expected to commence from 1 October 2003. However, as my hon. friend the Member for Harrow, East (Mr. McNulty) explained during the carry-over debate on the Bill on 10 June 2003, *Official Report*, column 564, the likely timescale for Royal Assent is now March 2004.

Planning aid needs to undergo a significant expansion programme to make it more proactive in engaging with communities who traditionally do not get involved in planning issues. The expansion programme is built on the findings of an Office of Deputy Prime Minister funded research study[1] which concluded that there was a clear demand for an independent advisory service, but that planning aid was currently running almost permanently at close to breaking point. Delay in funding planning aid until March would severely undermine the good progress being made in this area.

An advance from the contingencies fund is being made available. Without the advance planning aid would be very likely to suffer the loss of key staff and volunteers, fracturing the current regional network. This, along with the loss of momentum brought about by the implementation programme, would set back plans to develop planning aid to a point where it might be difficult for it to recover for some time, even after funding became available.

[1] "Planning aid: A review of its role and prospects for development", ODPM, February 2003.

Parliamentary approval for additional resources for this new service will be sought in a later Estimate for the Office of the Deputy Prime Minister. Pending that approval, urgent expenditure estimated at £554,000 will be met by repayable advances from the contingency fund.

Planning Obligations (Consultation Document)

The Minister for Housing and Planning (Keith Hill): In December 2001 the Government published a consultation paper proposing that local authorities should set standardised tariffs for different types of development as a substitute for the negotiated planning obligations permitted by section 106 of the Town and Country Planning Act 1990. In July 2002 the Government indicated that they had decided not to proceed with this proposal and would consider other options. They also indicated that many of the Government's objectives could be achieved through non-legislative routes.

Today I am publishing a further consultation document seeking views on firm proposals for the reform of planning obligations. These proposals contain a mixture of administrative and legislative reforms and are designed to increase the speed, certainty and transparency of the planning obligations while retaining flexibility.

New development brings benefits to communities, including homes, jobs, and a range of new services and facilities. Investment in land and property is also an important component of economic growth and higher productivity.

New development can also have an impact on services and infrastructure in the local area. The existing system of planning obligations permits planning authorities to seek contributions from developers, which are used to mitigate negative impacts. They therefore facilitate development, which might otherwise not occur. So planning obligations help the developer, the community and the local authority to work together to deliver successful and sustainable communities.

However, the current system of negotiating planning obligations is often slow, resource intensive and lacks transparency. Development is often delayed rather than facilitated by the process.

The Government have therefore decided to introduce changes designed to give developers the choice between the current negotiated approach offering flexibility and a pre-determined charge, which offers speed and certainty. We will legislate within the Planning and Compulsory Purchase Bill to introduce this new optional charge. We will also revise our existing statement of policy on planning obligations, Circular 1/97, to remove the inconsistency which the policy exhibits compared to case law, to require greater transparency in the use of negotiated obligations, to encourage best practice and to set out our policy in relation to the new charge.

Local planning authorities would be required to set out their charge proposals in advance, giving the developer certainty as to the level of the contribution they will be asked to make and an indication of the impacts of development to which charge income will be

applied. This requirement will also mean that assessing and mitigating the impact of development will become a plan-led activity. If developers opt to pay the charge, we propose that legislation would prevent local planning authorities from seeking any further financial or in-kind contribution in respect of those matters covered by the charge. Our consultation document invites views on the matters that would be covered. However, planning obligations can extend to non-financial matters as well and we expect that where the charge is paid, a residual negotiation may have to take place. But we are determined to ensure that our final proposals do not ask developers to pay twice.

The developer will always have the option not to pay the charge and to negotiate in the same way as the present system allows. For example, negotiation might still be necessary for difficult, financially marginal or special cases where a negotiation can better mould the agreement to the proposed development. We propose that our new policy will require all local planning authorities to adopt existing best practice and set out the matters to be covered in negotiation in local planning instruments. So transparency and predictability will be increased even where the developer opts not to pay the charge.

We propose to amend the Planning and Compulsory Purchase Bill to enable us to make these reforms. These amendments will provide a power to establish the new optional charge but we intend to use secondary legislation to set out the detailed framework. This secondary legislation will be informed by the outcome of the consultation, an approach that will enable business, local government and other stakeholders to contribute to the development of the new system. To aid this further, I aim to publish draft Regulations in January and in spring 2004 we will also consult on a new draft Circular to replace Circular 1/97.

The consultation period runs until 8 January 2004 and we welcome views on how best to make our proposals work for everyone involved in securing sustainable communities: developers, local authorities and the communities they serve.

The Government appointed Kate Barker earlier this year to investigate factors affecting the supply of housing, including the role of the planning system. The Government will consider any relevant recommendations of the Barker review before it finalises its planning obligations policy in summer 2004. Representations already made to the Barker review on the subject of planning obligations will be taken into account as the Government finalise their policy.

In conclusion, the Government believe that the proposals offer an opportunity to resolve this difficult area of policy in a way, which retains flexibility where necessary and offers speed and certainty where possible.

INTERNATIONAL DEVELOPMENT

Low-Income and Middle-Income Countries

The Secretary of State for International Development (Hilary Benn): I have previously indicated that changes would be made to planned future programme allocations for middle-income countries over the next two years. This results from decisions taken on financing for Iraq and the Government's commitment to increase the proportion of our direct assistance going to the poorest countries.

As reported in the Department's 2003 Annual Report, we are planning to increase significantly total bilateral allocations for DFID's country and regional programmes over the next two years from this year's estimated total of £1.429 billion to £1.762 billion in 2004–05 and £2.078 billion in 2005–06. This includes meeting the Prime Minister's commitment to increase our spending for Africa to £1 billion annually by 2005–06; and increasing our spending in Asia by some 45 per cent. to nearly £800 million by the same year. Overall, the UK's aid budget will grow to nearly £4.6 billion by 2005–06, an average annual increase over the 2002 spending review period of 8.1 per cent. in real terms. The UK's level of Official Development Assistance is set to reach 0.4 per cent. of national income by 2005–06—a 93 per cent. increase in real terms since 1997. This is evidence of this Government's continued commitment to make progress towards meeting the UN target of an ODA/GNI ratio of 0.7 per cent.

As set out in the 2003 Departmental report, responding to changes in circumstances is an integral part of DFID's work, and financial allocations for future years are subject to change. We had already planned to reduce the overall allocation to middle-income countries in order to allow an increase in spending on the poorest countries.

Over the next two years, funding for the reconstruction of Iraq includes £50 million reallocated from planned programmes, together with DFID contingency funding of £115 million and contributions from other Government Departments. Our Public Service Agreement includes the commitment to increase the share of our bilateral programme going to low-income countries to 90 per cent. by 2005–06. As a consequence of the temporary increase in funding for Iraq, which we expect to return to middle-income status soon, we will also need to move a further estimated £50 million from middle-income country programmes to low-income country programmes. This is in line with our commitment to the 90 per cent. target.

The total effect of these changes will be a reduction in planned bilateral spending in middle-income countries in 2004–05 and 2005–06 of around £100 million. Funding for programmes in middle-income countries during the current financial year will not be affected. Our budget for humanitarian activities will remain as planned.

We will continue to provide substantial support to middle-income countries through our contributions to multilateral institutions. In 2001–02 this amounted to some £600 million, of which some £350 million was for middle-income developing countries; and the rest was for middle-income countries in transition.

These changes in planned bilateral allocations will involve withdrawal from programmes, earlier than we had previously decided, from a number of middle-income countries, which are less dependent on UK bilateral aid. Romania, Bulgaria, Croatia, and Egypt

are in this category. Our planned programme in Jordan will be re-phased. Our current programmes in Anguilla and TCI will now close in 2004–05, a year earlier than originally planned.

We will be continuing with our bilateral programmes, with some reduction in spending levels and in some cases an adjustment of focus in the following countries/regions: South Africa, China, Sri Lanka, Russia, Jamaica, Guyana, Brazil, Bolivia, Serbia and Montenegro, Bosnia, Albania, Kosovo and the Caribbean. Our small programme in the former Yugoslav Republic of Macedonia will close by 2005–06, as will the small programmes in Peru and Honduras. We will be developing a new approach to regional involvement in Latin America. Our programmes in the Palestinian Authority, Montserrat and St Helena will remain unaffected; and we will retain a programme in Nicaragua.

I also propose to increase, from 2005–06, our partnership funding for NGOs, including those working with middle-income countries and Latin America.

My officials are in touch with all of the countries affected by these changes in plans. We are also talking to the multilateral agencies and some other bilateral donors about the scope for increasing our cooperation with them. This will be reflected in the new middle-income country strategy that the Department is preparing in consultation with other Departments in Whitehall. I shall report further to the House on the impact on individual country programmes once these discussions are complete.

CONSTITUTIONAL AFFAIRS

Diversity of the Magistracy

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): At the beginning of October, the Secretary of State and Lord Chancellor published a national strategy for recruitment to the magistracy, setting out my Department's plans to increase the number of appointments as a justice of the peace, and to encourage applications from people with a wider range of backgrounds. In furtherance of the national strategy, the Secretary of State and Lord Chancellor is now amending his directions to the Committees, which advise him on magisterial appointments. The Committees are asked to achieve a bench that is broadly representative of the community which they serve. Following advice from royal commissions in 1910 and 1948, political association has hitherto been used as an indicator of social class in seeking to achieve that balance. The Secretary of State and Lord Chancellor is satisfied that the way people vote is no longer a reliable guide to social perspective and standing. Therefore a new system is being introduced; applicants will identify themselves against occupational and industrial groupings, based on standard classifications used by the Office for National Statistics. The Secretary of State and Lord Chancellor is also telling the Committees that there need be no lower age limit for applicants who can show that they have the key qualities needed for appointment. Copies of the national strategy document and of the new application form, which sets out the occupational groupings categories, have been placed in the Libraries of both Houses.

DEFENCE

Future Command Liasion Vehicle

The Minister of State, Ministry of Defence (Mr. Adam Ingram): I am pleased to announce that the Ministry of Defence has today signed a contract worth £166 million (including VAT) with Alvis Vickers Ltd, for the manufacture of the future command and liaison vehicle (FCLV).

On 17 July we announced that the FCLV would be deployed with the RAF regiment and that the contract value would be worth over £200 million. Ongoing work on armoured fighting vehicle rationalisation has led to a review of the initial requirement for vehicles. Consequently, we have revised the size of the initial procurement of FCLV whilst retaining the option to procure additional FCLV at a later date. The RAF regiment will no longer receive vehicles from the initial fleet of FCLV and the contract value of the initial work has been revised.

The FCLV will perform the command and liaison role and replace the ageing and disparate vehicle fleet within the manoeuvre support brigades comprising elements of the 430 series, Saxon, Land Rover and combat vehicle reconnaissance (tracked) fleets. From its planned in-service date of 2006, the FCLV will provide levels of crew protection and mobility commensurate with their roles in an increasingly extended ground manoeuvre area. It will offer protection against small arms, blast and anti-personnel mines. Those in the direct fire zone will contain a self-defence weapon (SDW) that can be operated under armour to provide suppressive fire and surveillance and target acquisition (STA) system will be provided to enhance situational awareness, reconnaissance, targeting and reporting. The vehicle has been selected to deliver the solution to the armed forces requirement for enhanced speed, reliability, flexibility and protection for a wide range of users in combat or peacekeeping operations.

The award of this contract to Alvis Vickers Ltd is excellent news for both our Armed Forces and the defence industry. It will sustain approximately 35 highly skilled jobs at the Alvis Vickers Ltd facility at Telford, and a further 25 within other UK companies. This is the culmination of work conducted by both the MOD and industry, and is a good example of the principles of smart acquisition being put into practice. It is incumbent on the MOD and industry to work together to ensure that our armed forces have access to the right equipment, in the right quantities, at the right time and at the right price.

Defence Geographic and Imagery Intelligence Agency Targets (2003–04)

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The role of the Defence Geographic and Imagery Intelligence agency is to provide imagery intelligence and geographic support to defence policy, operations and training; to meet customer requirements

for imagery intelligence and geographic support in accordance with defence priorities; to maintain and develop agency capabilities and readiness in line with future defence requirements; and to become progressively more efficient, whilst improving the quality and delivery of its products and services. The key targets for the agency for the 12 months from April 2003 are:

KEY TARGET 1A—OPERATIONAL IMINT PROVISION

To satisfy operational requirements for Imagery Intelligence within timescales and to standards agreed between the Agency and its customers, by satisfying at least 95 per cent. of requirements overall, whilst delivering not less than 98 per cent. of priority one tasks.

KEY TARGET 1B—OPERATIONAL GEOGRAPHIC SUPPORT

To satisfy operational requirements for geographic support within timescales and to standards agreed between the agency and its customers, by satisfying 100 per cent. of the geographic products and services essential to support current and potential operations, both from the agency's UK based operation and its deployable units.

KEY TARGET 2—READINESS

To achieve the required levels of operational readiness in line with defence planning assumptions, whilst continuing to satisfy those deployable element outputs required under Key Target 1, maintaining agreed states of readiness as set by PJHQ for all contingency forces.

KEY TARGET 3A—STRATEGIC AND CONTINGENCY IMINT PROVISION

To satisfy strategic and contingency requirements for Imagery Intelligence within timescales and to standards agreed between the agency and its customers, by providing at least 57 per cent. of the requirements as set out in the imagery exploitation programme (HEP), while delivering not less than 92 per cent. of priority one tasks.

KEY TARGET 3B—STRATEGIC AND CONTINGENCY GEOGRAPHIC SUPPORT

To satisfy strategic and contingency requirements for geographic support within timescales and to standards agreed between the agency and its customers, completing at least 90 per cent. of a customer endorsed programme of work for geographic products and services.

KEY TARGET 3T (TRANSITIONAL)—MEASUREMENT OF GEOSPATIAL PROVISION

To develop improved mechanisms for the measurement of geospatial provision which enable effective evaluation of output efficiency. Definition of output measurement mechanisms for geospatial provision which enable a baseline for output efficiency to be quantified during FY 04–05.

KEY TARGET 4—IMPROVEMENT IN GEOGRAPHIC INFORMATION HOLDINGS

To demonstrate a further 1 per cent. improvement in the coverage of geographic information holdings resulting in at least a cumulative 4 per cent. improvement on the baseline established in 1999, and to ensure that the quality of the collection achieves the level of readiness agreed with customers. This will be demonstrated by maintaining the MOD map library collection at the agreed level of readiness and achieving a further 1 per cent. improvement in coverage of geographic information holdings.

KEY TARGET 5T (TRANSITIONAL)—OUTPUT EFFICIENCY

To define mechanisms for the measurement of output efficiency that encompass all key areas of agency business, which will enable a baseline for output efficiency to be quantified during FY 04–05.

Defence Intelligence and Security Centre Agency Targets (2003–04)

The Minister of State, Ministry of Defence (Mr. Adam Ingram): DISC is the centre for defence intelligence training in the UK. CE DISC is responsible for training authorised personnel in intelligence, security and information support disciplines and maintaining an operational capability. The key targets for the agency for the 12 months from April 2003 are:

KEY TARGET 1—TRAINING QUANTITY

To deliver, within the resources available, the quantity of training places agreed with sponsors through the statement of training requirement (SOTR) process, and as endorsed by the customer executive board (CEB) and owner's advisory board (OAB).

KEY TARGET 2—TRAINING QUALITY

To set up a new process by which DISC can measure its training output in terms of quality.

KEY TARGET 3—EFFICIENCY

To reduce the current cost in real terms of delivering the average training place made available and to reduce the average cost of a man training day (MTD) successfully completed in financial year (FY) 2003–04.

KEY TARGET 4—OPERATIONS

To satisfy the operational tasking of the defence de-briefing team (DOT) and the field HUMINT team (FHT).

TREASURY

UK Dividends (Taxation Changes)

The Paymaster General (Dawn Primarolo): Legislation to block potential tax avoidance by individuals using transactions in UK equities is to be included in Finance Bill 2004. The changes will have immediate effect.

The legislation closes a loophole resulting from a mismatch in the rules for taxing UK dividends and making "manufactured" payments under a sale and repurchase (repo) or stock lending arrangement. These schemes enable individuals to obtain an unintended tax windfall by using repos or stock loans to manufacture a dividend payment. The new provisions will apply to dividends received and manufactured dividends paid on or after today.

A copy of today's Inland Revenue news release giving the relevant background to this measure has been deposited in the Libraries of both Houses and is accessible on the Inland Revenue's website at http://www.inlandrevenue.gov.uk.

Written Answers to Questions

Monday 27 October 2003

Aircraft Landing Fees

Norman Lamb: To ask the Secretary of State for Defence how much was paid by his Department in respect of landing fees for British military aircraft using commercial airfields *(a)* in each of the last three years and *(b)* so far in 2003, broken down by airfield. [133624]

Mr. Ingram: Information on landing fees is not held by airfield, and cannot be provided in this format. Figures are available for the United Kingdom and overseas, by budget area, but these figures include handling charges and associated costs (e.g. parking, training, transport and navigation). In some cases the figures are not available from current records and could be provided only at disproportionate cost.

£

	Financial year 2001–02	*Financial year 2002–03*	*Financial year 2003–04*
Strike command			
UK	2,538,279	1,944,807	855,204
Overseas	915,812	1,960,065	1,759,346
Fleet			
UK	[1]—	[1]—	406,344
Overseas	[1]—	[1]—	12,707
Land (joint helicopter) command			
UK	[1]—	162,348	54,364
Overseas	[1]—	17,185	12,957

[1] Disproportionate cost.

Army Regiments

Mr. Carmichael: To ask the Secretary of State for Defence what recent discussions he has held with Scottish army regiments on restructuring. [134008]

Mr. Ingram: There have been no recent discussions with Scottish regiments on restructuring.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Defence if he will list the contracts for consultancy and work carried out by Bechtel in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133581]

Mr. Ingram *[holding answer 22 October 2003]*: The Ministry of Defence has placed one direct contract with Bechtel Limited since 1997. It covers the provision of project management services in support of a programme of assistance to the Russian Government in respect of chemical demilitarisation. The contract was placed on 24 January 2003 with a three year duration with two separate one year options to extend.

The contract is funded jointly by the UK MOD, which has contributed £9.1 million, the Norwegian Government, and the European Union.

C130 Aircraft

Mr. Gray: To ask the Secretary of State for Defence how many C130J Hercules have been delivered; and how many serviceable engines there are; how many C130J Hercules aircraft are grounded because of a shortage of *(a)* spares and *(b)* software; and if he will make a statement. [134276]

Mr. Ingram: Twenty five Hercules C-130J aircraft have been delivered to the RAF.

The RAF currently holds 81 serviceable engines. At 09.00 hours 24 October 2003, five Hercules C130-J aircraft were unavailable to Front Line Commanders while awaiting spares.

Colombia

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his answer of 16 October 2003, *Official Report*, columns 321–22W, on military aid to Colombia, if he will break down the figures of *(a)* £48,296 and *(b)* £77,934 into major expenditure category. [134120]

Mr. Ingram: These figures relate to the cost of courses attended by two officers of the Colombian Armed Forces in the UK. One officer attended the Royal College of Defence Studies course and one is currently attending the Advanced Command and Staff College.

The figures supplied cover course tuition, and accommodation and airfares for the students and entitled accompanying family members. A detailed breakdown of these figures is not held centrally.

Depleted Uranium

Angus Robertson: To ask the Secretary of State for Defence what discussions he has had with representatives of Governments participating in the International Security Assistance force in Afghanistan about the use of depleted uranium ammunitions *(a)* during and *(b)* after the conflict in Afghanistan; what Governments raised concerns about this matter; what those concerns were; how they were addressed; and if he will make a statement. [133643]

Mr. Ingram: Depleted Uranium (DU) ammunition has not been used by Allied Forces in Afghanistan and has therefore not featured significantly in the discussions that take place amongst nations participating in the International Security Assistance Force in Afghanistan.

Fast Jet Pilots

Mr. Jenkin: To ask the Secretary of State for Defence how many trained fast jet pilots are serving in flying roles in the RAF; and how many have served in each year since 1997. [134459]

Mr. Ingram: The number of trained Fast Jet Pilots serving in flying roles in the RAF at 1 October 2003 was 533. The numbers since 1997 are shown in the following table:

	Number
1 April 1997	639
1 April 1998	615
1 April 1999	581
1 April 2000	543
1 April 2001	545
1 April 2002	523
1 April 2003	548

The numbers of flying posts in the RAF are subject to constant review and will change throughout a year.

Hawk Trainer

Tony Cunningham: To ask the Secretary of State for Defence what name is to be given to the new Hawk trainer. [133954]

Mr. Ingram *[holding answer 23 October 2003]:* The new Hawk 128 is planned to meet the United Kingdom's Advanced Jet Trainer requirement. There are no plans to rename it.

Hired Tankers

Mr. Jenkin: To ask the Secretary of State for Defence how many tankers have been hired by his Department to transport fuel for the Royal Navy and at what cost, in each of the past three years. [134464]

Mr. Ingram: The information requested is shown in the table.

Financial year	*Ship*	*Cost (£)*	*Remarks*
2001–02	MV Tees fisher	17,750	Coastal Tanker to supply HMS Albion with fuel post build
	MT Bardsey	45,178	Coastal Tanker to supply fuel to HMS Ark Royal post refit
2002–03	MV Mersey Fisher	98,242	Coastal Tanker to supply HMS Invincible with fuel post refit
2003–04	MV Dicksi	87,500	Ocean/Tanker to supply fuel to Oil Fuel Depot Thanckes[1]
	MT Black Rock	44,678	Coastal Tanker to supply fuel to HMS Bulwark post build
	MV Mersey Fisher	24,375	Coastal Tanker to supply fuel to HMS Bulwark post build
		317,723	

[1] This vessel had to be chartered by the Department because the MOD's vessel, the Maersk Rapier was delayed while on a commercial charter. Cost of this voyage is in the process of being entirely recouped by the MOD as compensation against the third party who chartered the MOD's vessel and were responsible for the delay.

The MOD also has the Maersk Rapier on permanent charter. The Rapier is a multi-tasked tanker which not only supplies all fuel to the naval facilities in the United Kingdom, Gibraltar, Falkland Islands and Souda Bay, Crete but it is also chartered to supply aviation fuel to Cyprus, Ascension Island and Falkland Islands. The MOD charters the vessel to commercial companies when it is not in use for defence requirements.

Iraq

Adam Price: To ask the Secretary of State for Defence if he will make a statement on recent developments regarding plans to disarm Iraqi civilians. [125245]

Mr. Hoon: Our aim for Iraq is a stable, united and law-abiding state, no longer posing a threat to its neighbours or to international security.

In accordance with this aim, Coalition Provisional Authority policy, which states that no person shall possess small arms in a public place with the exception of Coalition Forces and those who have been authorised to carry weapons by Coalition Forces, is being enforced with due sensitivity to local customs.

The recent efforts to create a new Iraqi army and an Iraqi police force are an integral part of our efforts to ensure a secure environment for the people of Iraq.

Mr. Rosindell: To ask the Secretary of State for Defence how often he plans to rotate British troops in Iraq. [132121]

Mr. Ingram: Troops will be rotated as often as appropriate and necessary. For most units a six-month tour, with appropriate opportunity to acclimatise, has now been established.

Adam Price: To ask the Secretary of State for Defence if he will make it Government policy to launch inquiries into incidents in which Iraqi civilians have been killed in Iraq by United Kingdom and United States military forces since the end of the conflict. [129531]

Mr. Hoon *[holding answer 15 September 2003]:* We investigate every incident in which we can confirm that there has been a civilian fatality, and it has allegedly been caused by United Kingdom military personnel.

We are not in a position to comment on incidents involving US forces.

Llew Smith: To ask the Secretary of State for Defence what discussions he has had with the United States Administration in respect of the publication of the report of the finding of the Iraq Survey Group; and when it will be published. [131113]

Mr. Hoon: I have frequent discussions with the United States Administration on a wide range of issues of mutual interest. The Iraq Survey Group is one such issue.

Dr. David Kay published his Statement on the Interim Progress Report on the Activities of the Iraq Survey Group on 2 October. It can be found at www.cia.gov and copies have been placed in the Library of the House.

Mr. Rosindell: To ask the Secretary of State for Defence what plans he has to visit Iraq to view the reconstruction programme. [132128]

Mr. Hoon: I have recently returned from a visit to Iraq where I discussed infrastructure development with United Kingdom forces, the Coalition Provisional Authority and local leaders. I witnessed first hand the hard work and determination to ensure the success of reconstruction and security sector reform in Iraq.

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement outlining the circumstances under which the test tube of botulinum was discovered in Iraq and how long it had been stored in its place of discovery. [132343]

Mr. Hoon: The Iraq Survey Group was led to the vial of "Clostridium botulinum" okra B in the home of an Iraqi BW scientist. It was found in the kitchen in a container with other vials, which are believed to have been stored there for some time.

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement regarding his assessment of the United Kingdom Government's claim that Niger was prepared to sell uranium to Iraq. [132344]

Mr. Hoon: Niger sold some 270 tonnes of uranium ore to Iraq in the early 1980s. The Government have made no claim that Niger was prepared to sell uranium to Iraq since then.

Mr. Hancock: To ask the Secretary of State for Defence why British experts on the Iraq Survey Group have not been given access to the classified version of the report presented by David Kay; and if he will make a statement. [132345]

Mr. Hoon: The classified version of Dr. David Kay's Interim Report on the work of the Iraq Survey Group was drawn up in consultation with United Kingdom, United States and Australian experts working in the field in Iraq.

Since Dr. Kay's return to Iraq, ISG personnel from all three coalition countries with a need to know and the appropriate clearances have been granted access to the completed report.

Mr. Hancock: To ask the Secretary of State for Defence whether the test tube discovered in Iraq contained *(a)* the bacteria botulinum and *(b)* the toxin itself; what strain it was; how many times more toxic than the nerve agent VX the B strain is; and if he will make a statement. [132346]

Mr. Hoon: The vial contained viable "Clostridium botulinum" type B organisms. This would have allowed the Iraqis to grow from this seed stock increasing quantities of "Clostridium botulinum" from which its toxin could be derived. The toxin could then have been weaponised.

The vial was labelled as "Clostridium botulinum" strain Okra B. This micro-organism can produce botulinum toxin type B. "Clostridium botulinum" toxin type B is many times more toxic than VX nerve agent. The comparison varies depending on the route by which each is applied, on the methods by which the botulinum toxin is prepared and on the subject to which it is applied.

Mr. Stewart: To ask the Secretary of State for Defence when he expects to receive the final report from the survey group in Iraq on weapons of mass destruction [133155]

Mr. Hoon: The Iraq Survey Group will take as long as necessary to complete its investigations into Iraqi weapons of mass destruction programmes and produce a final report.

Life Insurance

Mr. Frank Field: To ask the Secretary of State for Defence how long an army reservist would need to serve in hostile or war conditions before life insurance under the Army PAX scheme would cover war risks. [133835]

Mr. Ingram: PAX provides Personal Accident and Life cover for regulars and RPAX for reservists. Cover under these schemes is the same for all three Services. Membership of these schemes is voluntary and thus the decision to purchase this cover rests with the individual.

A reservist's eligibility for war risks cover under PAX and RPAX is governed not by how long they have served in hostile or war conditions but by the length of time their cover has been in force. Under new arrangements which came into effect on 1 July 2003, PAX and RPAX exclude war risks for the first six months of a new cover purchased at any time other than during initial training.

This qualifying period was introduced as a result of the trend which Service personnel deployed to war zones have recently shown to buy short-term cover at the last minute. This increases insurers' exposure to risk, making them unable to accrue long-term premium income from which claims can be paid, and causing them to increase premiums or to close their schemes altogether to new applicants. The six-month qualifying period helps to avoid such closures and to protect the interests of prudent long-term scheme members by keeping premiums affordable.

The Ministry of Defence encourages Service personnel to recognise the long-term nature of life insurance throughout their service and not just at times of more active duty.

Nuclear Weapons

Mr. Keetch: To ask the Secretary of State for Defence if his Department will provide a precise figure for the number of nuclear warheads stockpiled by the United Kingdom; and if he will make a statement. [133757]

Mr. Hoon: In line with the policy set out in the Strategic Defence Review, we have fewer than 200 operationally available warheads. It would not be in the interests of national security to be more precise than this, and I am therefore withholding the information under Exemption 1 (Defence, Security and International Relations) of the Code of Practice on Access to Government Information.

Mr. Keetch: To ask the Secretary of State for Defence what the approximate yield is of the warheads deployed on the United Kingdom's Trident missiles; and if he will make a statement. [133758]

Mr. Hoon: I am withholding the information requested under Exemption 1 (Defence, Security and International Relations) of the Code of Practice on Access to Government Information for reasons of national security.

Mr. Keetch: To ask the Secretary of State for Defence whether the United Kingdom's nuclear weapons are also assigned to NATO. [133759]

Mr. Hoon: Yes, but they remain under United Kingdom national control at all times.

Mr. Keetch: To ask the Secretary of State for Defence what the sub-strategic role is of the United Kingdom's nuclear weapons; and if he will make a statement. [133760]

Mr. Hoon: The Government set out its nuclear deterrence policy in the Strategic Defence Review. I particularly refer the hon. Gentleman to chapter four and Supporting Essay Five.

Mr. Keetch: To ask the Secretary of State for Defence how many United States nuclear weapons are based in the United Kingdom; what the purpose is of their deployment; and if he will make a statement. [133718]

Mr. Hoon: As stated in NATO's Strategic Concept (paragraph 63), 'nuclear forces based in Europe and committed to NATO provide an essential political and military link between the European and the North American members of the alliance. The alliance will therefore maintain adequate nuclear forces in Europe.'

Numbers of US nuclear weapons in the United Kingdom can and do vary, and the capability for deployments of such weapons to and from the UK remains extant regardless of the particular number of weapons in the UK at any given time.

It is NATO and national policy not to comment on the detail of such nuclear deployments. I am therefore withholding the information under Exemption 1 (Defence, security and international relations) of the Code of Practice on Access to Government Information.

Procurement

Mr. Wray: To ask the Secretary of State for Defence whether his Department gives preference to British defence companies *(a)* when selecting producers for equipment and *(b)* for project procurement; and if he will make a statement. [133043]

Mr. Ingram: Open and fair competition remains the bedrock of the Ministry of Defence's procurement policy. However, we are also prepared to use other approaches for our acquisition requirements where they offer better long term value for money. The MOD's non-warlike acquisition requirements are subject to the EC Public Procurement Regulations that require such opportunities be advertised in the Official Journal of the European Union.

The Government's Defence Industrial Policy Paper (published in October 2002) recognises that, although acquisition decisions will be driven principally by key factors such as cost and operational effectiveness, they also need to take into account wider factors, such as industrial capabilities, which are desirable to retain in the United Kingdom. The Government are committed to a strong and healthy UK defence industry owing to the economic value that the industry brings to the UK by creating employment, technology and intellectual property in this country. Globalisation of the defence business means that the UK defence industry embraces suppliers that bring benefit and create value within the UK, regardless of the nationality of their shareholders.

Angus Robertson: To ask the Secretary of State for Defence what the terms of the contract for the procurement of Meteor missiles are, with particular reference to the total agreed to purchase cost; and if he will make a statement. [133645]

Mr. Ingram: The Meteor contract with MBDA UK Ltd covers development, the delivery of development hardware to support aircraft integration programmes (on each of Typhoon Eurofighter, Rafale and Gripen), production of the missiles and Contractor Logistics Support. The total current contract cost is some £1.2 billion, to which the UK has committed some £700 million.

At this time, only the UK has committed to the delivery of production missiles and to the associated Contractor Logistic Support (for a period of 10 years). Production options in the contract include a number of pricing break points, with the overall unit production prices reducing as those break point quantities are exceeded. Under the terms of the Meteor Memorandum of Understanding, all Partner Nations will pay the same unit production price for Meteor missiles ordered during the option period. If current estimates of Partner Nations' production quantities are fulfilled, the unit production cost for the UK's missiles will reduce from that currently budgeted.

Weapons of Mass Destruction

Mr. Keetch: To ask the Secretary of State for Defence if it is Her Majesty's Government's policy to reserve the right to be the first to use weapons of mass destruction in war. [133719]

Mr. Hoon: The phrase 'weapons of mass destruction', is generally held to refer to nuclear, chemical and biological weapons.

The United Kingdom is a State Party to the Chemical Weapons Convention and Biological and Toxin Weapons Convention which outlaw the use and possession of chemical and biological and toxin weapons respectively. The UK gave up such capabilities in the 1950s.

We maintain only a minimum nuclear deterrent, the purpose of which is to prevent war rather than fight it.

As the Government has made clear on many occasions, we would be prepared to use nuclear weapons only in extreme circumstances of self-defence. As our overall strategy is to ensure uncertainty in the mind of any aggressor about the exact nature of our response, and

thus to maintain effective deterrence, we do not define the exact circumstances under which we would be prepared to use nuclear weapons.

We would not use our weapons, whether conventional or nuclear, contrary to international law.

TRADE AND INDUSTRY

Direct Payment

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will make a statement on the progress being made on moving away from the use of order books and giros by the Post Office. [133612]

Mr. Pond: I have been asked to reply.

The mailing exercise for Direct Payment began in October 2002.

The huge numbers of customers involved in the conversion process mean the changes are being phased over the period to 2005. This approach will ensure the process is carried out efficiently and with the minimum of disruption. Customers do not need to do anything until they receive a letter from the Department.

Key figures on the progress of conversion to Direct Payment are available in the Commons Library, updated every four weeks.

With Direct Payment there are accounts that allow people to continue to be able to collect their money at the Post Office. This has been made possible by the successful introduction of universal banking service in April this year.

Company Accounts

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry if she will amend the requirement for companies to submit provisional accounts to the National Statistical Office before those accounts have been audited; and if she will make a statement on the purpose of this requirement. [134237]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nigel Jones, dated 27 October 2003:

As National Statistician I have been asked to reply to your recent question on the submission of provisional accounts to the Office for National Statistics before they have been audited. (134237)

There is no requirement for companies to submit provisional accounts to the Office for National Statistics. Under the Statistics of Trade Act, 1947 companies are required to reply to questions in certain business surveys from the Office for National Statistics, which can require information on a company's performance that is drawn from its accounts prior to auditing.

These surveys are essential to the production of timely economic statistics that allow the Government, the Bank of England and businesses to base key decisions on the latest information.

ONS works to minimise the burden placed upon businesses by the requirement to respond to our surveys. Smaller businesses are selected for survey samples on a rotational basis, to ensure that the burden of compliance is shared as evenly as possible. ONS works within an annual compliance cost limit, and produces an annual Compliance Plan which is approved by our Minister.

Employers' Liability Insurance

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has conducted into the proportion of the cost of employers' liability compulsory insurance that is taken up by *(a)* paying the claimant, *(b)* covering legal costs and *(c)* covering administration costs; and what steps she is taking to reduce the proportion taken up in (i) legal and (ii) administrative costs. [133413]

Malcolm Wicks: I have been asked to reply.

In the first stage of the review of Employers' Liability Compulsory Insurance the Government, in assessing the scope and nature of the current EL difficulties, examined EL insurance results.

Figures from Datamonitor's analysis of data from the Association of British Insurers (ABI) showed that, during 2001, claims incurred were 111 per cent. of net written premiums (gross written premiums less outward re-insurance premiums). Management expenses and commission accounted for a further 28 per cent. of net written premiums.

The Department does not have figures within the above analysis telling us precisely the proportion of claims incurred that was made up of legal costs. However evidence from one major EL insurer submitted during the first stage of the review suggested that legal costs represented on average 36 per cent. of the total claims cost for EL.

The Department is working closely with stakeholders to reduce the costs of resolving claims and will report further on this in the autumn.

EU Constitution

Mr. Redwood: To ask the Secretary of State for Trade and Industry what changes the Government is seeking in Article III—157 of the draft EU Constitution concerning energy policy. [134315]

Mr. Timms: Article III—157 introduces a new Treaty legal base for EU action on issues relating to energy. There is already Union activity in this area and we believe that creating a specific provision should lead to greater transparency. The Government are considering their position on this article in the context of the Intergovernmental Conference. Any changes to the provisions of the existing EU Treaties, including those proposed in Article III—157 of the draft Treaty, require the unanimous agreement of all member states.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what power the EU will have under Article III—157 of the EU Constitution to regulate UK oilfields by majority vote. [134316]

Mr. Timms: Article III—157 of the draft EU Constitutional Treaty would give the EU competence in energy matters related to the establishing of the internal market, including natural resources, with voting by qualified majority. Article III-130(2)(c) provides for unanimity on

> "measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply".

Gas Supply

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what recent discussions she has had with other governments, with particular reference to those of *(a)* Russia and *(b)* Algeria, on the supply of gas to the UK; and if she will make a statement. [134327]

Mr. Timms: One of the goals of the Energy White Paper, published in February this year, is that people and businesses can rely on secure supplies of energy at predictable prices delivered through the market. Part of this is about promoting diverse energy sources, suppliers and supply routes.

We are currently working with industry to maximise the economic potential of our North Sea supplies. But it is still likely that the UK will become a net importer of gas on an annual basis by around 2006.

Against this background, we are making good progress on a Treaty with Norway to underpin future cross-boundary oil and gas developments. I recently agreed the key principles of the Treaty with my counterpart in Norway. This will facilitate direct delivery of around 20 per cent. of UK gas demand from 2006.

Looking more widely, we are continuing our discussions with Russia. We jointly hosted a major conference "Russia/UK Energy: Long Term Partners", during President Putin's State Visit in June, when my Russian counterpart and I signed a Memorandum of Co-operation on the North European Gas Pipeline. This pipeline will encourage suppliers from diverse sources into the EU including the UK. It involves no direct link to the UK, but we hope that some of this gas will come into the UK in the future.

My predecessor, my hon. Friend the Member for Cunninghame, North (Mr. Wilson), visited Algeria on a Trade Mission in February and my colleague, the Minister for Trade and Investment, visited in May 2003. Discussions with Algeria also take place through the European Mediterranean Partnership. Seniors officials will attend a Euro Med ministerial in December to discuss energy infrastructure and co-ordinate policies on security of energy supply.

There have also been discussions about a Treaty Framework between the UK Government and Dutch Government for the proposed new interconnector from the Netherlands to the UK. It is expected that this interconnector will import 8 bcm of gas by 2005–06.

Inkjet Cartridges

Mr. Edwards: To ask the Secretary of State for Trade and Industry (1) what discussions she has had with EU Trade and Industry Ministers about including printer inkjet cartridges in the implementation of the EU Directive on Waste Electrical and Electronic Equipment; [134212]

(2) what recent representations she has received about the implementation of the EU Directive on Waste Electrical and Electronic Equipment from *(a)* representatives of the recycling of printer inkjet cartridges industry and *(b)* environmental bodies; and if she will make a statement; [134213]

(3) what measures she is taking to encourage the recycling of printer inkjet cartridges; [134214]

(4) what assessment she has made of the contribution of the recycling of printer inkjet cartridges industry to achieving the Government's targets on *(a)* recycling and *(b)* sustainable development. [134215]

Mr. Timms: The Department has made no specific assessment of the contribution of refilling inkjet cartridges towards environmental objectives. However, the potential environmental benefits of printer cartridge refilling, as well as the contribution of the independent refill sector towards customer choice, are recognised and welcomed by Government.

The Department has recently received a large number of letters from independent printer cartridge refillers, including many from franchisees of Cartridge World. The independent cartridge refillers have raised concerns that recent innovations by equipment manufacturers in printer cartridge technology may hinder or prevent refilling by independent operators. They have pressed for the Government specifically to include printer cartridges as electrical and electronic products in the implementation of the EU Directive on waste electrical and electronic equipment (the WEEE Directive) and to implement the Directive's "eco-design" provisions to restrict these developments in cartridge technology.

This DTI has not received representations from environmental organisations on these matters.

The Government are currently planning UK implementation of the WEEE Directive, with the aim of publishing implementation proposals later this autumn for consultation. The Directive applies to whole electrical and electronic products, not to individual components, sub-assemblies or consumables. Printer cartridges fall into this latter category.

The Department sees a harmonised approach to the scope of the Directive as desirable. Officials from this Department with responsibility for implementation planning for the WEEE Directive regularly meet their opposite numbers from other EU member states and the European Commission and have discussed the status of printer cartridges under the Directive. A majority of member states and the Commission have said they share the UK's interpretation. DTI Ministers have not discussed this issue directly with EU counterparts.

Iran

Mr. McCabe: To ask the Secretary of State for Trade and Industry what the value of export credits for Iran has been in each year since 1996; and what the main trade products between Iran and the UK have been. [132924]

Mr. Mike O'Brien: 1. The Value of export credits for Iran since 1996 is as follows:

	Value of Export Credits £ thousand
1996	0
1997	0
1998	150
1999	0
2000	0
2001	38,217
2002	75,692
2003	83,203

2. The main trade products between Iran and the UK up to 2002 are as follows:

UK trade in goods with Iran, 1996–2002

Main products

*UK Exports *SITC*

1996 Division Product		*Value £ million*
1	74 General industrial machinery & machine parts *nes	65.6
2	78 Road vehicles (including air-cushion vehicles)	40.6
3	72 Machinery specialised for particular industries	37.9
4	59 Chemical materials and products nes	33.7
5	71 Power generating machinery and equipment	26.1
Total Exports (incl. top five exports as listed above)		396.6

1997 Division Product		*Value £ million*
1	74 General industrial machinery & machine parts nes	64.7
2	71 Power generating machinery and equipment	55.9
3	72 Machinery specialised for particular industries	36.3
4	59 Chemical materials and products nes	33.5
5	87 Professional, scientific and controlling instruments nes	31.2
Total Exports (incl. top five exports as listed above)		402.6

1998 Division Product		*Value £ million*
1	71 Power generating machinery and equipment	58.9
2	74 General industrial machinery & machine parts nes	54.2
3	59 Chemical materials and products nes	34.1
4	78 Road vehicles (including air-cushion vehicles)	30.0
5	72 Machinery specialised for particular industries	27.0
Total Exports (incl. top five exports as listed above)		330.9

1999 Division Product		*Value £ million*
1	74 General industrial machinery & machine parts nes	43.3
2	71 Power generating machinery and equipment	27.2
3	59 Chemical materials and products nes	23.2
4	72 Machinery specialised for particular industries	20.3
5	77 Electrical machinery, apparatus and appliances nes	19.3
Total Exports (incl. top five exports as listed above)		244.9

2000 Division Product		*Value £ million*
1	74 General industrial machinery & machine parts nes	62.4
2	72 Machinery specialised for particular industries	36.7
3	71 Power generating machinery and equipment	34.9
4	87 Professional, scientific and controlling instruments nes	22.9
5	78 Road vehicles (including air-cushion vehicles)	19.1
Total Exports (incl. top five exports as listed above)		296.1

2001 Division Product		*Value £ million*
1	74 General industrial machinery & machine parts nes	95.5
2	71 Power generating machinery and equipment	67.1
3	72 Machinery specialised for particular industries	44.5
4	87 Professional, scientific and controlling instruments nes	35.2
5	54 Medical and pharmaceutical products	23.9
Total Exports (incl. top five exports as listed above)		430.8

2002 Division Product		*Value £ million*
1	74 General industrial machinery & machine parts nes	71.7
2	71 Power generating machinery and equipment	66.7
3	72 Machinery specialised for particular industries	56.8
4	87 Professional, scientific and controlling industruments nes	40.0
5	54 Medical and pharmaceutical products	22.6
Total Imports (incl. top five imports as listed above)		401.7

1996 Division Product		*Value £ million*
1	33 Petroleum, petroleum products and related materials	86.3
2	65 Textile yarn, fabrics, made-up articles nes and related products	9.9
3	05 Vegetables and fruit	7.2
4	Fish (not marine mammals), crustaceans, molluscs and aq 03 invertebrates etc.	2.8
5	28 Metalliferous ores & metal scrap	2.5
Total Imports (incl. top five imports as listed above)		118.8

1997 Division Product		Value £ million
1	65 Textile yarn, fabrics, made-up articles nes and related products	9.9
2	67 Iron & steel	6.2
3	05 Vegetables and fruit	5.3
4	28 Metalliferous ores & metal scrap	2.4
5	26 Textile fibres (and their wastes)	1.5
Total Imports (incl. top five imports as listed above)		36.2

1998 Division Product		Value £ million
1	65 Textile yarn, fabrics, made-up articles nes and related products	7.8
2	05 Vegetables and fruit	4.3
3	67 Iron & steel	3.2
4	33 Petroleum, petroleum products and related materials	3.0
5	71 Power generating machinery and equipment	2.9
Total Imports (incl. top five imports as listed above)		36.1

1999 Division Product		Value £ million
1	05 Vegetables and fruit	9.6
2	65 Textile yarn, fabrics, made-up articles nes and related products	7.3
3	72 Machinery specialised for particular industries	2.4
4	69 Manufactures of metal nes	2.1
	Fish (not marine mammals), crustaceans, molluscs and aq	
5	03 invertebrates etc	2.0
Total Imports (incl. top five imports as listed above)		36.5

2000 Division Product		Value £ million
1	65 Textile yarn, fabrics, made-up articles nes and related products	7.7
2	05 Vegetables and fruit	4.3
3	69 Manufactures of metal nes	3.0
4	71 Power generating machinery and equipment	2.4
5	91 Postal packages not classified according to kind	2.2
Total Imports (incl. top five imports as listed above)		33.2

2001 Division Product		Value £ million
1	65 Textile yarn, fabrics, made-up articles nes and related products	6.1
2	05 Vegetables and fruit	5.5
3	91 Postal packages not classified according to kind	3.0
4	66 Non-metallic mineral manufactures nes	2.4
5	71 Power generating machinery and equipment	2.0
Total Imports (incl. top five imports as listed above)		29.6

2002 Division Product		Value £ million
1	65 Textile yarn, fabrics, made-up articles nes and related products	6.0
2	05 Vegetables and fruit	5.2
3	71 Power generating machinery and equipment	3.9
4	91 Postal packages not classified according to kind	3.4
5	67 Iron & steel	2.5
Total Imports (incl. top five imports as listed above)		35.9

Note:
The main products are defined in terms of Divisions of the Standard International Trade
Classification (*SITC), Revision 3.
*nes = not elsewhere specified
Source:
DTI analysis of data published by HM Customs and Excise

Manufacturing

Mr. Wray: To ask the Secretary of State for Trade and Industry what assistance her Department provides to manufacturing companies in the UK to improve export levels; and if she will make a statement on the importance of *(a)* manufacturing exports and *(b)* export credit guarantees to the UK economy. [133137]

Mr. Mike O'Brien: British Trade International, a joint DTI and FCO operation, provides a range of information, advice and support to enable potential and existing exporters, including manufacturers, to raise their productivity and competitiveness levels by trading internationally.

Manufacturing exports are a crucial part of the UK's prosperity. Manufacturing accounts for the majority of our exports and makes a substantial contribution to the balance of payments.

ECGD provides guarantees, insurance and reinsurance against loss to UK exporters and investors in overseas markets. During 2002/03, the total amount of business supported by ECGD was £3.5 billion.

Oil Stocks

Mr. Redwood: To ask the Secretary of State for Trade and Industry what plans the EU has to share oil stocks in the event of an oil crisis. [134317]

Mr. Timms: The UK is required as a member state of the European Union to hold emergency oil stocks equal to 67.5 days' consumption, and as a member of the International Energy Agency (IEA) to take part in any collective response to a major international supply disruption.

Under the legislation governing the EU stock-holding obligations, if difficulties arise with regard to EU oil supplies the European Commission will arrange a consultation between member states. However, any response to disruption, including sharing arrangements, is a matter for member states, acting as members of the IEA. The European Commission made a proposal last year to increase its own role. This proposal was opposed by member states at the Energy Council in May 2003, and by the European Parliament at a plenary session in September 2003.

Post Office Card Accounts

Diana Organ: To ask the Secretary of State for Trade and Industry for what reasons a married couple will be issued with two different Pin numbers for a Post

Office card account when the card account holder appoints a Permanent Agent with limited access to the account. [134207]

Mr. Timms: The detailed operation of the Post Office card account is an operational matter for Post Office Ltd.

I understand from Post Office Ltd. that the Permanent Agent is issued with a separate card and PIN number from the Primary Account Holder for security reasons. It ensures that every time the Permanent Agent accesses the Primary Account Holders account it is noted on the account history for audit purposes. This is clearly important as the Permanent Agent can make cash withdrawals.

Diana Organ: To ask the Secretary of State for Trade and Industry for what reasons a married couple are not permitted to open a joint Post Office card account. [134208]

Mr. Timms: The detailed operation of the Post Office card account is an operational matter for Post Office Ltd.

The Post Office card account has been designed as a simple account for the payment of benefits to individuals. It is not intended as a substitute for a current account and a joint account facility is not available on the Post Office card account. The Post Office card account is primarily for those who do not have, or choose not to use their current account, for whatever reason. However, access by someone other than the Primary Account Holder is incorporated as a facility as this is currently a vital component of benefit collection at the Post Office. Therefore, all card account applicants have the option of electing a Permanent Agent.

Diana Organ: To ask the Secretary of State for Trade and Industry what eligibility restrictions there are on a Post Office card account. [134209]

Mr. Timms: The Post Office card account is only available to benefit, pension and tax credit recipients. There are no other eligibility criteria.

Postcomm

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry if she will make a statement on how the principles of good regulation, set down by the Better Regulation Taskforce, of *(a)* proportionality, *(b)* accountability, *(c)* consistency, *(d)* transparency and *(e)* targeting are applied to Postcomm. [133464]

Mr. Timms: Postcomm must follow its statutory duties, and is accountable to Parliament for its decisions and activities. Its decisions are open to challenge via Judicial Review.

The Department has co-ordinated two progress reports documenting advances made by Government and regulators against the BRTF's recommendations. They have been sent to the Cabinet Office for onward circulation to the Panel for Regulatory Accountability.

The reports have found that Postcomm's activities fully respect the need for proportionality: are consistent with those of other economic regulators: are transparent, with all key decisions fully explained in published documents: and appropriately targeted in relation to their statutory obligations.

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry if (1) she will take steps to strengthen Postcomm's penalty system for failure to achieve postal service quality targets; [133465]

(2) what research she has commissioned on penalty mechanisms used by postal regulators in other EU countries; [133466]

(3) to whom the financial penalty levied on Royal Mail announced by Postcomm on 30th September is payable; [133467]

(4) if she will make a statement on the financial penalty announced by Postcomm on 30 September levied on Royal Mail for failing first class business service targets. [133468]

Mr. Timms: The Postal Services Act 2000 establishes the framework under which the Postal Services Commission may impose financial penalties. It is for the Commission to decide on its policy within this framework, which was adopted in February 2002 following a public consultation. I consequently have no plans to commission research in this area. The Commission frequently liases with other industry regulators in the UK, as well as postal regulators in the rest of Europe on a range of postal regulation matters. The recent decision to impose a financial penalty on Royal Mail is a matter for the Commission and is still under a 28 day period for comment. Such financial penalties are payable to Postcomm in the first instance, and then transferred to the Treasury Consolidated Fund.

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry if she will make a statement on the terms of reference she has laid down for Postcomm to guide its duties, purpose and activities. [133469]

Mr. Timms: The Postal Services Act 2000 ("the Act") sets out the purpose and duties of the Postal Services Commission ("the Commission"). The Act makes provision for the Secretary of State in certain circumstances to give directions and guidance to the Commission. On 14 March 2001, in exercise of her powers under section 41(1) of the Act, the Secretary of State gave directions to the Commission with regard to the provision of free postal services to blind and partially sighted persons. In accordance with section 43(2) of the Act the Secretary of State provided social and environmental guidance to the Commission on 22 March 2001.

Postal Services

Peter Bradley: To ask the Secretary of State for Trade and Industry if she will list the rural post offices in Shropshire which have closed in each year since 1990. [134321]

Mr. Timms: I am advised by Post Office Ltd that data on post office numbers has not been maintained on the basis of County as the company does not require this data for operational reasons. However, I understand that since March 2000 the company has recorded details of post office closures on the basis of Government

Region and in the West Midlands region as a whole, of which Shropshire is a part, the numbers of net closures were as follows:

2000–01 = 34
2001–02 = 24
2002–03 = 35

I understand that Post Office Ltd produces information on post office closures on a quarterly basis. There were 23 net closures of post offices in the West Midlands region to the end of June 2003, the latest quarter for which figures are currently available.

Mr. Dodds: To ask the Secretary of State for Trade and Industry if she will take steps to ensure that the Skegoneill Post Office in North Belfast remains. [134635]

Mr. Timms: Post Office Ltd's proposal to close the Skegoneill post office branch has been made under the company's urban reinvention programme.

Decisions on post office closures and relocations are an operational matter for the company. It would be inappropriate for the Government to intervene in determining individual closures.

In accordance with the Code of Practice on Post Office Closures and Relocations—agreed between Post Office Ltd. and Postwatch, the consumer watchdog for postal services, the company enters into consultation on all proposed closures. Postwatch are consulted on every post office closure proposal before a decision is made and there is every opportunity for those affected by a proposal, and the local MP, to make representations to the company or to Postwatch.

Diana Organ: To ask the Secretary of State for Trade and Industry how many sub-post offices have closed within the Forest of Dean constituency in *(a)* each of the last 12 months and *(b)* the previous five years. [134205]

Mr. Timms: I am advised by Post Office Ltd. that data on post office numbers has not been maintained on the basis of local authority areas as the company does not require this data for operational reasons.

Diana Organ: To ask the Secretary of State for Trade and Industry how many sub-post offices have closed in Gloucestershire in *(a)* each of the last 12 months and *(b)* the previous five years. [134206]

Mr. Timms: I am advised by Post Office Ltd. that data on post office numbers has not been maintained on the basis of county as the company does not require this data for operational reasons. However, I understand that since March 2000 the company has recorded details of post office closures on the basis of Government Region and in the West Midlands region as a whole, of which Gloucestershire is a part, the numbers of net closures were as follows:

	Number
2000–01	34
2001–02	24
2002–03	35

I understand that Post Office Ltd. produces information on post office closures on a quarterly basis. There were 23 net closures of post offices in the West Midlands region to the end of June 2003, the latest quarter for which figures are currently available.

Mr. Drew: To ask the Secretary of State for Trade and Industry (1) if she will publish the classifications of sub-post offices in the Stroud constituency; and what discussions she has had with individual owners on that classification; [134254]

(2) if she will publish the criteria for the classification of sub-post offices; and what grounds there are for appeal against that classification; [134255]

(3) on what basis Cam Woodfield post office was classified as an urban neighbourhood post office. [134256]

Mr. Timms: I have had no such discussions on this issue. This is a matter that falls within the operational responsibilities of Post Office Ltd. and I have asked the Chief Executive to reply direct to the hon. Member.

Broadband

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many telephone exchanges in *(a)* the UK and *(b)* Scotland are broadband-enabled; what percentage this is of the total of telephone exchanges in each case; and which constituencies have less than 10 per cent. of their telephone exchanges broadband-enabled. [133856]

Mr. Timms: Broadband is provided over the telephone system by DSL technology, most commonly by ADSL. However, ADSL is not the only means of accessing broadband. According to BT the statistics for the UK and Scotland are as follows:

(a) 1827 telephone exchanges are broadband-enabled in the UK. This represents 32.65 per cent. of the total of telephone exchanges. 81 per cent of the UK population are served by telephone exchanges that have been upgraded for ADSL broadband;

(b) 148 telephone exchanges are broadband-enabled in Scotland. This represents 13.84 per cent of the total of telephone exchanges. 60.9 per cent of the population in Scotland are served by telephone exchanges that have been upgraded for ADSL broadband.

Information about which constituencies have less than ten per cent of their telephone exchanges broadband-enabled is not held within Government.

Retail Pharmacy Services

John Cryer: To ask the Secretary of State for Trade and Industry whether the proposed exemption of large shopping developments from the control of entry requirements for retail pharmacy services will be restricted to bespoke shopping developments. [133276]

Ms Rosie Winterton: I have been asked to reply.

As part of the balanced package of measures, announced on 17 July 2003, the Government proposed that shopping developments over 15,000 square metres would be exempt from the control of entry requirements for national health service pharmaceutical services. Such developments include purpose-built named shopping developments in town centres, on edge-of-centre and out-of-centre sites, major regional shopping

centres, retail warehouse parks and factory outlet centres. We are currently consulting on these proposals and would welcome views.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

River Pollution

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to reduce nitrate concentrations in English rivers. [132114]

Mr. Morley: The Government has taken, and is taking, a range of action to address nitrate pollution of English rivers.

The EC's Urban Waste Water Treatment Directive contains provisions designed to reduce the adverse impact of sewage discharges on the water environment. The Directive, and Government policy building on the Directive's requirements, establishes that all discharges from sewage treatment plants serving populations greater than 2,000 have secondary treatment by the end of 2005.

Secondary treatment reduces the total nitrogen present in sewage. The amount of this reduction is dependant upon the type of secondary treatment process applied, but reduction of total nitrogen achieved through secondary treatment is of the order of 20 per cent. on average.

The Directive also contains provisions that require further treatment of nitrates from sewage discharges to reduce the impact on freshwaters intended for abstraction for use as drinking water. These provisions require that where nitrate concentration levels in these waters exceed or could exceed 50mg/l, if no protective action is taken, then nitrate reduction is to be achieved through further treatment processes.

Between February 1997 and June 2002 eight water bodies in need of protection from excessive nitrates levels were identified as Sensitive Areas (Nitrate) in England. Relevant sewage works have been, or are being, built to provide the treatment needed to reduce nitrate levels in their discharges.

Action has also been taken to reduce nitrates in sewage discharges to estuaries in a number of Sensitive Areas (Eutrophic) where it is considered that these discharges contribute, or are likely to contribute, to the eutrophication of coastal waters.

Additionally the EU Nitrates Directive, an environmental measure designed to reduce current and prevent future water pollution by nitrate from agricultural sources, requires all known areas of land draining into nitrate-polluted waters to be designated as Nitrate Vulnerable Zones. The Nitrates Directive requires the identification of polluted waters using the following criteria: *(a)* surface and groundwaters which contain or could contain, if preventative action is not taken, nitrate concentrations greater than 50 mg/l; *(b)* surface waters which are eutrophic or could become eutrophic if preventative action is not taken. Around 55 per cent. of England has been designated as NVZs on the basis that it drains into these waters.

Areas of Outstanding Natural Beauty

Mr. Caton: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on *(a)* the process of establishing area of outstanding natural beauty conservation boards and *(b)* selecting Secretary of State nominees to area of outstanding natural beauty conservation boards; [133431]

(2) what mechanisms she will put in place to ensure that the appointment process for members of area of outstanding natural beauty conservation boards is *(a)* fair, open and transparent and *(b)* delivers boards that are well-balanced in terms of their skills, background and political interests. [133432]

Mr. Bradshaw: The process of establishing AONB Conservation Boards is laid down in section 86 of the Countryside and Rights of Way Act 2000. The Chilterns and Cotswolds AONBs are well advanced in the process. I intend to write to the Countryside Agency and the constituent local authorities of each AONB seeking their formal consent for the Establishment Orders to create the two Boards. In addition, we have just begun the same process for the High Weald AONB.

Secretary of State appointees will represent the national perspective on Conservation Boards. When the vacancies are advertised, I hope a variety of people will apply. To encourage this, Defra asked the Countryside Agency to organise a 'test day' to research the best ways of reaching a diverse range of people with the necessary skills. The results are now being considered. Appointments will follow the process of fair and open competition as described in Cabinet Office Guidance on public appointments.

The process for appointing parish members will be included in the Establishment Order for each Conservation Board. It will provide a democratic process for parishes to elect their appointees.

Each constituent local authority will be able to appoint a member to the two proposed Boards. How these appointees are selected will be a matter for each authority to decide but the appointee must be an elected member of the appointing authority.

Secretary of State appointees will be selected with a range of skills and experience in mind, including in land management, conservation, business and the community. Although it is for local authorities and parishes to chose who they want to represent them, I would expect them to appreciate the need for spread of skills and experience.

Atrazine

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs in which EU countries atrazine is banned. [134100]

Alun Michael: As I said in my reply to my right hon. Friend on 20 October 2003, *Official Report*, column 396W, Atrazine will be withdrawn in all member states over an 18 month period that will begin on final adoption of the relevant European Commission Decision, which we expect in the next few months. Certain "essential cases" will be allowed until the end of 2007 in respect of sweetcorn and forestry.

In advance of this, the most recent information from the European Commission indicates that Atrazine is currently not approved in Austria, Denmark, Finland, Germany, Italy, the Netherlands and Sweden.

Beef Exports

Mr. Peter Duncan: To ask the Secretary of State for Environment, Food and Rural Affairs what the earliest possible date is on which the beef export market could be opened; and if she will make a statement. [132390]

Mr. Bradshaw: It has been possible since 1 August 1999 to export cattle but only under the stringent rules of the Date-based Export Scheme (DBES).

The FSA have advised that we could replace the Over Thirty Months Rule by testing for cattle born after 1 August 1996 which could then enter the food chain from January 2004. Ministers are considering this advice.

If there were to be a change in OTM rule for domestic consumption the UK would wish to see a similar change in export controls. However it is not possible to give a precise date for any such relaxation of current beef export controls. An EFSA opinion is expected in early 2004. In addition an inspection by the EU FVO is likely to be required. We would then need agreement of other member states and changes to EU regulations. Export controls are therefore unlikely to change before mid 2004.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs how much UK-produced beef was exported by *(a)* weight and *(b)* value in 2002; and what percentage of this was (i) beef of UK origin and (ii) beef of foreign origin. [132983]

Mr. Bradshaw: Data relating to the national origin of beef and veal exported from the UK are not available. However, it is possible to calculate the total UK exports as a percentage of the home fed production.

Data are provided as follows for UK beef and veal production and exports for the 2002 calendar year.

UK exports as a percentage of the home fed production

UK Home fed production (thousand tonnes, dcw[1])	692
UK exports to the EU[2]	11
UK exports to the rest of the world[2]	0
Total UK exports[2]	11
UK exports as percentage of UK home fed production[2]	1.6%
Total value of UK home fed production	£1,117 million
Total value of UK exports	£18 million

[1]dcw = dressed carcase weight
[2] Includes exports of non UK origin

BSE

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement about the reasons for the Government's decision to discontinue financial support for Professor Alan Ebringer's research into BSE. [132673]

Margaret Beckett: The proposal submitted by Professor Ebringer for Defra funding was assessed according to procedures that follow both departmental and Office of Science and Technology current recommendations for the evaluation and commissioning of research. This assessment, together with opinion from SEAC, advises that the proposed nature and scope of the work are not recommended for funding by Defra. Professor Ebringer has been advised of reviewers comments and has held discussions with Departmental officials.

Circo Atlas Circus

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy not to grant authorisations for exports to the Circo Atlas Circus in Portugal; and if she will make a statement. [132441]

Mr. Morley: The Department grants export licences for the movement of wild animals under two entirely separate areas of European legislation, namely the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and legislation relating to animal health and welfare.

Under CITES legislation, export permits are not issued for movements within the EU. Therefore, providing a specimen is legally acquired, is captive bred and has a certificate for commercial display, it can be moved freely within the EU and no paperwork would be required from UK authorities.

From an animal health perspective, animals may only be exported to destinations (including circuses) in EU member states if they meet the requirements of EU legislation relating to animal health and welfare. Where animal health rules are not harmonised under EU legislation, health conditions are agreed between the veterinary authorities of the exporting and importing member states. These health conditions are set out in official documents, known as export health certificates. They are issued by Defra's local Animal Health Divisional Offices and are signed by a veterinarian. Once signed, the document must accompany the animals to their destination. The suitability of a destination within the country of import is entirely a matter for their authorities and is not a matter for Defra.

Our records do not show any direct movements from UK to Portuguese circuses. However, animals may have been moved from the UK to Portugal via a third country.

Coastal Protection

Norman Lamb: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the grant funding paid to each local authority in each of the last 10 years for coast protection schemes. [132821]

Mr. Morley: Defra provides grant to local authorities for coast protection capital works which satisfy essential criteria. Authorities may claim grant on eligible expenditure during the construction of works. Details are provided in a table, which has been placed in the Library, for the grant paid to each authority for each of the last 10 years.

Figures will vary depending on the variety of local schemes which are promoted in any particular year.

Norman Lamb: To ask the Secretary of State for Environment, Food and Rural Affairs what information she has received in respect of properties lost as a result of coastal erosion in each of the last 10 years, broken down by coastal local authority. [132823]

Mr. Morley: Defra does not collect such information. Local authorities will hold information on their areas.

Environmental Sustainability

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs where the UK ranks in the Environmental Sustainability Index; and if she will list the rankings of other EU countries. [131062]

Mr. Morley: The UK ranks 91st in the 2002 Environmental Sustainability Index. The full list of rankings is shown in the following table. However, the UK and other countries believe this index is profoundly flawed, and therefore potentially misleading, for the following reasons. It is an aggregated indicator which aims to weight together many components into a single overall measure of 'environmental sustainability', an approach which as yet is not scientifically robust. The choice of components, and the way in which they are weighted together, is largely subjective. A different choice of components or weights would give different results, amply illustrated by the fact that the previous edition of this index, based on a different selection of components, placed the UK 16th. Furthermore, there are still many areas where data are not sufficiently comparable between countries, or are simply not available. The values of many of the variables used to compile this index are imputed. It should also be noted that the variables used in this index tend to measure circumstances at a single point in time rather than trends or changes, therefore to the extent the index measures anything at all, it measures the environmental situation which a country faces rather than its progress or performance in improving environmental sustainability.

2002 ESI rankings by country

Rank	*Country*	*ESI*
1	Finland	73.9
2	Norway	73.0
3	Sweden	72.6
4	Canada	70.6
5	Switzerland	66.5
6	Uruguay	66.0
7	Austria	64.2
8	Iceland	63.9
9	Costa Rica	63.2
10	Latvia	63.0
11	Hungary	62.7
12	Croatia	62.5
13	Botswana	61.8
14	Slovakia	61.6
15	Argentina	61.5
16	Australia	60.3
17	Panama	60.0
18	Estonia	60.0
19	New Zealand	59.9
20	Brazil	59.6
21	Bolivia	59.4
22	Colombia	59.1
23	Slovenia	58.8
24	Albania	57.9
25	Paraguay	57.8
26	Namibia	57.4
27	Lithuania	57.2
28	Portugal	57.1
29	Peru	56.5
30	Bhutan	56.3
31	Denmark	56.2
32	Laos	56.2
33	France	55.5
34	Netherlands	55.4
35	Chile	55.1
36	Gabon	54.9
37	Ireland	54.8
38	Armenia	54.8
39	Moldova	54.5
40	Congo	54.3
41	Ecuador	54.3
42	Mongolia	54.2
43	Central African Republic	54.1
44	Spain	54.1
45	United States	53.2
46	Zimbabwe	53.2
47	Honduras	53.1
48	Venezuela	53.0
49	Byelarus	52.8
50	Germany	52.5
51	Papua New Guinea	51.8
52	Nicaragua	51.8
53	Jordan	51.7
54	Thailand	51.6
55	Sri Lanka	51.3
56	Kyrgyzstan	51.3
57	Bosnia and Herzegovina	51.3
58	Cuba	51.2
59	Mozambique	51.1
60	Greece	50.9
61	Tunisia	50.8
62	Turkey	50.8
63	Israel	50.4
64	Czech Republic	50.2
65	Ghana	50.2
66	Romania	50.0
67	Guatemala	49.6
68	Malaysia	49.5
69	Zambia	49.5
70	Algeria	49.4
71	Bulgaria	49.3
72	Russia	49.1
73	Morocco	49.1
74	Egypt	48.8
75	El Salvador	48.7
76	Uganda	48.7
77	South Africa	48.7
78	Japan	48.6
79	Dominican Republic	48.1
80	Tanzania	48.1
81	Senegal	47.6
82	Malawi	47.3
83	Macedonia	47.2
84	Italy	47.2
85	Mali	47.1
86	Bangladesh	46.9
87	Poland	46.7
88	Kazakhstan	46.5
89	Kenya	46.3
90	Myanmar (Burma)	46.2
91	United Kingdom	46.1
92	Mexico	45.9
93	Cameroon	45.9
94	Vietnam	45.7
95	Benin	45.7
96	Chad	45.7
97	Cambodia	45.6
98	Guinea	45.3
99	Nepal	45.2
100	Indonesia	45.1
101	Burkina Faso	45.0

2002 ESI rankings by country

Rank	*Country*	*ESI*
102	Sudan	44.7
103	Gambia	44.7
104	Iran	44.5
105	Togo	44.3
106	Lebanon	43.8
107	Syria	43.6
108	Ivory Coast	43.4
109	Zaire	43.3
110	Tajikstan	42.4
111	Angola	42.4
112	Pakistan	42.1
113	Ethiopia	41.8
114	Azerbaijan	41.8
115	Burundi	41.6
116	India	41.6
117	Philippines	41.6
118	Uzbekistan	41.3
119	Rwanda	40.6
120	Oman	40.2
121	Trinidad and Tobago	40.1
122	Jamaica	40.1
123	Niger	39.4
124	Libya	39.3
125	Belgium	39.1
126	Mauritania	38.9
127	Guinea-Bissau	38.8
128	Madagascar	38.8
129	China	38.5
130	Liberia	37.7
131	Turkmenistan	37.3
132	Somalia	37.1
133	Nigeria	36.7
134	Sierra Leone	36.5
135	South Korea	35.9
136	Ukraine	35.0
137	Haiti	34.8
138	Saudi Arabia	34.2
139	Iraq	33.2
140	North Korea	32.3
141	United Arab Emirates	25.7
142	Kuwait	23.9

Source:
Global Leaders of Tomorrow Task Force of the World Economic Forum in association with Yale Center for Environmental Law and Policy and Columbia University

EU Chemical Policy

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the Prime Minister's statement of 22 September, on the EU chemical policy, what impact the outcome of the e-mail consultation will have on the Government's stance. [134241]

Alun Michael: The Government strongly supports the development and delivery of an effective EU chemical policy. We have three overarching objectives for the proposals:

creating a fast, efficient and workable process of testing, screening and assessing substances of concern, starting with the most harmful, because of their impact on human health or the environment;

keeping animal testing to the minimum necessary to protect human health and the environment; and

maintaining or enhancing the competitiveness of the chemical industry and downstream users.

Details of the Government's response to the European Commission's internet consultation can be found at http://www.defra.gov.uk/environment/chemicals/reach/ukresponse.pdf

Following the Commission's consultations in May–July this year, the Commission has indicated its intention of making a number of changes to the proposals. The Government welcomes any changes intended to make the proposals more effective and workable, and will consider the revised proposals as soon as they have been adopted by the Commission. The Government will then carry out a separate UK consultation accompanied by a regulatory impact assessment.

Flooding

David Taylor: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with parish councils on their ability to pay for flood prevention schemes. [132482]

Mr. Morley: Local authority responsibilities for flood defence measures on ordinary watercourses generally fall to district and unitary authorities rather than parish councils. Defra currently grant aids local authorities at a rate of 45 per cent. for flood defence capital works that meet specified criteria.

Local authority flood defence expenditure is also supported by funding delivered from ODPM as part of the local Government funding settlement. This expenditure falls into three categories:

councils' own expenditure on flood and coastal defence;

levies paid to the Environment Agency, and

special levies paid to internal drainage boards.

My Department maintains a dialogue with the Local Government Association (LGA) on the funding needs in Local Authorities which are taken into consideration in our Spending Reviews. Recently we have worked with the LGA in the arrangements for introducing Defra grant in aid to the Environment Agency to replace most of the levies raised on local authorities.

Foot and Mouth

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs in how many cases her Department is withholding and offsetting the payment of fees to valuers because of disputes over valuations that took place during the 2001 outbreak of foot and mouth disease; what the total sum withheld and offset is; and if she will make a statement. [132746]

Margaret Beckett: My Department's policy is not to withhold or offset the payment of fees to valuers because of disputes that took place during the 2001 outbreak of foot and mouth disease.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs how many contractors have outstanding claims against her Department for invoices relating to work done and claimed to have been done in respect of the 2001 outbreak of foot and mouth disease and the subsequent clean up; what the total sum is of these claims; and if she will make a statement. [132747]

Margaret Beckett: My Department is pursuing those cases where it believes it was overcharged for goods, services and works during the FMD outbreak. Irregularities in contractors' claims have been and continue to be investigated. Defra will take all steps necessary to safeguard the public purse.

It is inappropriate for me to offer public comment on these disputes in advance of or during formal disputes resolution procedures.

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs in how many cases her Department has refused to pay to livestock owners all or part of the sums due as compensation in accordance with assessments made of her Department's valuers in valuing stock to be slaughtered during the 2001 outbreak of foot and mouth disease. [132748]

Margaret Beckett: Under the Animal Health Act 1981, the compensation payable for animals slaughtered for disease control purposes is taken to mean their market value immediately before they were slaughtered or affected. A valuer appointed by Defra makes an assessment to determine a figure that represents the market value, and in the normal course, this is the amount of compensation Defra would pay. In a few cases during 2001, where it was apparent that the valuation and/or the figure was incorrect or flawed in some material way, Defra made an adjustment to ensure that the compensation paid to the owner properly represented the value of the slaughtered animals within the meaning of the legislation. Information on the number of cases where this occurred can be obtained only at disproportionate cost.

Genetically Modified Crops

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs what arrangements she intends to put in place to ensure co-existence between genetically modified crops and those produced by conventional or organic production methods. [133179]

Mr. Morley *[holding answer 22 October 2003]*: We will consider possible co-existence arrangements for GM and non-GM crops when we have a report on this issue from the Agriculture and Environment Biotechnology Commission. Our current expectation is that this will be published next month. At this stage no GM crop has all the necessary approvals for commercial cultivation in the UK. The Government has not reached a final view on whether any specific GM crops should be approved for cultivation.

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with her European counterparts on the introduction of genetically modified crops in EU member states. [132651]

Mr. Morley: Ministers from the Department have regular discussions with their EU counterparts on issues relating to genetically modified (GM) crops. The issue has, in particular, featured on the agenda for several meetings of Councils of Agriculture and of Environment Ministers in recent years. Most recently, at a meeting of the Agriculture Council on 29 September there was a discussion on the European Commission's guidelines on the co-existence of GM and non-GM crops. Final EU decisions on pending applications for consent to grow GM crops are not expected until next year.

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what role the Government has taken in the development of EU policy on genetically modified crops. [132652]

Mr. Morley: Since the late 1980s, the UK has played a full and active role in the development of EU policy on genetically modified organisms (GMOs), including GM crops. This has resulted in a strong, transparent and accountable regulatory framework, including the adoption in 2001 of an enhanced generic Directive (2001/18/EC) on the safety assessment of GMOs and in 2003 of specific measures on the traceability and labelling of GMOs, on genetically modified food and feed, and on exports of GMOs from the Community. Throughout, we have argued for an approach which is precautionary, evidence-based and proportionate, and which takes due account of international obligations under agreements such as the Cartagena Protocol on Biosafety. The Government has also paid particular attention to the practical aspects of implementation, with the UK, for example, being one of only four member states so far to have completed implementation of Directive 2001/18/EC.

Mr. Bellingham: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Department is taking to protect the interests of businesses from contamination by GM crops, with particular reference to organic farmers. [133408]

Mr. Morley: We will consider possible co-existence arrangements for GM and non-GM crops when we have a report on this issue from the Agriculture and Environment Biotechnology Commission. Our current expectation is that this will be published next month. At this stage no GM crop has all the necessary approvals for commercial cultivation in the UK. The Government has not reached a final view on whether any specific GM crops should be approved for cultivation.

Dr. Gibson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the field scale evaluation GM crop trials in the management of individual crops. [133495]

Mr. Morley: The results of the spring-sown GM crop farm-scale evaluations were published on 16 October 2003. The results have now been passed to the Government's statutory advisory body—the Advisory Committee on Releases to the Environment (ACRE)—who will advise on their implications. In the light of ACRE'S advice Ministers will decide the UK's position on whether these specific crops should be approved for commercial cultivation in the EU.

There are currently no GM crops being grown in the UK and none have all the approvals required for commercial cultivation. No GM crops can be sown without further regulatory approval which cannot take place until next spring at the earliest. We expect to receive ACRE'S advice in December or early January.

Animal Welfare

Mr. Gordon Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department is taking to ensure that there will be no resumption of live exports of horses, ponies and donkeys for the meat trade from the United Kingdom. [134185]

Mr. Bradshaw: We are taking the opportunity offered by negotiation of new EU rules on the welfare of animals in transport, to consider the best way to protect British equines.

Organic Farming

Ms Drown: To ask the Secretary of State for Environment, Food and Rural Affairs how much the Government spent in 2002–03 on *(a)* research into and *(b)* support for (i) organic farming and (ii) GM crops. [132450]

Mr. Morley: The table as follows shows Defra spending in the financial year 2002–03 on support of and research into organic farming and GM crops respectively.

	Organic farming	*GM crops*
Support	£12,567,000 + £301,000 for the organic conversion information service	£0
Research for development purposes	£1,809,000	£0
Research for the purpose of environmental risk assessment	£0	£4,522,000

Recycling

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the steps being taken to increase recycling rates from *(a)* household waste, *(b)* business and industrial waste and *(c)* direct mail. [131904]

Mr. Morley: The Government have set targets to increase recycling and composting of household waste in England to 17 per cent. by 2003–04 and 25 per cent. by 2005–06. To underpin these national targets, we have required all local authorities to double their recycling, compared with 1999–2000, by 2003–04, and to treble their recycling by 2005–06. The Government have provided significant funding to enable local authorities to meet these targets.

In addition, Local Public Service Agreements provide a focus for local and central Government to encourage commitment to specific improvements over and above that which would normally be expected. To date, 83 waste related targets have been signed, including 41 targets which aim specifically to increase recycling performance above the statutory performance standard. As part of a Local PSA, the Government offer at the outset, a pump-priming grant, unsupported credit approvals and potential relaxations in statutory and administrative requirements. Typically, financial support has been used to improve enforcement and publicity; to develop civic amenity sites; and to initiate or expand kerb-side collection schemes.

The Household Waste Recycling Bill awaits Royal Assent and will become law next month. The Act will provide that where English waste collection authorities have a duty to collect waste they shall ensure, except in some circumstances, that by the end of 2010, they collect at least two recyclates separate from the remainder of the waste. The circumstances in which they would not have to comply would be where the cost of doing so was unreasonably high or where comparable alternative arrangements are available.

The Bill also now provides that the Secretary of State must report to Parliament on progress towards meeting this requirement, and local authority performance on meeting their recycling and composting standards, by the end of October 2004.

The Bill will apply to Wales if the Welsh Assembly feel it appropriate.

In "Waste Strategy 2000", the Government and the National Assembly for Wales set a target to reduce the amount of industrial and commercial waste sent to landfil in 2005 to 85 per cent. of that sent in 1998—reducing the amount from 42 million tonnes to 36 million tonnes. To reaffirm the target, the Government confirmed in the 2003 Budget that landfill tax will increase by £3 per tonne in 2005–06 and by at least £3 per year thereafter on the way to a medium to long-term rate of £35 per tonne. In addition, Envirowise is the main Government programme for providing advice on improving resource efficiency to businesses in industry and commerce increasing sustainable economic development.

The Government and the Direct Marketing Association signed a new agreement in July 2003 to increase the amount of recycled material used in the direct mail and promotions industry. Currently, 13 per cent. of direct mail is recycled, however, the agreement will raise recycling levels to 30 per cent. by the end of 2005, 55 per cent. by the end of 2009 and 70 per cent. by the end of 2013.

Regional Payments Agency

Mr. Flook: To ask the Secretary of State for Environment, Food and Rural Affairs how much has been paid to food producers in the 2002 scheme year payments by the Regional Payments Agency in England, broken down by region; and what percentage of the 2002 scheme year payments budget these payments represent in each case. [134418]

Alun Michael: I have asked the Rural Payments Agency to produce an analysis of the relevant expenditure on a regional basis and send this directly to the hon. Member when ready.

Renardine 72–2

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's policy on licensing Renodene for use as a badger deterrent. [132668]

Margaret Beckett: It is assumed that the question refers to the pesticide product, Renardine 72–2. This can be used as a badger deterrent in two circumstances:

(a) badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal to interfere with a sett. Deterring badgers from using a sett would constitute

interference. However, there is provision in the legislation to allow the use of a deterrent such as Renardine 72–2 under a licence from my Department; and

(b) Renardine 72–2 is also specifically approved under the Control of Pesticides Regulations 1986 (as amended) for use as a badger deterrent where there is no interference with a sett.

Sheep Quota

Mr. Nicholas Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what the market value of sheep quota per unit is; what the value of the annual payment from public funds per unit was in the last year for which figures are available; and what proportion of this total cost is met from UK public funds. [133221]

Mr. Bradshaw: Livestock Quotas were introduced in order to regulate production and expenditure under the Sheep Annual Premium Scheme (SAPS).

When the quota system was introduced, producers received an initial allocation based on the number of eligible sheep they received premium on in the 1991 reference year. The normal way in which producers may now acquire quota is by purchasing or leasing it on the open market. Transfer or lease of SAP quota may take place only during certain periods of the year—mid September to early February.

Values for sheep quota at the end of the 2003 trading period were as follows:

GB Lowland—£1.30 per unit (permanent transfer)

Leasing—£0.00 (quota was just given away)

England Less Favoured Area (LFA)—£9 per unit (permanent transfer)

Leasing—£1 per unit

Values at close of the 2002 trading period were as follows:

GB Lowland—£2 per unit (permanent transfer)

Leasing—30p

England LFA—£9 per unit (permanent transfer)

Leasing—£1 per unit

Values for both years have remained very low due to Foot and Mouth Disease. When the 2004 quota trading period opens on 11 November, it is expected that values will continue to stay low. This is because sheep quota will no longer be needed due to the reforms of the Common Agricultural Policy (CAP).

The sheepmeat regime of the European Union plays a significant role in the maintenance of the income of sheep farmers in the United Kingdom. The principal support mechanism of the regime is the Annual Ewe Premium, known in the UK as the Sheep Annual Premium (SAP)

From 2002, the SAP became a single fixed rate payment paid on breeding ewes. The new rate has been set at €21 (approximately £13) per eligible animal. In 2002 (the last year for which figures are available), SAP was paid on 16,546,384 animals in the UK. This amounted to a UK total of approx €34747,406 (£21,393,299).

The costs paid in relation to the Sheep Annual Premium came from EU Commission funding only.

Warm Front Grants

Mr. Goodman: To ask the Secretary of State for Environment, Food and Rural Affairs how many people *(a)* in the UK and *(b)* in the Wycombe constituency who were declared eligible for warm front grants have not received them owing to temporary suspension of the scheme. [133598]

Mr. Bradshaw *[holding answer 21 October 2003]:* Warm Front, Government's main fuel poverty programme in England, has not been suspended in this or any other area.

Waste Targets

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs what research she used in drawing up the 2004 packaging waste targets; when the targets will be announced; and what progress has been made in reducing packaging waste. [131976]

Mr. Morley: The Department commissioned AEA Technology to design a model to produce target scenarios and assess the costs and benefits of these, using the most up-to-date information. The Department also uses its own model to exemplify targets using the most recent packaging data reported by business as well as the latest information on recycled packaging waste from reprocessors.

The Department expects to announce the changes to the packaging Regulations including the targets in late November 2003.

There has been a reduction in packaging waste since 1998. The Regulations include a cost incentive for businesses to reduce the amount of packaging they handle and to reuse packaging where they can. This is because the Regulations place tonnage recovery and recycling obligations on obligated businesses. The less packaging a business handles, the lower its obligation and thus its costs. Equally, where a business is reusing a tonnage of packaging, that tonnage does not have to be included in the calculation of the recovery and recycling obligations. In 2002, 4.9 million tonnes of packaging waste was sent to landfill compared with 6.9 million tonnes in 1998.

Water Bill

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from the farming sector about the proposal in the Water Bill for time-limited licences. [133477]

Mr. Morley: In 1998 the Government first consulted on proposals for all new licences to be issued with a time limit in the consultation paper 'The Review of the Water Abstraction Licensing System in England and Wales'. The majority of responses from the farming sector accepted that there was a need to time limit new abstraction licences. The majority of all the consultation responses received welcomed this proposal, and the Government subsequently included the proposal in the draft Water Bill.

There was similar feedback on our "Water Bill—Consultation on draft legislation" which was published in November 2000.

TREASURY

MRSA

Mr. Burstow: To ask the Chancellor of the Exchequer what progress the Department has made on implementing a system of enabling MRSA to be recorded on death certificates. [133849]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Paul Burstow, dated 27 October 2003:

As National Statistician, I have been asked to reply to your recent question asking what progress the department has made on implementing a system of enabling MRSA to be recorded on death certificates. (133849)

MRSA can already be recorded on death certificates. Doctors are required to certify all deaths to the best of their knowledge and belief. They should start with the immediate cause of death, and then go back through the diseases or injuries which caused it, to the condition which began the sequence leading to death. The death certificate is designed to obtain this first 'underlying cause of death'. It is up to the doctor how many conditions in the sequence, other than the underlying cause, he thinks should be recorded. MRSA may contribute to death, but it is unlikely to be the first event in the sequence.

It is difficult to produce statistics on MRSA because there are no codes for antibiotic resistance in the International Classification of Diseases. ONS worked with the World Health Organisation to develop new codes in ICD-10 to identify antibiotic resistance. WHO has recommended that these codes may be used from 2006. ONS is working with the US National Centre for Health Statistics (NCHS) to ensure that these codes are implemented in NCHS systems used to code cause of death in the UK and many other countries.

Currently, to obtain figures on the number of deaths where MRSA contributed, it is necessary to identify all deaths with codes relating to staphylococcal infections and study the text of the death certificates. A special study was conducted by ONS and the Communicable Disease Surveillance Centre to do this, using data from 1993–1998. The results were published in the *British Medical Journal* in December 2002. The table below gives figures from this study for 1993 to 1998.

Number of deaths where MRSA was mentioned anywhere on the death certificate, England and Wales, 1993–1998

	Number
1993	47
1994	88
1995	187
1996	290
1997	377
1998	398

ONS is currently carrying out work to update these figures to 2002, including identifying all possible codes for staphylococcal infections in ICD-10. The results of this analysis are not yet available.

Bechtel

Malcolm Bruce: To ask the Chancellor of the Exchequer if he will list contracts for consultancy or work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133855]

Mr. Boateng: The Chancellor's Departments have not had any contracts with Bechtel in this period.

Child Tax Credit

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the number of child tax credit reassessments that will be required in 2003–04 due to rises in income in excess of the £2,500 disregard which occurred between the year of assessment and the award being made. [134108]

Mr. Boateng: The number of awards that are expected to be reassessed owing to rises in income above £2,500 are published in "The Child and Working Tax Credits". Copies are available on the HM Treasury website, www.hm-treasury.gov.uk/media//EE15F/new_tax_credits.pdf.

Correspondence

Sir Michael Spicer: To ask the Chancellor of the Exchequer when the hon. Member for West Worcestershire will receive a response to his letter of 16 September. [134325]

John Healey: The hon. Member's letter was transferred to the Office of the Deputy Prime Minister. I understand a reply was sent 20 October.

Crown Estate Income

Mr. Carmichael: To ask the Chancellor of the Exchequer how much income has been received by the Crown Estate from rents paid for cables which use the seabed for each financial year since 1997. [134332]

Ruth Kelly: Since 1997 the following sums have been received by The Crown Estate.

£ million

Financial year[1]	*Revenue*
1997	1.22
1998	1.63
1999	2.65
2000	3.54
2001	3.79
2002	4.98
2003	5.07

[1] To the 31 March

Mr. Carmichael: To ask the Chancellor of the Exchequer how much income has been received by the Crown Estate from wind-powered electricity generating installations situated offshore for each financial year since 1997. [134333]

Ruth Kelly: Since 1997 the following sums have been received by The Crown Estate:

£

Financial year[1]	*Revenue*
1997	0
1998	0
1999	0
2000	0
2001	0
2002	2,500
2003	2,500

[1] To 31 March.

Mr. Carmichael: To ask the Chancellor of the Exchequer how much income has been received by the Crown Estate from rents paid by Scottish fish farmers for each financial year since 1997. [134334]

Ruth Kelly: The annual rent paid by Scottish salmon farmers for each financial year since 1997 is as shown in the following table. Separate figures for emerging species (cod and halibut) are not available but are currently calculated with reference to consented cage surface area rather than being linked directly to tonnage and price. The emerging species rent for 2003 was £9,800.

£ million

Financial year[1]	*Production year*	[2]*Salmon rent due 1 January*
1997	1996	2.23
1998	1997	1.45
1999	1998	2.41
2000	1999	2.86
2001	2000	2.77
2002	2001	2.52
2003	2002	1.08

[1] To the 31 March

[2] 2003 rent due 01.02.03 following rent review w.e.f. 01.01.03

Emigration

Mr. David Marshall: To ask the Chancellor of the Exchequer what estimate he has made of the number of UK citizens who have emigrated from the UK in each of the last five years, broken down by destination country. [134727]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Marshall, dated 27 October 2003:

As National Statistician, I have been asked to reply to your question on the number of UK citizens who have emigrated from the UK in each of the last five years, broken down by destination country. (134727)

The most recent edition of the annual reference volume for international migration can be found by following the link to the National Statistics website at: http://www.statistics.gov.uk/downloads/theme_population/MN28.pdf.

This was published in September and includes data for the years 1992 to 2001. Data regarding country of next residence for 2002 will become available with the publication of the next edition of this volume in Spring 2004.

Table 2.2 of the volume shows estimates for country of next residence grouped as follows: European Union; Old Commonwealth (which includes Australia, New Zealand, Canada and South Africa); New Commonwealth (which includes all other Commonwealth countries); and Other foreign countries. Tables 2.3 and 2.4 show more detailed breakdowns of the data for the Old and New Commonwealth and the European Union and other foreign countries respectively.

At present, we are unable to break the data down to individual country beyond those countries included in these tables. The estimates are predominantly based on responses to the International Passenger Survey which samples 0.2% of international travellers using the principal routes to and from the UK. This sample size does not support the production of estimates for country of next residence to a greater level of detail than is currently shown.

Gold Sales

Mr. Redwood: To ask the Chancellor of the Exchequer what the proceeds of gold sales from the UK reserves were in each year since 1997; and if he will estimate the value of that gold at today's prices. [133659]

Mr. Hendry: To ask the Chancellor of the Exchequer what the total receipts for the gold reserves sold off by the Treasury over the past five years were; and what the value of those reserves would be at the afternoon fix of 20 October. [133974]

Ruth Kelly: The gold sales between July 1999 and March 2002 reflect a prudent decision to reduce over-exposure to a single asset in the net reserves portfolio. The total proceeds from the sale of 395 tonnes of gold during this period were US$3,496 million. At current market prices, the total value of this gold would be US$4,961 million. The difference between these two figures does not represent the real financial impact of the sales, as the proceeds from the gold sales were invested in euro, dollar and yen interest baring assets that have also increased in value over this period. The gold sales reduced risk by around 30 per cent. (as measured by value-at-risk) and are not expected to deliver a loss in return when measured over the medium to long-term; the appropriate time horizon for such a decision.

Government Buildings

Dr. Cable: To ask the Chancellor of the Exchequer if he will list vacant *(a)* Government owned and *(b)* Government leased buildings; and if he will make a statement. [132881]

Mr. Boateng: The list of holdings owned and leased by UK departments in England, Scotland and Wales that have recorded vacant space has been placed in the Library. This excludes accommodation that is the responsibility of the Scottish Executive and leases that have been transferred to PFI suppliers under the STEPS and PRIME contracts.

Government Rents

Dr. Cable: To ask the Chancellor of the Exchequer what recent studies his Department has undertaken on rents paid by central Government buildings in London compared to alternative locations. [134705]

Mr. Boateng: The Chancellor's Departments have not undertaken any recent studies in this area. The Independent Review of Public Sector Relocation is examining the question of comparative accommodation costs.

Housing Market Statistics

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer if he will make a statement on *(a)* prices and *(b)* volumes of transactions in the housing market. [134420]

Ruth Kelly: The Government's forthcoming pre-Budget report will include an assessment of recent housing market developments.

Illegal Meat

Mr. Hendry: To ask the Chancellor of the Exchequer if he will list the occasions on which illegal meat has been seized by Her Majesty's Customs and Excise since 1 May; and what quantities were obtained in each case. [133976]

John Healey: Customs do not publish information in the format requested as there is a risk of prejudicing ongoing and future law enforcement operations; Exemption 4 (Law Enforcement and Legal Proceedings) and Exemption 7 (Effective management and operations of the public service) of the Code of Practice on Access to Government Information apply. Full-year figures are published by Defra in its Annual Review of Controls on Imports of Animal Products each July.

Income Distribution

Mr. Meacher: To ask the Chancellor of the Exchequer what percentage of national income accrued to the *(a)* top and *(b)* bottom (i) 1 per cent, (ii) 5 per cent. (iii) 10 per cent. and (iv) 20 per cent. of the income distribution in each year since 1979. [134101]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Meacher, dated 27 October 2003:

As National Statistician, I have been asked to reply to your recent request for estimates of the .percentage of national income accrued to the *(a)* top and *(b)* bottom (i) one per cent., (ii) five per cent., (iii) 10 per cent. and (iv) 20 per cent. of the income distribution in each year since 1979. (134101)

Estimates for national income are not available but estimates for gross household income are shown in the following table. These are produced from the Office for National Statistics' analysis "The effects of taxes and benefits on household income" and the latest analysis for 2001–02 was published on 21st October 2003 on the National Statistics website. Results for earlier years are also published in Economic Trends, which can be can be obtained from the House of Commons library. The analyses for each year since 1997–98 can also be obtained from the National Statistics website at: http://www.statistics.gov.uk/CCI/SearchRes2.asp?IPS=5&CT=6&Term=taxes%20and%20benefits

The analysis includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey (EPS), formerly the Family Expenditure Survey (FES). Results for each quintile (including the top and bottom 20 per cent) are published in table 26 of the analysis. The Family Resources Survey would have been an alternative source with a larger sample size, however it would only have provided a time series from 1994/5.

The table shows the proportion of total gross income received by groups of households in different parts of the income distribution, where households are ranked by equivalised disposable income. Gross income includes income from earnings, occupational pensions and investments and cash benefits such as state retirement pensions and income support. It does not take account of deductions for taxes.

For the data that you have requested, sample sizes are only sufficient to allow a breakdown to be given by deciles and quintiles of income distribution and not for the top or bottom one per cent. or 5 per cent. Equivalisation is a standard methodology that takes into account the size and composition of households and adjusts their incomes to recognise differing demands on resources.

Percentage shares of equivalised total gross income for ALL households[1,2], 1979 to 2001–023

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*
Gross income								
Top 10 per cent.	24	25	25	25	25	25	26	28
Top 20 per cent.	37	38	39	39	39	39	40	41
Bottom 20 per cent.	9	8	8	9	9	9	8	8
Bottom 10 per cent.	2	2	2	2	2	2	2	2

	1987	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994–5*
Gross income								
Top 10 per cent.	27	27	26	28	27	27	28	28
Top 20 per cent.	43	43	42	44	44	43	44	43
Bottom 20 per cent.	7	7	7	7	7	7	7	7
Bottom 10 per cent.	3	3	3	3	3	3	3	3

	1995–6	*1996–7*	*1997–8*	*1998–9*	*1999–00*	*2000–01*	*2001–02*
Gross income							
Top 10 per cent.	27	28	28	29	28	28	30
Top 20 per cent.	43	44	44	44	44	44	45
Bottom 20 per cent.	7	7	7	7	7	6	6
Bottom 10 per cent.	3	3	3	3	3	3	3

[1] Estimates for top and bottom 10 per cent ranked by unadjusted gross income up to 1986

[2] Ranked by equivalised disposable income from 1987 onwards

[3] From 1990 this includes company car benefit and beneficial house purchase loans from employers. From 1996–97 values are based on estimates for the sample grossed up to population totals.

Investment Statistics

Dr. Cable: To ask the Chancellor of the Exchequer what estimate he has made of *(a)* non-residential business investment, *(b)* residential business investment, *(c)* public investment and *(d)* total investment in (i) 1995 market prices and (ii) current prices, as a proportion of GDP, since 1997; and if he will make a statement. [134134]

Mr. Boateng: Latest figures for investment by sector and GDP at current market prices were released by the Office for National Statistics (ONS) as part of the 2003 Blue Book dataset on 30 September. The ONS no longer publishes data at constant 1995 prices, having now replaced them with chained volume measures as indicators of growth in real magnitudes in the national accounts.

Liquefied Petroleum Gas

Mrs. Shephard: To ask the Chancellor of the Exchequer if he will set out the calculations on which the 40 p per litre duty rebate on liquefied petroleum gas are based. [134365]

John Healey: The Government offers lower duty rates for less environmentally-damaging fuels by offering duty differentials relative to the main road fuels. These differentials are intended primarily to reflect the relative environmental benefits individual. In determining the size of the duty incentive for liquefied petroleum gas (LPG), the Government took into account principally the environmental benefits of the fuel, such as local air quality improvements. It also took account of the significant market barriers faced by LPG: it requires a dedicated and separate re-fuelling infrastructure and vehicles have to be converted or specifically designed to use gaseous fuels.

In his 2003 Budget statement, my right hon. Friend, the Chancellor announced that the Government would consult on support for road fuel gases beyond 2004. The Department for Transport, HM Treasury and Customs and Excise published a consultation document in June inviting key stakeholders and users to express their views on how to ensure that both the duty payable and the purchase grants available for road fuel gases continue to reflect environmental and other policy objectives.

National Minimum Wage

Mr. Meacher: To ask the Chancellor of the Exchequer when the national minimum wage was introduced; what the level was; what the *(a)* level and *(b)* date was of each increase; and what each of these levels was as a percentage of the national average wage. [133852]

Ruth Kelly: The information requested falls within the responsibility National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Meacher, dated 27 October 2003:

As National Statistician, I have been asked to reply to your recent question about when the National Minimum Wage was introduced, what its levels have been over the years, and what percentage of the national average wage these levels represented. (133852)

Details of the different wage rate levels and when they were introduced are given in the attached tables. UK legislation covering minimum wage rates for employees over the age of 18 was introduced on 1 April 1999 (Table 1). Since 1999, the rates both for 18–21 year-olds, and for those over 21 have been increased.

Table 2 compares the threshold for the adult minimum wage with average pay for the nearest comparable age band for the New Earnings Survey, which is conducted in April each year.

Table 1

	National Minimum Wage	
Period to which minimum wage rate applies	*Ages18–21 (£)*	*Age 22+ (percentage)*
April 1999–May 2000	3.00	3.60
June 2000–September 2000	3.20	3.60
October 2000–September 2001	3.20	3.70
October 2001–September 2002	3.50	4.10
October 2002–September 2003	3.60	4.20
October 2003–	3.80	4.50

Table 2

Survey date	*Minimum wage rate for people aged 22+*	*Average hourly pay of people aged 21+*	*Minimum wage as percentage of average hourly pay (percentage)*
April 1999	3.60	10.13	34.5
April 2000	3.60	10.62	33.9
April 2001	3.70	11.30	32.7
April 2002	4.10	11.86	34.6
April 2003	4.20	12.16	34.5

Net Borrowing

Mr. Flight: To ask the Chancellor of the Exchequer whether he plans to review his forecasts for net borrowing before the forthcoming Pre-Budget Report. [135010]

Ruth Kelly: An interim forecast update for the public finances will be published as usual in the Pre-Budget Report.

Occupied Territories

Richard Burden: To ask the Chancellor of the Exchequer what estimate he has made of the total duty levied on goods marked as made in Israel but which originate from the Occupied Territories since the Treasury Statement of 3 April. [133958]

John Healey: Duty demands totalling £52,490.61 have been issued to UK importers since 3 April 2003.

Personal Debt

Dr. Cable: To ask the Chancellor of the Exchequer what meetings have taken place in the last three months between the Treasury, the Bank of England and the Financial Services Authority to discuss *(a)* the sustainability of consumer debt and *(b)* house prices and mortgage lending. [134706]

Ruth Kelly: The Treasury, the Bank of England and the FSA hold regular meetings in a number of contexts to discuss important economic issues.

Private Finance Initiative

Mr. Streeter: To ask the Chancellor of the Exchequer what estimate he has made of the percentage of all new capital assets used by the public sector and provided by private finance initiative in *(a)* 2002–03, *(b)* 2003–04 and *(c)* 2004–05. [134006]

Mr. Boateng: PFI/PPP represented 11 per cent. of total investment in public services in 2002–03. Projected figures for investment delivered through PFI/PPP as a proportion of total investment in public services in 2003–04 and 2004–05 are 11 per cent. and 8 per cent. respectively.

Mr. Streeter: To ask the Chancellor of the Exchequer whether in a private finance initiative contract including the use of physical property the property is retained by the private sector at the conclusion of the contract. [134007]

Mr. Boateng: The guidance issued by the Office of Government Commerce on the Standardisation of PFI Contracts makes clear that procuring authorities should consider whether or not retaining physical property at the conclusion of a contract offers the best value for money available.

The decision is for the procuring authority and should be made in light of its long-term objectives and the nature of the property involved.

Public Sector Pensions

Mr. Flight: To ask the Chancellor of the Exchequer in relation to the estimation of the cost of pensions under the Whole of Government Accounts, what excess of the discount rate over the rate of price inflation has been applied to future liabilities; and what the typical corresponding rate is that is used by the private sector under FRS17. [130884]

Ruth Kelly: In my answer of 14 October 2003, *Official Report*, column 5W, I said on advice that the majority of private sector schemes reporting under FRS17 used a discount rate clustered around 5.6 per cent. real. I have since been advised that this rate is, in fact, the nominal discount rate. The average real rate underlying this rate is 3.3 per cent. I very much regret having inadvertently given incorrect information in my earlier answer.

Registration (Births)

Mr. Kidney: To ask the Chancellor of the Exchequer what progress he has made in establishing a ceremony for the registration of births of children which records the mutual rights and responsibilities of the parents and the state. [134584]

Ruth Kelly: The information requested falls within the responsibility of the General Registrar. I have asked him to reply.

Letter from Len Cook to Mr. David Kidney, dated 27 October 2003:

As Registrar General for England and Wales, I have been asked to reply to your recent Parliamentary Question concerning what progress has been made in establishing a ceremony for the registration of births of children which records the mutual rights and responsibilities of the parents and the state. (134584)

There is no specific proposal to establish such a ceremony. However, in January 2001 the Government published a White Paper "Civil Registration: Vital Change" (CM 5355) containing proposals for the reform of the civil registration service in England and Wales. These proposals include the potential for the civil registration service to both provide celebratory services and to signpost other service and information sources. It is intended that the White Paper proposals are taken forward by means of an order under the Regulatory Reform Act 2001. The first phase of this process involves a mandatory public consultation. This was completed on 24 October.

Relocation (County Durham)

Mr. Cummings: To ask the Chancellor of the Exchequer what representations he has received, and from whom, on relocation of government departments to County Durham. [134652]

Mr. Boateng: The Chancellor of the Exchequer has received three representations about the relocation of public sector activity to the County of Durham. These were submitted by interested individuals.

Retirement (Paid Employment)

Paul Flynn: To ask the Chancellor of the Exchequer how many people who have retired in each of the last five years are still in paid employment. [133491]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Paul Flynn, dated 27 October 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question about retired people who are still in employment. (133491)

The attached table gives estimates of the number of people over state pension age who are in employment, for the three month periods ending August of each year from 1999 to 2003. These estimates are from the Labour Force Survey (LFS). The LFS does not collect information about the number of people who have retired in each of the last five years who are still in employment.

People over state pension age[1] who are in employment

UK, Thousand, seasonally adjusted

June to August	*Men aged 65 + and women aged 60 +*
1999	806
2000	824
2001	853
2002	874
2003	956

[1] 65 for men, 60 for women

Source:
Labour Force Survey (ONS)

Stamp Duty Land Tax

Dr. Cable: To ask the Chancellor of the Exchequer what estimate he has made of the cost to business of implementing the stamp duty land tax regulations; and if he will make a statement. [134550]

Ruth Kelly: Businesses will notice little change in complying with the Stamp Duty Land Tax regulations as liability to Stamp Duty Land Tax should be reported and duty paid, as now, within 30 days of completion. The key change of Stamp Duty Land Tax will be that liability is notified by the completion of a Land Transaction Return. This removes the need to send documents to the Inland Revenue for the purposes of stamping. In addition, the regulations provide for the abolition of stamp duty on transactions involving property other than land, shares and interests in partnerships. This de-regulation will take many transactions out of stamp duty altogether.

CONSTITUTIONAL AFFAIRS

Correspondence

Dr. Tonge: To ask the Parliamentary Secretary, Department for Constitutional Affairs when he will reply to the letter of 15 August from the hon. Member for Richmond Park on the Judicial Trustees Act 1896. [133990]

Mr. Leslie: The Secretary of State and Lord Chancellor wrote to the hon. Member on 22 October 2003.

Defamation

Bob Spink: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to reform the law on defamation to enable quicker and less costly resolution of claims. [133867]

Mr. Lammy: The Government have no plans for further reform of defamation procedure. The Defamation Act 1996 introduced procedures to enable quicker and less costly resolution of claims. The 'summary procedure' allows straightforward cases to be dealt with without a jury; damages are limited to £10,000. The 'offer to make amends' strongly encourages a claimant to avoid a jury trial on the level of damages where the defendant admits an innocent mistake. Both these procedures were brought into effect on 28 February 2000.

The number of defamation actions started has dropped from 452 in 1997 to 128 in 2002.

Departmental Establishment Costs

Mr. Syms: To ask the Parliamentary Secretary, Department for Constitutional Affairs what estimate he has made of the costs that will be incurred in the setting-up of his Department. [125041]

Mr. Lammy: Further to my answer to the hon. Member for Arundel and South Downs (Mr. Flight), on 1 September 2003, *Official Report*, column 779W, the Department for Constitutional Affairs has incurred costs of £40,000 in changing the Department's name (covering email and website changes, stationery and signage). An estimated £412,000 has been incurred in respect of relocation from the House of Lords to Selborne House and all the consequential changes following on from this.

Immigration

Mr. Malins: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many immigration appeals were heard by the Immigration Appellate Authority in the last 12 months for which figures are available; how many of those were heard *(a)* within six months of and *(b)* over 12 months after the application was refused; and if he will make a statement. [134059]

Mr. Lammy: From the 1 October 2002 to the 30 September 2003 there have been 9,727 substantive Immigration hearings within the Immigration Appellate Authority. For the same period of time there have been 12,530 Family Visit Visa hearings (either oral or on papers). The Immigration Appellate Authority does not hold information on the length of time from the Immigration application being refused to a substantive appeal being heard.

Legal Aid

Huw Irranca-Davies: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to increase the accountability of the Legal Services Commission for its decisions on the granting of legal aid. [133991]

Mr. Lammy: We have no plans to do so. Decisions on the granting of public funding (formerly legal aid) in civil cases are a matter for the Legal Services Commission (LSC), which is an independent body, free from political and Government influence in handling individual cases. Individuals denied funding by the LSC are entitled to have the decision reviewed by a funding review committee, an independent legal panel whose decisions on legal issues are binding on the LSC. Further, if a LSC funding decision is erroneous it may be challenged in court through judicial review.

Small Claims Courts

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the minimum fee for enforcing a judgment in the small claims court is; and whether the fees increase according to the value of the judgment. [134292]

Mr. Lammy: The fee for enforcing a judgment is dependent on the method of enforcement chosen by the litigant. Fees do not increase according to the value of the judgment or the amount to be enforced except for a warrant of execution, which is the most common form of enforcement. The current issue fee for a warrant not exceeding £125 is £30, for a warrant exceeding this amount it is £50. The current scale of fees for enforcing judgments is contained in the County Court Fees Order 1999 as amended and is shown as follows.

Enforcement

4.1 On an application for or in relation to enforcement of a judgment or order of a county court or through a county court:

...by the issue of a warrant of execution against goods except a warrant to enforce payment of a fine

(a) Where the amount for which warrant issues does not exceed £125—£30

(b) Where the amount for which warrant issues exceeds £125—£50

4.3 On an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order—£40

4.4 On an application for a third party debt order or a charging order, or the appointment of a receiver by way of equitable execution—£50

4.7 On an application for an attachment of earnings order (other than a consolidated attachment of earnings order) to secure payment of a judgment debt—£60.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the Secretary of State's policy is on non-adjudicating staff in the small claims court giving assistance to parties to actions there. [134293]

Mr. Lammy: Court staff are not legally trained. They are, however, encouraged to be as helpful as possible to customers. They should not give legal advice or advise on procedures that are outside their normal jurisdiction. The distinction between legal and procedural advice can sometimes be very fine. Where the matter is difficult or complex, the distinction may not always be easy to grasp or to explain. In such circumstances, it is wholly proper that court staff should err on the side of caution and respectfully ask court users to seek legal advice.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans the Secretary of State has to reform the small claims court. [134301]

Mr. Lammy: As part of the Department's rolling programme of improvements to civil court procedures, a pilot exercise, from 8 July 2002 to 21 February 2003, was initiated in a number of county courts. The pilot examined whether it would be possible to allocate cases to the small claims track without the use of an allocation questionnaire. The pilot collected a considerable amount of information, which indicated areas where changes to procedures might be appropriate. The Civil Procedure Rule Committee will be considering procedural issues and the Court Service the operational issues.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the minimum fee chargeable by the small claims court for issuing a claim is; and what the sliding scale of fees for claims of increasing value is. [134304]

Mr. Lammy: The minimum fee chargeable for a claim issued under the Small Claims procedure is £30. The current scale of fees for claims up to and including £5,000 is contained in the County Court Fees Order 1999 as amended and is shown as follows. The Order also makes provision for fees to be remitted in full or reduced where payment of the fee could cause financial hardship.

Commencement of proceedings

1.1 On the commencement of originating proceedings using the Small Claims Procedure, to recover a sum of money...where the sum claimed

(a) does not exceed £300—£30

(b) exceeds £300 but not £500—£50

(c) exceeds £500 but not £1,000—£80

(d) exceeds £1,000 but not £5,000—£120

1.3 On the commencement of originating proceedings for any other remedy or relief—£130

PRIME MINISTER

Biofuels

Mr. Hayes: To ask the Prime Minister which Government Department is responsible for the formulation of Government policy on biofuels. [134369]

The Prime Minister: This is a wide-ranging issue in which a number of Departments have an interest.

The Department of Trade and Industry, Department for Environment, Food and Rural Affairs and the Department for Transport work closely in promoting the Government's policy objectives for the increased use of biofuels.

As with all tax issues, responsibility for the fiscal regime on biofuels rests with HM Treasury.

Confidential Material

Norman Baker: To ask the Prime Minister what mechanism exists to regulate individuals who are neither Ministers or civil servants but who are invited to undertake tasks for him which involve access to confidential material. [134491]

The Prime Minister: Access to sensitive material requires the appropriate level of security clearance. The Official Secrets Act also applies.

Iraq

Mr. Dalyell: To ask the Prime Minister pursuant to his oral answer of 22 October 2003, *Official Report*, column 636, to the hon. Member for Nottingham, South (Alan Simpson), if he will place in the Library a note of the date when he was first informed that references in the Government dossier to 45 minutes and weapons of mass destruction were references only to battlefield weaponry. [134536]

Alan Simpson: To ask the Prime Minister pursuant to his oral answer of 22 October 2003, *Official Report*, column 636, on Iraq, on what date he was first informed that references to the 45 minute warning about Iraq applied only to battlefield weapons. [134537]

The Prime Minister: As my hon. Friend the Minister of State, Foreign and Commonwealth Affairs said on 28 January 2003, *Official Report*, column 769W, weapons of mass destruction are generally held to refer to nuclear, chemical and biological weapons. The term applies whether the weapons are delivered through battlefield or longer-range systems. As has been noted by the Intelligence and Security Committee in their report of 9 September 2003, the intelligence on the 45 minute point was issued by the Secret Intelligence Service on 30 August 2002. The Secret Intelligence Service report did not specify the particular delivery systems to which the time of 45 minutes applied. There was, therefore, no reference to battlefield or longer-range systems when the point was included in a formal classified Joint Intelligence Committee assessment issued on 9 September 2002, which I saw.

INTERNATIONAL DEVELOPMENT

Central African Republic

John Barrett: To ask the Secretary of State for International Development if he will make a statement on the diarrhoea epidemic in the north west region of the Central African Republic. [133765]

Hilary Benn: Several epidemics of diarrhoea have been reported in different regions of the Central African Republic. The most recent epidemic was confirmed

north west of the capital, where at least 40 people died in late September 2003. A similar outbreak was detected and contained in August 2003.

Areas of the north were severely affected by six months of war between the Government and rebel troops, and this has adversely affected health and water facilities.

In response, the EC Humanitarian Office (ECHO) and the European Development Fund (EDF) launched a €1.77 million emergency programme to revamp and re-equip health facilities in nine war affected provinces of the Central Africa Republic, disbursing resources through international NGOs. This has involved rehabilitation of health facilities and equipment, the mobilisation of medical personnel and medical supplies, as well as the establishment of an efficient management system. UNICEF is also jointly involved in a six-month health project combating waterborne diseases, including the disbursement of drugs to six war affected regions.

A joint Government-NGO (Medicos Sin Fronteras MSF-Spain) medical team began work in July 2003, educating local leaders on water hygiene and providing local health centres with drugs to help fight the disease. Tests have also been undertaken on wells to check which need to be purified. Health authorities have since resumed the immunisation of children in the north west region of the Central African Republic.

Clean water supplies have now been restored in Bozoum and its surrounding areas since October 2003, which should help halt the spread of diarrhoea.

Democratisation

Mr. Connarty: To ask the Secretary of State for International Development how his Department is supporting the democratisation processes in poor countries considered to be committed to reform. [132097]

Hilary Benn: We support democratisation in poor countries in a wide variety of ways, both directly and indirectly. This includes assistance to Electoral Commissions, voter registration and awareness programmes and election monitoring; support for parliamentary Select Committees; assistance to strengthen financial and other accountability, and anti-corruption measures; programmes to make justice systems work better, especially for the poor; and work with the media and a wide range of civil society organisations to enhance their participation in public life and the political process.

Departmental Budget

Mr. Robathan: To ask the Secretary of State for International Development what percentage of the Department's budget in each of the last three years has been spent on programmes and projects with an explicit concentration on disabled people; and of that, what percentage has been concentrated on children. [133003]

Hilary Benn: These figures are not available without incurring disproportionate cost. We work closely with Governments, the voluntary and private sectors and the bilateral and multilateral donor communities to ensure that disability is addressed in the context of the fight against poverty and the realisation of human rights for all.

DFID's approach to disability issues was set out in a paper on 'Disability, Poverty and Development' in February 2000. An integrated approach is required, linking prevention and rehabilitation with empowerment and changes in attitude. DFID's approach is therefore to 'mainstream' disability issues, so that the needs of disabled people are taken into account by all staff in all aspects of DFID's work, and also to investigate further the links between poverty and disability and how they interact with each other.

Iraq

Ann Clwyd: To ask the Secretary of State for International Development how many internally displaced persons of Iraqi nationality he estimates there are in UN administered camps in countries neighbouring Iraq. [133777]

Hilary Benn: Latest estimates indicate that the United Nations, in partnership with host Governments, currently supports a refugee caseload of approximately 210,000 in the countries neighbouring Iraq. The Department For International Development has provided £1.75 million to UNHCR since the start of the conflict to assist with their work in Iraq and neighbouring countries.

Ann Clwyd: To ask the Secretary of State for International Development how many internally displaced persons he estimates there are in UN-administered camps in Iraq. [133778]

Hilary Benn: A recent assessment by the International Organisation for Migration (IOM) places the number of registered internally displaced persons (IDPs) in Iraq at approximately 265,000. The full caseload of people displaced from their homes within Iraq has, however, been estimated at up to one million—the vast majority of these are long-term displaced and not as a direct result of the recent conflict. The majority of IDPs are unregistered and are not resident in organised camps.

Millennium Development Goals

Mr. Wray: To ask the Secretary of State for International Development if he will make a statement on recent progress towards the Millennium Development Goals. [133140]

Hilary Benn: There has been mixed progress towards the 2015 targets associated with the Millennium Development Goals. The proportion of the developing world population living in absolute poverty, on less than $1 a day, fell from 28 per cent. in 1990 to 22 per cent. in 2000. Assuming global economic growth remains on track the headline target of halving absolute poverty between 1990 and 2015 will be met. However progress across regions is uneven. Good progress in Asia has been accompanied by little change in the proportion in absolute poverty in sub-Saharan Africa. The global target to halve the proportion of people without access to safe water between 1990 and 2015 is also on track.

Other targets, including universal primary schooling, gender equality in school, reductions in child and maternal mortality and combating HIV/AIDS, will require a significant increase in effort to be achieved. However, the substantial progress that individual countries have achieved demonstrates that the targets could still be reached with the right policies and political will.

The MDGs will only be achieved through a partnership between rich and poor countries. The final goal covers action needed by developed countries to increase and improve aid flows and reform the trade system. The recent breakdown of talks in Cancun aimed at achieving a fairer global trading system was a particular disappointment, and the UK Government are working hard to ensure an agreement can be reached.

DFID has put the achievement of the MDGs at the heart of its work, and we are working with our partners to do all we can to meet these targets. A particular concern is sub-Saharan Africa and supporting progress in this region is a priority for DFID.

A more comprehensive assessment of progress towards the goals is provided in the UN Secretary General's 2003 report on the implementation of the Millennium Declaration: http://ods-dds-ny.un.org/doc/UNDOC/GEN/N03/481/57/PDF/N0348157.pdf?OpenElement.

Reproductive Health

Angus Robertson: To ask the Secretary of State for International Development pursuant to his answer of 14 October 2003, *Official Report*, columns 70–71W on reproductive health, what the *(a)* structure, *(b)* aims and *(c)* methods of each of the projects in Nigeria listed under annex A to his answer are; when his Department last assessed the progress of each project; what the main conclusions of each assessment were; and if he will make a statement. [133193]

Hilary Benn: I will write to the hon. Member for Moray with details of the projects and programmes in DFID Nigeria that have a policy marker for Reproductive Health or HIV/AIDS, as listed previously (ref: 131641).

The health sector (including HIV/AIDS) continues to be our largest portfolio in DFID Nigeria in terms of financial commitment, and Reproductive Health and Rights are central to this. Furthermore, as we remain focused on helping Nigeria make accelerated progress towards the Millennium Development Goals, issues of maternal health, child health, access to comprehensive reproductive health services and the control of HIV/AIDS will increasingly be addressed through other programmes in the areas of governance, rights, education, infrastructure, poverty reduction and economic development.

Trade Liberalisation

Mr. Gibb: To ask the Secretary of State for International Development if he will assess the effect of full trade liberalisation by *(a)* all countries and *(b)* developed countries only on the distribution of welfare gains among (i) developed, (ii) non-least developed and (iii) least developed countries. [133416]

Hilary Benn: Estimates vary, but World Bank and IMF research shows that welfare gains from liberalising all trade range from US$250 billion to US$550 billion; one-third to two-fifths of these gains would accrue to developing countries. Because their economies are more highly protected, most studies find that developing countries gain more as a percentage of their GDP/GNP from liberalisation than industrial countries.

Low-income countries (a group that includes the least developed countries) gain most from industrial country liberalisation of agriculture, because of the greater relative importance of agriculture in their economies. In contrast, the larger and more advanced developing countries gain most from liberalisation in industrial goods because of the greater importance of manufacturing in their production and exports.

Uganda

John Barrett: To ask the Secretary of State for International Development what action he is taking to tackle the health problems in the Teso region of Uganda. [133764]

Hilary Benn: DFID provides support to Health services in Uganda primarily through general budget support. The Ministry of Health allocates its budget resources to districts based on relative poverty, burden of disease, and other exceptional factors. This approach has led to significant improvements in health service provision throughout Uganda. Recent insecurity in the Teso region resulted in an increased demand for health services and in response the Ministry sent additional health workers and medical supplies. In addition DFID has also channelled extra resources through its wider programmes with UNICEF, the World Food Programme (WFP), and the Uganda Red Cross Society to support those displaced by the conflict.

FOREIGN AND COMMONWEALTH AFFAIRS

Colombia

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what the *(a)* purpose and *(b)* cost was of military and civilian assistance provided by the UK Government to Colombia in each of the last five years. [132681]

Mr. Rammell: Aid given via the Foreign and Commonwealth Office (FCO) is listed as follows. Total figures given in each year are funds allocated to projects within that year, although funding shown covered some projects in subsequent years.

1999: £1,545,000—on information services on sexual and reproductive health for internally displaced people; local initiatives for peace, strengthening NGOs in the rural sector.

2000: £621,163—on child abuse issues; witness and victim protection systems; strengthening prevention management of human rights violations; promotion of sustainable livelihoods and poverty reduction; public

service conflict resolution training; internally displaced people; strengthening indigenous community institutions; environmental work by indigenous population.

2001: £344,712—rehabilitation of former child soldiers; promotion of sustainable livelihoods and poverty reduction; strengthening of fire service; humanitarian aid; human rights city campaign; child soldiers; biodiversity projects.

2002: £498,363—promotion of sustainable livelihoods and poverty reduction; public service conflict resolution training; civil society study tour; education on parliamentary system; security sector reform; humanitarian action cooperation; protection of women's human rights; environmental conservation; biodiversity projects.

2003 to date: £664,703—human rights training for Colombian Armed Forces; promotion of sustainable livelihoods and poverty reduction; community defenders for vulnerable communities; street children project; environmental projects.

During the past five years the FCO has also contributed over 3 million in counter-narcotics assistance to Colombia. We do not publicise details of such assistance to protect the safety of personnel involved and to avoid undermining its impact in future work in this area.

On aid via the Ministry of Defence, I refer the hon. Member to the answer my right hon. Friend the Minister of State for the Armed Forces (Mr. Ingram) gave on 16 October 2003, *Official Report*, columns 321–22W.

On aid via the Department for International Development I refer the hon. Member to the answer my right hon. Friend the then Secretary of State for International Development (Clare Short) gave on 9 January 2003, *Official Report*, column 296W, and that my right hon. Friend the Secretary of State for International Development (Hilary Benn) gave on 26 June 2003, *Official Report*, column 940W.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him, dated 11 September 2003, from the right hon. Member for Manchester, Gorton with regard to Mrs. K. Qureshi. [133845]

Mr. Mullin: A reply was sent to my right hon. Friend on 10 October 2003. I regret that because of significantly increased workloads at UKvisas, the department responsible for the entry clearance operation overseas, this reply was not sent within the usual deadline of seven working days.

Draft European Constitution

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the provision under Article IX of the draft European constitution for member states to withdraw from the constitution if no agreement is negotiated within two years would necessarily result in total withdrawal from membership of the EU and obligations under the treaties. [134142]

Mr. MacShane: Article I-59 of the draft EU Constitutional Treaty sets out the arrangements under which any member state so desiring could withdraw from the EU. Paragraph 3 states:

> "The Constitution shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, decides to extend this period."

The provision that the constitution would cease to apply to the member state in question would equate to total withdrawal from the European Union.

EU Diplomacy

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs in what countries the UK relies on EU diplomatic representation; and what plans he has to rely on EU representation in two years' time. [134309]

Mr. MacShane: The United Kingdom's diplomatic representation overseas is carried out by British embassies, British High Commissions and British Consulates.

European Commission delegations currently represent the EU overseas in areas of Commission competence—external trade, European external assistance and some external aspects of Justice and Home Affairs.

The Inter Governmental Conference will consider proposals for Commission delegations to take on additional responsibilities to complement and work alongside national representations. No conclusions have yet been reached.

General Affairs Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what the outcome was of the General Affairs and External Relations Council held on 13 to 14 October; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [134576]

Mr. MacShane: The information requested is as follows.

Outcome of the 13 October General Affairs and External Relations Council

My right hon. Friend the Foreign Secretary represented the UK at the General Affairs and External Relations Council (GAERC) in Luxembourg on 13 October.

Conclusions on Wider Europe, Iraq, Iran, and Western Balkans were agreed by consensus.

General Affairs Session

Progress of work in other council configurations

The Presidency gave a standard progress report on work in other Councils (Agriculture, Finance and JHA).

Preparation of European Council (Brussels, 16–17 October)

This was a final discussion to confirm the annotated agenda for the European Council, the focus of which was on boosting growth. The agenda had already been agreed at the 29 September GAERC:

Relaunching the European economy

Strengthening the area of freedom, security and justice

External relations

MEP Statutes

Discussion centred on a letter from the President of the European Parliament on privileges and immunities. It was agreed that the Council should reply saying it was willing to work jointly for a solution but the EP would need to show flexibility.

External Relations Session

Wider Europe

Enlargement Commissioner Verheugen briefed on the progress on the Wider Europe/New Neighbourhood initiative endorsed by the Thessaloniki European Council in May 2003. Action Plans are to be developed for Russia, Ukraine, Moldova, Morocco, Tunisia, Jordan, and Israel. A package of proposals should be presented to the Council in spring next year.

Middle East Peace Process

Partners discussed their concerns over developments in the region, in particular the security wall. The Presidency called for high level attendance at the forthcoming EU/Israel Association Council.

Iran

Short Conclusions on the Iran nuclear situation were agreed without substantive discussion. Conclusions on Iran human rights were also agreed. These reaffirmed the Union's commitment to the human rights dialogue with Iran, the last round of which took place on 8–9 October 2003, as one of the means by which the EU can work to improve the human rights situation in the country. But Conclusions also stated that this dialogue was without prejudice to the possibility of promoting or co-sponsoring a Resolution at an UNGA session.

Iraq

The Council confirmed the indicative Commission pledge of 200m Euro for the 23–24 October Madrid Donors' Conference subject to budgetary process. Partners emphasised the importance of Madrid. The Commission indicated that this should not be seen as a standard donors' conference but more as an opportunity to agree on a multi-lateral framework for Iraqi reconstruction. The Presidency noted that aid and security improvements should be pushed forward in parallel.

Western Balkans

ICTY Chief Prosecutor, Carla Del Ponte, made a presentation on co-operation with the International Criminal Tribunal in Yugoslavia, based on 9 October statement made to the UN Security Council. She highlighted the connection between war criminals, organised crime, and support networks in the intelligence services, army, police and clerical institutions. Conclusions were also agreed on the launch of the Belgrade-Pristina Dialogue.

EU-Russia

There was a brief discussion of relations with Russia in the context of the forthcoming EU-Russia summit. The Council also took note of Trade Commissioner Lamy's briefing on his discussions with Russia on their WTO accession. Commissioner Lamy said that he would be returning to Moscow on 15 October to try to move some of these issues forward. There was no substantive discussion.

Hong Kong

Diana Organ: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of infringements of human rights in Hong Kong. [134204]

Mr. Rammell: The 1984 Sino/British Joint Declaration on the question of Hong Kong provides for the continuation in Hong Kong, after the handover, of the rights and freedoms previously enjoyed.

My right hon. Friend the Foreign Secretary continues to report to Parliament on the implementation of the Joint Declaration on Hong Kong. These reports always contain a section covering basic rights and freedoms. The Foreign Secretary's last report (Cmnd 5864), which covered the first six months of this year, assessed that, in general, the basic rights and freedoms promised to the people of Hong Kong in the Joint Declaration and the Basic Law, were upheld during that period.

Iran

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on discussions with the Government of Iran about nuclear weapons proliferation. [131992]

Mr. MacShane *[holding answer 14 October 2003]:* We have a regular dialogue with the Government of Iran on a range of issues of mutual concern. This includes discussion of Iran's nuclear programme.

My right hon. Friend the Foreign Secretary, together with his colleagues from France and Germany visited Tehran last week for intensive discussion with the Iranian Government on the issue of Iran's nuclear programmes and the need for Iran to co-operate fully and actively with the International Atomic Energy Agency (IAEA).

The Foreign Secretary issued a written ministerial statement on 23 October about his visit.

Iraq

Mr. Lazarowicz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will urge the UN Security Council to take steps to deploy human rights monitors throughout Iraq in line with General Assembly resolution 57/232 of December 2002. [133001]

Mr. Rammell: The Office of the UN High Commissioner for Human Rights (OHCHR) appealed in May for an initial US$1.5 million for the provision of Human Rights Officers in Iraq. The UK agreed to allocate £400,000 (US$650,000) towards the OHCHR's request, to fund 60 per cent. of the immediate start-up costs of deploying Human Rights Officers and supporting their work. Following the terrorist attack on the United Nations Headquarters in Baghdad on 19 August 2003, the UN's efforts in Iraq have inevitably been scaled back, and the five human rights monitors were withdrawn with other international staff. The majority are now deployed in the region or in Geneva and New York and working on Iraq-related human rights issues. We are in discussion with the UN on the security measures needed to ensure that the UN is able to strengthen its vital role in Iraq.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's support for the draft UN resolution on the political and economic reconstruction of Iraq. [134268]

Mr. Rammell: Security Council Resolution 1511, co-sponsored by the UK and unanimously adopted on 16 October, provides a further step forward in the

international community's contribution to the political and economic reconstruction of Iraq. The Resolution has three main objectives:

to confirm and accelerate the transfer of power to the people of Iraq;

to send a clear signal that the international community is committed to the rapid political and economic reconstruction of a free Iraq which is secure and stable;

to ensure, as conditions permit, a strengthened vital role for the United Nations, in partnership with the Coalition and with the Iraqi people.

In particular, the Resolution invites the Governing Council of Iraq to provide by 15 December a programme and timetable for the drafting of a new constitution for Iraq and for the holding of democratic elections. It also encourages farther international contributions to economic reconstruction, to the multi-national security force and to training and equipping of Iraqi police.

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that the draft resolution on the reconstruction of Iraq will be implemented by the United Nations Security Council. [134291]

Mr. Rammell: Security Council Resolution 1511, adopted on 16 October, sets out a number of areas requiring implementation by the Iraqi authorities, the Coalition Provisional Authority, the United Nations or the rest of the international community. The Security Council will regularly review implementation of the Resolution and the UK will work to ensure implementation by all those involved.

Japan

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Japanese authorities concerning the imprisonment of Mr. Nicholas Baker; and if he will make a statement. [133626]

Mr. Mullin: We have raised Mr. Baker's case with the Japanese authorities at both official and ministerial level on a number of occasions. We continue to monitor the case and offer Mr. Baker consular assistance.

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of *(a)* the conditions in which Mr. Nicholas Baker is being held in Japan and *(b)* his level of access to legal representation prior to his trial. [133627]

Mr. Mullin: Mr. Baker is being detained under the same conditions as others in detention in Japan. We continue our dialogue with the Japanese authorities about prison conditions in general. Officials from the British embassy visited Mr. Baker soon after notification of his arrest, gave him a list of lawyers and helped to arrange the appointment of Mr. Baker's chosen lawyer. We continue to monitor the case and offer Mr. Baker consular assistance.

Ministerial Visits

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) which of the UK overseas territories he plans to visit in the next 12 months; [133205]

(2) what official visits he plans to make during the next 12 months. [133207]

Mr. Straw: It is not my practice to announce visits until they are firm. Because of the unpredictable nature of world events, final decisions on my overseas visits are often not possible until very shortly before the day of travel.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to discuss Gibraltar's sovereignty with the Government of Spain. [133206]

Mr. MacShane: There are currently no plans to do so.

Mr. Kenny Richey

Lady Hermon: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United States Administration about the imprisonment on death row in Ohio of Mr. Kenny Richey; and if he will make a statement. [134819]

Mr. Mullin: Kenny Richey became a dual UK/US national with effect from 30 April 2003. Under international law we have no right to make formal demands on behalf of a dual national in the country of their other nationality. However, in cases of the death penalty, as a matter of principle, we will make representations in all cases at the appropriate time.

We are in touch with Mr. Richey's lawyers both in the USA and the UK, as well as Ohio state officials. Our Acting Consul General in Chicago attended Mr. Richey's Court of Appeals hearing earlier this year. We will continue to monitor his case closely to determine what representations could be made on his behalf, and we will do all we properly can to try to prevent his execution.

Pakistan

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether the Government of Pakistan is a sponsor of terrorism; and if he will make a statement. [133066]

Mr. Mike O'Brien: President Musharraf has said that he will not allow Pakistan's territory to be used by terrorists. We welcome the steps which the Government of Pakistan has taken so far in fulfilment of that commitment, including its co-operation in the campaign against Al Qaida and the measures it has taken to clamp down on extremist groups in Pakistan, including the banning of five such groups. We remain concerned about militant violence in Kashmir and look to Pakistan to discourage such acts and fulfil its commitment to stop infiltration across the Line of Control. We also remain concerned that Taliban and other extremist elements are still crossing between Afghanistan and Pakistan and we continue to encourage the Government of Pakistan to do all it can to prevent this.

Student Visas

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many student visas were granted in each of the last five years for which figures are available. [132920]

Mr. Mullin: The information is as follows:

	Student visas granted
Year	
1998	69,607
1999	75,607
2000	99,559
Financial Year	
2001–02	121,466
2002–03	132,890

The table shows the number of student visas issued at entry clearance posts worldwide each year since 1998. Since 2001, statistics have been collated by Financial Year (1 April to 31 March) rather than calendar year.

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the 20 *(a)* further education institutions and *(b)* higher education institutions with the highest number of student visas granted for studying at that institution. [132921]

Mr. Mullin: We do not keep centralised records of further education and higher education institutions at which applicants for student visas wish to study. To obtain such figures would incur disproportionate costs.

Working Holidaymakers

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the process for considering applications for entry clearance as working holiday makers is the same for applicants from every Commonwealth country. [133074]

Mr. Mullin: Yes.

CABINET OFFICE

Civil Service Secondments (Science and Technology)

Dr. Iddon: To ask the Minister for the Cabinet Office how many people from science and technology backgrounds have been seconded into the Civil Service following the recommendation of the Council for Science and Technology in its review in 1999 of Science and Technology Across Government. [133943]

Mr. Alexander: This information is not held centrally and could be collected only at disproportionate cost.

Flooding

Miss McIntosh: To ask the Minister for the Cabinet Office what discussions he has had with DEFRA on contingency plans for autumn flooding. [133587]

Mr. Alexander: My Department has held regular discussions with DEFRA about its contingency plans for flooding. It has contributed to a forthcoming DEFRA Plan for "Tidal and Fluvial Flooding in England". We are also working with DEFRA on a tabletop exercise to test its Lead Government Department responsibilities against a range of flooding scenarios.

Charter Mark

Mr. Ben Chapman: To ask the Minister for the Cabinet Office if he will make a statement on Charter Mark awards. [133669]

Mr. Alexander: The Charter Mark scheme is an important element of the government's public service reform agenda.

The scheme continues to recognise success. We have worked to enhance and further develop Charter Mark as a national standard for customer service and an important tool for public sector organisations to use in addressing customer service issues. The new content of Charter Mark was published earlier this year.

In 2002, 949 organisations achieved the Charter Mark standard, taking the total number to more than 2,400.

As well as modernising the content of the scheme to reflect our customer focus approach to public services we have redesigned the assessment process to better meet the needs of those using the scheme, offering real choice and better value. Following piloting of these new arrangements we will open the scheme for new applications from January 2004 onwards.

The government strongly encourages organisations to strive towards the Charter Mark Standard as a means of improving customer satisfaction as an important element of delivering better public services.

Official Cars

Norman Baker: To ask the Minister for the Cabinet Office if he will list the *(a)* make of and *(b)* engine size of and *(c)* type of fuel used by each official car, broken down by holder. [134366]

Mr. Alexander: The cars available to Ministers and others are set out in "Travel by Ministers". A breakdown of the car fleet is set out in the GCDA annual report and accounts which is available in the Library of the House. For reasons of security, it would not be appropriate to provide the details of cars used by individual holders.

Norman Baker: To ask the Minister for the Cabinet Office what mechanism exists to identify the improper use of Government cars; what procedure is used to notify the user of improper use; and on how many occasions this procedure has been used since 1 May 1997. [134492]

Mr. Alexander: Guidance to Ministers on the use of Government cars is set out in "Travel by Ministers". Similar rules apply to other office holders. As Travel by Ministers makes clear, individual Ministers are responsible for justifying their actions and decisions to Parliament.

TRANSPORT

Airport Capacity (South-East)

John McDonnell: To ask the Secretary of State for Transport following the publication of the White Paper on the future of airport expansion in the UK, whether the chosen site for expansion in the South East will have to undergo a planning inquiry. [133335]

Mr. McNulty: No decisions have yet been taken on future airport capacity in the South East. The White Paper will not convey statutory authorisation for any development. That would need to be sought subsequently. Where an airport operator brings forward a planning application, under the major infrastructure projects provision in the Planning and Compulsory Purchase Bill currently before the House, the Government will have powers to call in planning applications which it considers to be of national or regional importance. A Planning Inspector will then be appointed to consider the application and make recommendations to Ministers.

John McDonnell: To ask the Secretary of State for Transport what assessment his Department has made of the likely timescale between the publication of the White Paper on the future of airport expansion in the UK later this year and a final decision being taken on the location of expansion. [133336]

Mr. McNulty: The air transport White Paper will set out the Government's policies on any preferred locations for future airport capacity. Planning approval for any new capacity will need to be sought subsequently. For the purposes of the SERAS study, it was assumed that following the White Paper any new runway might require two years for detailed design and project definition and a further two years for authorisation.

Biofuels

Mr. Hayes: To ask the Secretary of State for Transport what arrangements he intends to put in place to meet European Union targets for biofuel use by *(a)* 2005 and *(b)* 2010. [134370]

Mr. McNulty: The European Union's Biofuels Directive requires member states to set their own indicative targets for sales of biofuels for road transport to be met in 2005 and 2010. The Government will be consulting early next year on the level of possible targets for the UK and on the steps it might take to meet them.

Mr. Paice: To ask the Secretary of State for Transport pursuant to his answer of 14 October 2003, *Official Report*, column 165W, on biofuels, what assessment he has made of the costs if the UK were to set targets for sales of biofuels at *(a)* 2 per cent. by 2005 and *(b)* 5.75 per cent. by 2010. [134141]

Mr. McNulty: We have not carried out any detailed assessment of what the costs to the UK might be if we chose to set indicative biofuels sales targets at those levels. This sort of analysis will form part of the consultation paper on our plans for implementing the Directive which we plan to issue early next year, and will help inform the level of targets that we choose to set.

The costs to the UK will depend on a number of factors, including the level of Government support for biofuels. The Government currently provide a 20 pence per litre fuel duty incentive for biodiesel, with a similar duty incentive for bioethanol due to come into effect in January 2005. At these levels of duty incentive, if sales of biofuels were to reach 2 per cent. of total annual fuel sales (i.e. almost 1 billion litres), the fuel duty revenue forgone would be in the region of £200 million per annum. If they were to reach 5.75 per cent. of total fuel sales (or total sales of a little under 3 billion litres), the revenue forgone would be close to £600 million per annum. There may be other public costs too, including any grants that help support the production of biofuels, or any subsidies provided under the Common Agricultural Policy.

Concessionary Travel Schemes

Mr. Syms: To ask the Secretary of State for Transport what discussions he has had with representatives of local government about the possibility of changes to the national minimum standards for concessionary travel schemes; and if he will make a statement. [134271]

Mr. McNulty: There have been no recent discussions with local authorities regarding the possibility of changes to the current national minimum standards for concessionary travel schemes.

Mr. Syms: To ask the Secretary of State for Transport what the additional payments were in each year since 2001–02 from central Government to *(a)* local government in England and *(b)* each local authority and London borough to reimburse local government for the cost of the national minimum standards for concessionary travel schemes introduced under the Transport Act 2000. [134272]

Mr. McNulty: The Government have provided an additional £54 million each year since 2001–02 to local government for the cost of the national minimum standards for concessionary travel schemes introduced under the Transport Act 2000, with effect from June 2001. That expenditure, along with other costs falling on local authorities, is provided as part of the contribution that Government make to local authorities through the annual grant settlement.

Figures for the amounts received by each local authority in England, including London boroughs, are not available, as the additional funding for concessionary fares has been included in the total amount of grant distributed to local authorities.

Mr. Syms: To ask the Secretary of State for Transport what the cost of concessionary travel schemes was *(a)* in England and *(b)* in each local authority and London borough for (i) the elderly and (ii) the disabled in each year since 2001–02. [134273]

Mr. McNulty: The amount spent by local authorities on concessionary travel schemes for older and disabled people in England as a whole, in London, the metropolitan areas and the rest of England in 2001–02 and 2002–03 is summarised in the table. The amount for each authority has been placed in the Libraries of the House. From the data available it is not possible to separate the concessionary spending for older people and disabled people.

£ million

	2001–02	*2002–03*
England	487	515
London	162	169
English metropolitan areas	203	216
English unitary, district and county areas	122	130

Mr. Syms: To ask the Secretary of State for Transport what the administration costs of implementing national minimum standards for concessionary travel schemes were for *(a)* local government in England, broken down by local authority and London borough, and *(b)* his Department in each year since 2001–02. [134274]

Mr. McNulty: Implementation of the national minimum standard for concessionary travel schemes is a matter for local authorities. Information on the administration costs of implementation is not held centrally.

Mr. Syms: To ask the Secretary of State for Transport what assessment he has made of the national minimum standards for concessionary travel schemes; and if he will make a statement. [134275]

Mr. McNulty: Last year the Department published the Transport Statistics Bulletin, "Concessionary Bus Fare Schemes England 2001", which provided a survey of the provision of all the concessionary fares schemes in England following the introduction of the statutory minimum standard in June 2001.

This showed that over half of local authorities had a more generous concessionary fare scheme for elderly and disabled people compared with the position before the statutory minimum standard came into effect. This included 17 local authorities where there had been no concessionary fare scheme previously.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Transport when the hon. Member for West Worcestershire will receive a response to his letter of 26 June 2003, reference AD/MC/011086/03. [134331]

Mr. McNulty: I refer the hon. Member to my letter to him of 10 July 2003, reference AD/MC/011086/03.

Entry Clearance

Mr. Stinchcombe: To ask the Secretary of State for Transport whether, in respect of applications for entry clearance from working holiday makers, identical requirements and conditions are applied for applicants from each Commonwealth country. [133077]

Mr. Mullin: I have been asked to reply.

Yes.

Traffic Management Bill

Mr. Allan: To ask the Secretary of State for Transport when the Regulatory Impact Assessment on local government and the utility companies of the proposed Traffic Management Bill will be made available to Parliament. [134102]

Mr. McNulty: As and when the Traffic Management Bill is introduced we intend to publish and make available to Parliament a Regulatory Impact Assessment at the same time.

Mr. Allan: To ask the Secretary of State for Transport whether the impact of the introduction of broadband has been taken into account in the Regulatory Impact Assessment on local government and the utility companies of the proposed Traffic Management Bill. [134103]

Mr. McNulty: In drawing up Regulatory Impact Assessments on the proposed Traffic Management Bill and secondary legislation flowing from it we will be taking into account, amongst other things, the possible impact on the rollout of broadband as well as on the work programmes of other utility sectors including gas, water and electricity.

Mr. Allan: To ask the Secretary of State for Transport if he will list the parties who have been asked by his Department to contribute to the Regulatory Impact Assessment on local government and the utility companies of the proposed Traffic Management Bill. [134104]

Mr. McNulty: We have consulted a wide range of different bodies on the measures under consideration for inclusion in the proposed Traffic Management Bill. In particular, in February this year we set up a working group, on which various Government Departments were represented, together with the utility regulators—OFWAT, OFGEM and OFTEL—and representatives of utility companies and local authorities. In drafting a Regulatory Impact Assessment for the proposed Bill, we are taking account of the different views put forward in the working group together with written contributions which we have received from utilities, highway authorities and others. We would also propose to consult widely on the secondary legislation which we envisage would be needed following the Bill to set out the detailed changes to the existing legislative regime.

Vehicle Excise Duty Offences

Mr. Chope: To ask the Secretary of State for Transport how many unlicensed vehicles he estimates the DVLA will *(a)* wheel clamp and *(b)* crush in 2004. [134748]

Mr. Jamieson: So far in 2003–04, DVLA has clamped 46,302 vehicles. In addition, the 14 local authorities that now have devolved powers to clamp and impound on behalf of the Secretary of State have clamped an additional 6,601—a total of 52,903. We expect that to rise to 65,000 by the end of the financial year.

The number of vehicles crushed by DVLA is 21,144 so far, with the 14 local authorities crushing an additional 3,052—a total of 24,196. We expect that figure to rise to 30,000 by the end of the financial year.

WORK AND PENSIONS

Direct Payment

Mrs. Dunwoody: To ask the Secretary of State for Work and Pensions what consultations he has had with

the Banking Association to ensure that pensioners required to open bank accounts to receive their state benefits do not incur extra charges on temporary overdrafts greater than their benefit. [132562]

Mr. Pond: Customers are being provided with detailed information on the account options available to them. It is for customers to decide which account best meets their needs and circumstances. 87 per cent. of benefit customers and 90 per cent. of pensioners already have access to a bank account. The move to Direct Payment will give people more choice about where and when they collect their money—including from the Post Office.

Officials have had a number of discussions with the British Bankers' Association about the move to Direct Payment of benefits and pensions. The features of individual accounts (including charges and overdraft facilities) are a matter for the account provider. There is a wide range of accounts available which are free to operate and do not offer overdraft facilities. Some account providers do charge their customers if there is not enough money in their account to cover direct debits. Account providers make their customers aware of these charges and leaflets provided to benefits customers and pensioners also set out the possibility of charges in these circumstances.

Mrs. Dunwoody: To ask the Secretary of State for Work and Pensions how many housebound, disabled and blind pensioners not in possession of a bank account he estimates will be able to receive state benefits over the counter after 2005. [132564]

Mr. Pond: With direct payment, customers can still collect their benefit or pension at the Post Office, if they choose to do so, by using some current bank accounts, basic bank accounts or the Post Office card account.

Already 87 per cent. of all customers and over 90 per cent. of pensioners have access to an account that can receive direct payment. And for those who do not, the new easy to operate accounts, which are accessible at the Post Office, are widely available.

We have always recognised that there will be a small group of people who we cannot pay directly into an account. We are developing an exceptions method of payment to pay this group, which can be accessed at Post Office branches. This will be based on an understanding of the individual problems such customers will face.

Mr. Horam: To ask the Secretary of State for Work and Pensions what recent consultations the Government has undertaken on the circumstances in which it will permit pensioners to retain their pension books under the direct payment scheme; and if he will make a statement. [133890]

Mr. Pond: The order book system is outdated, inefficient, open to fraud and abuse, and costly to administer. It needs to be modernised to keep in step with changing customer needs and to reflect the fact that most people now have and use a bank account. Already 87 per cent. of all customers and over 90 per cent. of pensioners have access to an account that can receive Direct Payment. And for those who do not, new easy to operate accounts, which are accessible at the Post Office, are widely available. Everyone who wishes to do so will be able to withdraw their money at post office branches by choosing an account, which is accessible at the Post Office.

We are consulting with Specific Interest Groups such as Age Concern, Help the Aged, Citizens Advice, and the National Pensioners Convention about an alternative method of payment, which is likely to be cheque based, for those who are genuinely unable to operate any type of bank account. Payment outlets for this exceptions method of payment will include Post Office branches. We expect this service will be in place from October 2004.

Child Support Agency

Angus Robertson: To ask the Secretary of State for Work and Pensions how many complaints were received per month from Child Support Agency clients *(a)* in the six months previous to the introduction of the new child support system and *(b)* in the last three months, in the latter case identifying how many of the complaints came from (i) clients of the old system and (ii) clients of the new system; what percentage of total clients the complaints represented per month; and if he will make a statement. [131447]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Angus Robertson, dated 27 October 2003

The Secretary of State, in replying to your recent Parliamentary question about the Child Support Agency promised a substantive reply from the Chief Executive.

You asked about the numbers of complaints received by the Agency in the 6 months prior to the introduction of the new child support system and in the last three months (identifying the number received from clients on the old and new systems) and what percentage of our total clients these figures equate to.

The figures you requested are summarised in the following tables:

Complaints received prior to the introduction of the new child support system

Month	*Number of complaints received*	*Percentage of total clients*
September	1,238	0.11
October	1,318	0.12
November	1,263	0.12
December	958	0.09
January	1,316	0.12
February	1,515	0.15
Monthly Average	1,268	0.12

In April 2003 we changed our complaints handling processes. This has ensured the more accurate recording of complaints and ensured the recording for the first time of telephone complaints. I have included below information on written complaints only, for a more representative comparison.

Mr. Drew: To ask the Secretary of State for Work and Pensions whether the Child Support Agency has referred recipients of CSA payments back to their ex-partner in order to sort out future payments. [131469]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. David Drew, dated 27Ooctober 2003.

The Secretary of State in replying to your recent Parliamentary question about the Child Support Agency promised a substantive reply from the Chief Executive.

You ask whether the Child Support Agency has referred recipients of child support payments back to their ex-partner in order to sort future payments.

In all cases we aim to arrange maintenance payments through discussions with both the parent with care and the non-resident parent. If there is to be any delay in making these arrangements we would suggest to both parties that voluntary payments are made to avoid arrears building up.

Disability Appeals Tribunals

Mr. Berry: To ask the Secretary of State for Work and Pensions how many disabled people have sat as a panel member of a disability appeal tribunal in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03. [132565]

Maria Eagle: This is a matter for Christina Townsend, Chief Executive of the Appeals Service. She will reply to the hon. Member.

Letter from Christina Townsend to Mr. Roger Berry, dated 27 October 2003

The Secretary of State has asked me to reply to your question regarding the number of disabled people who have sat as a panel member of a disability appeal tribunal in 2000–01,2001–02 and 2002–03.

We do not have information for the years 2000–01 and 2001–02. The first disability survey of panel members was carried out last year. During the year 2002–03 there were 226 disabled people who sat as on a disability appeal tribunal drawn from a total of 2074 members of the appeals tribunal.

I hope this reply is helpful.

Fibromyalgia Syndrome

Mr. Carmichael: To ask the Secretary of State for Work and Pensions what plans the Government has to include fibromyalgia syndrome in the list of diseases which enable industrial injury payments. [133405]

Malcolm Wicks: We have no plans to recognise fibromyalgia syndrome as a prescribed industrial disease. A disease may only be prescribed if there is a recognised risk to workers in an occupation, and the link between disease and occupation can be established or reasonably presumed in individual cases.

Food Expenditure

Mr. Lidington: To ask the Secretary of State for Work and Pensions how much was spent on food by his Department and by each of the agencies for which it is responsible in *(a)* 2001–02 and *(b)* 2002–03; what proportion of that food by value was produced in the United Kingdom; what guidance he has issued to encourage the procurement of home-produced food; and if he will make a statement. [129374]

Maria Eagle: Expenditure on food in DWP is mainly limited to official hospitality, working lunches and canteen subsidies. The expenditure figures that are available are in the following table.

Our main canteen catering service provider has estimated that, where they have total control over the source and origins of products, approximately 75 per cent. of fresh produce, by quantity, is of UK origin. It is not possible to provide a similar estimate for food provided for official hospitality and working lunches due to the large number of suppliers involved.

DEFRA are currently working with DWP private sector partners and canteen catering service providers to raise awareness of sustainable purchasing practices and to highlight local sourcing issues. We are also working with our partners to develop an action plan to implement the Sustainable Food Procurement initiative recently introduced by DEFRA.

	[1] *Official hospitality and working lunches (£)*	*Canteen subsidies (£ million)*
2001–02	726,000	3.5
2002–03	569,000	3.6

[1] The figures provided for official hospitality and working lunches relate only to that included in the former DSS financial management system. They exclude any expenditure funded by the former Employment Service as the current financial systems do not enable the spend on food to be identified. DWP is currently implementing a new financial management system which will identity all such spend in future.

Full Employment

Mr. Wray: To ask the Secretary of State for Work and Pensions what progress is being made in achieving full employment; what further plans he has to assist people into work; and if he will make a statement. [132946]

Mr. Browne: Our aim is to deliver work for those who can and security for those who cannot.

We are well on our way to getting three quarters of people of working age people into work—not just in one year but year on year. Through a combination of economic stability and radical labour market reforms, we have achieved a lot. There are more than 1.5 million more people in work now than in 1997 and unemployment is at its lowest levels since the mid 1970s. Both the UK employment rate and ILO unemployment rate are the best of all of the major industrialised (G7) countries. Claimant long term (one year plus) unemployment has been virtually eradicated for young people and has fallen by three-quarters for adults.

But there is still more to do. High levels of employment are not enough. We need to provide employment opportunities for all groups of people who want to and can work in all parts of the country.

Through Jobcentre Plus, we are providing everyone of working age—the unemployed, lone parents, sick and disabled people—with advice and guidance on the full range of support available to help them move into work.

In areas with higher levels of worklessness we have introduced Action Teams for Jobs. From April 2004, we are also introducing a programme of intensive support in neighbourhoods with very high concentrations of worklessness. Local Worklessness Pilots will operate in 12 neighbourhoods for 2 years testing a new approach to offering intensive support to local residents to help them overcome barriers to employment.

We are also providing more help for those who face the greatest barriers to work. We now have programmes to help, for example, former drug mis-users, the long term unemployed, people from minority ethnic communities and we are piloting reforms to Incapacity Benefit in order to give more opportunities to this group of people as well.

Income Support

Mr. Blizzard: To ask the Secretary of State for Work and Pensions if he will issue guidance for determining when it is reasonable not to be paid for voluntary work, in relation to entitlement to income support. [132678]

Mr. Pond: For benefit purposes, the legal definition of a volunteer is "someone who is engaged by a charity or voluntary organisation or is a volunteer where the only payment received or due is the reimbursement of actual expenses incurred during their activity". Volunteers need to continue to satisfy the conditions of entitlement to benefit but subject to this can do voluntary work. Actual expenses incurred or to be incurred can be disregarded for benefit purposes.

Guidance relating to people receiving benefit who engage in voluntary work is contained in Volume 4, Chapter 21, Paragraph 21168 and Volume 5, Chapter 28, paragraph 28389 of the Decision Makers Guide copies of which are in the Library.

Mr. Webb: To ask the Secretary of State for Work and Pensions how many lone parents are in receipt of income support where the youngest child is 11 or above; and what the average weekly amount is of *(a)* income support and *(b)* housing and council tax benefits which are paid to such lone parents. [132486]

Mr. Pond: The information requested is in the table.

Lone parents receiving Income Support whose youngest child is aged 11 or over, Great Britain May 2002

	Thousand	*£ per week*
Income Support recipients	156,200	—
Income Support average amount	—	96.20
Housing Benefit average amount	—	63.50
Council Tax Benefit average amount	—	11.60

Notes:

1. Of the 156,200 lone parents receiving Income Support, 128,000 also received Housing Benefit and 114,000 Council Tax Benefit.
2. Income Support recipients have been rounded to the nearest hundred, average weekly amounts to the nearest 10 pence.
3. Figures are based on 1 per cent. and 5 per cent. samples and are therefore subject to sampling variation.
4. Lone Parents are defined as single claimants with dependants not receiving the disability or pensioner premium.
5. Housing Benefit figures exclude any Extended Payment cases, Council Tax Benefit totals exclude any Second Adult Rebate cases. Figures for any non-responding authorities have been estimated.

Source:

5 per cent. and 1 per cent. samples of the benefit computer system

Post Office Card Account

Mr. Horam: To ask the Secretary of State for Work and Pensions how many pensioners have opened a Post Office card account since April. [133084]

Mr. Pond: Information is not available in the format requested. Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions what proportion of customers his Department estimates will open a Post Office card account *(a)* in total, *(b)* for each benefit and *(c)* in each income decile. [133385]

Mr. Pond: It is impossible to predict accurately how many customers *(a)* in total, *(b)* for each benefit and *(c)* in each income decile, will eventually open a Post Office card account as this will be based on customer choice. However, the card account is proving very popular with customers. Over one and a quarter million people have already requested a Post Office card account, which suggests that customers are fully aware of the account's availability and how to open one.

Key figures on the progress of conversion to direct payment are available in the Commons Library, updated every four weeks.

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions how many inquiries about Post Office card accounts have been received; how many applications to open an account have been received; how many accounts have been opened; what the average time taken to process applications is; what steps are being taken to publicise the accounts; which organisations were consulted on the accounts; and how take up of accounts will be monitored. [133390]

Mr. Pond: We do not have the information in the format requested.

Key figures on the progress of conversion to direct payment are available in the Library, updated every four weeks.

Information regarding the number of Post Office card account applications received, opened, length of the application process and the development of the card account are matters that fall within the responsibilities of Post Office Ltd. (POL).

The Departments information campaign, to support the move to direct payment, provides customers with all the information they need on all of their "account options", including which accounts can be used at Post Office branches. It will be up to the customers themselves to decide which type of account they wish to have their money paid into, and those people who want to open a Post Office card account will be able to do so.

Poverty

Mr. Battle: To ask the Secretary of State for Work and Pensions how many children in Leeds, West have been lifted out of poverty since 1997. [132742]

Mr. Pond: The fifth annual 'Opportunity for all' report (Cm 5956) sets out the Government's strategy for tackling poverty and social exclusion and presents information on the indicators used to measure progress against this strategy.

Information in respect of Leeds West is not available, as data for these indicators goes down only to national or regional level. Below that, it would not be statistically robust.

This publication is available in the Library.

Tax Credits

Mr. Frank Field: To ask the Secretary of State for Work and Pensions how many lone parents have *(a)* moved off income support and on to the working families tax credit and *(b)* left the working families tax credit to return to income support in each year since the working families' tax credit was introduced. [131092]

Mr. Pond: In April 2003, building on the success of working families tax credit, we introduced child tax credit and working tax credit to provide a single seamless system of support for children, and tackle in-work poverty and improve work incentives by making work pay.

The information requested is in the table.

Lone parents leaving income support (IS), moving to working families tax credit (WFTC) and subsequently returning to IS in Great Britain, 1 October 1999–31 March 2003

	All lone parents leaving IS	*Moving to WFTC within 40 days of leaving IS*	*Subsequently returning to IS from WFTC*
October 1999–September 2000	299,500	120,900	51,800
October 2000–September 2001	268,600	111,800	40,800
October 2001–September 2002	263,500	110,300	29,600
October 2002–March 2003	131,300	56,200	8,700

Notes:
1. Figures give lone parents leaving IS during the periods shown, while 'returns' refer to the whole lifetime of WFTC. Earlier periods will therefore show higher proportions returning to IS than later years.
2. Figures include those who were classed as lone parents' on leaving IS but are no longer categorised as such on return to IS.
3. As no new claims to WFTC were allowed after 1 April 2003, people leaving IS in this year had less opportunity to move to WFTC. However, some of these IS terminations may have since moved onto child tax credit.

Source:
IS and WFTC Computer Systems, 5 per cent. sample

CULTURE, MEDIA AND SPORT

Broadcasting

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to ensure that the regulation of radio and television broadcasting is transparent and effective; and if she will make a statement. [134229]

Estelle Morris: The Communications Act 2003 puts in place a framework for the effective regulation of the communications sectors, including radio and television broadcasting, by the new communications regulator, OFCOM. The Act makes it explicit that, in carrying out their duties, OFCOM must have regard in all cases to the Better Regulation Task Force's five principles of good regulation, which include transparency, and other principles of good regulatory practice.

In addition, the process of reviewing the BBC's Royal Charter will begin before the end of the year. The review will cover the full range of the BBC's role, structure and function, including the arrangements for ensuring effective and transparent regulation.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for Culture, Media and Sport how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134683]

Mr. Caborn: DCMS has no responsibility for any such properties.

Football

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how many football clubs with grounds in inner urban areas *(a)* have relocated since 1997 and *(b)* intend to relocate to new sites on the urban periphery or beyond; and if she will make a statement. [134608]

Mr. Caborn: This is not a matter for the Government, and this information is not held by my Department. According to Football Association figures, there are approximately 40,000 amateur, semi-professional and professional football clubs in England. A high proportion of these are located in urban areas. The re-location of amateur clubs is a matter for County Football Associations; re-locations of professional clubs are matters for the Premier and Football Leagues.

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport what funding she gives to support the maintenance of football pitches in public ownership in *(a)* England and *(b)* Kent. [134768]

Mr. Caborn: All public funding for football in England is channelled through the Football Foundation. The Foundation will receive approximately £60 million from each of the Government, the Football Association and the FA Premier League over the period 2000–04.

Funding from the three partners is not hypothecated. However, since 2000 the Foundation has made 154 grants totalling £10.94 million in respect of projects involving football pitches in public ownership. Three of these grants, totalling £790,353, involved pitches in Kent.

Licensing Act

Mr. Moss: To ask the Secretary of State for Culture, Media and Sport whether, under the Licensing Act 2003, a licensing authority which is aware that a bar or pub has been a source of complaint by nearby residents because of the playing of noisy recorded music, will be empowered to impose a noise-limiting condition on such premises when the licensee converts his existing licence to a new premises licence during the transition period. [133946]

Mr. Caborn: No. Following an application for conversion of an existing licence or licences to a premises licence during the transition period, the licensing authority must grant the application if it is made in accordance with the provisions of Part 1 of Schedule 8 to the Licensing Act 2003. This is unless an appeal is pending against a decision to revoke or reject an application for the renewal of an existing licence and the chief officer of the police to whom the application has been copied under paragraph 3(1) of Schedule 8 gives notice that he is satisfied that the conversion of the existing licence would undermine the crime prevention objective, or the chief officer of police is satisfied that there has been a material change in circumstances since the grant of the existing licence or its last renewal such that the conversion of the existing licence would undermine the crime prevention objective, in which case the application may be refused following a hearing.

The new premises licence will be subject only to conditions which reproduce the effect of the conditions or restrictions in the existing licence or licences as well as the mandatory conditions.

Following the second appointed day, any responsible authority or interested party, such as a local resident, may seek a review of the new licence, which could, if necessary for the promotion of the licensing objectives lead to the imposition of new Department for Culture, Media and Sport Parliamentary Unit 2–4 Cockspur Street London SW1Y 5DH

www.culture.gov.uk conditions.

Mr. McLoughlin: To ask the Secretary of State for Culture, Media and Sport when she will issue the statutory guidance and regulations relating to the Licensing Act 2003. [133973]

Mr. Caborn: The statutory guidance relating to the Licensing Act 2003 will be presented to Parliament shortly.

The regulations relating to the Licensing Act 2003 will be issued over the next few months.

Travel Agents (VAT)

Mr. Moss: To ask the Secretary of State for Culture, Media and Sport whether she and her officials have met their counterparts in the Treasury to discuss the implications of the changes proposed by the European Commission to the special travel agents VAT scheme contained in Directive 77/388/EEC; what her Department's stance is on these proposals; and what recommendations were made to the Treasury. [133148]

Mr. Caborn: Neither my right hon. Friend the Secretary of State nor officials have met HM Treasury counterparts on this issue. However, this Department has remained in close discussions with HM Customs and Excise who have the lead for this issue in Europe. My Department has listened and is sympathetic to the Tourism industry's concerns and we will continue to discuss this with HM Customs and Excise. HM Customs have met and discussed this issue with the industry and will continue to work hard to ensure that UK business interests are given full weight in EU negotiations.

TV Licensing (Prosecutions)

Mr. Dodds: To ask the Secretary of State for Culture, Media and Sport what system is used by TV Licensing in Northern Ireland to record and monitor where prosecutions are being brought. [133240]

Mr. Caborn: TV Licensing, who administer the television licensing system as agent for the BBC, record the total number of prosecutions for licence evasion in Northern Ireland but do not maintain a localised breakdown of these figures.

EDUCATION AND SKILLS

Child Abuse

Mr. Wray: To ask the Secretary of State for Education and Skills what therapeutic services are available for abused children; and if he will make a statement. [133134]

Margaret Hodge: A range of therapeutic services for abused children is provided by statutory agencies as well as by the private and voluntary sectors. If a child is assessed by social services as being a child in need (as defined in the Children Act 1989), social services, together with other relevant agencies, would provide help as part of that child's plan.

Capital Projects

David Davis: To ask the Secretary of State for Education and Skills how many Government capital projects for schools had as a requirement that the school reduce its size, in the last year for which figures are available. [134666]

Mr. Miliband: My Department has no records of having provided capital funding with the requirement that a school be reduced in size. Most capital funding is now allocated by formula to local education authorities (LEAs) or schools for them to invest in their school buildings. Decisions on building priorities are made locally, in the context of asset management plans and reflecting Government priorities. It is, therefore, up to LEAs to decide on their priorities in consultation with local schools, including where surplus places can be reduced where it is economical to do so. Overall capital investment is set to rise from £3.8 billion this year to over £5 billion in 2005–06, compared to under £700 million in 1996–97.

Chemistry Teachers

Bob Spink: To ask the Secretary of State for Education and Skills how many teachers were in training specialising in chemistry in each of the last five years. [133864]

Mr. Miliband: The information is not available in the form requested. Numbers of funded initial teacher training places are set annually by my right hon. Friend for science as a whole. The Teacher Training Agency's annual census of recruitment to initial teacher training also collects only aggregate recruitment data for science.

The table shows the number of entrants to initial teacher training courses in science since 1998/99.

	Postgraduate	*Undergraduate*	*Total*
1998/99	2,058	221	2,279
1999/2000	2,149	213	2,362
2000/01	2,219	191	2,410
2001/02	2,444	150	2,594
2002/03	2,568	133	2,701
2003/04[1]	n/a	n/a	n/a

[1] The data shown above excludes trainees on the Fast Track scheme and employment based teacher training.

Source:
TTA

Connexions

Mr. Willis: To ask the Secretary of State for Education and Skills pursuant to the answer of 15 July 2003 to the hon. Member for Bristol, West (Valerie Davey), *Official Report*, column 141W. on Connexions, what assessment he has made of whether Connexions is offering a universal service to young people who do not fall into the Not Engaged in Education, Employment or Training category. [134109]

Margaret Hodge: All partnerships will be inspected by Ofsted on a four-yearly cycle and are required to conduct an annual self-assessment of performance based on the Ofsted inspection framework. One question in the Ofsted inspection framework focuses on the responsiveness of the Partnership to the range and diversity of young people in the area. It addresses whether the partnership has effective strategies to enable all young people to gain access to support and provision responsive to their needs. Government Offices also assess this aspect by monitoring partnerships' self-assessment. Of the 12 inspection reports so far published, eight partnerships have been rated overall as good or very good.

An independent survey of 16,000 young people comprising those with all types of need who had been in contact with Connexion services showed minimal differences in awareness of or ability to access the service. Only 12 per cent. of those requiring least intensive support disagreed with the statement, "It is easy to get hold of people at Connexions when you need to", compared with 11 per cent. of those requiring more intensive support and 13 per cent. of those requiring most intensive support. 87 per cent. of those requiring least intensive support agreed that: "Connexions helps me to see all the options available to me".

Mr. Willis: To ask the Secretary of State for Education and Skills what proportion of people aged 13 to 19 in England were *(a)* being educated in a school or college and *(b)* not engaged in education, employment or training in the last year for which figures are available. [134111]

Mr. Miliband: Participation rates are not produced by the Department for 13 to 15-year-olds. As at January 2002, there were 1,892,259 pupils aged 13 to 15 across all schools in England. The number of 11 to 15-year-olds being educated within local education authority areas otherwise than at school was 15,390. This will include, for example, pupils being educated at home, or non-statemented pupils in hospital.

Participation rates are available for 16 to 18-year-olds. The proportion of 16 to 18-year-olds in England that were being educated full-time in a school, college or higher education institution at end 2001 (end of calendar year) was 55.5 per cent. A further 8.9 per cent. were in part-time education.

The proportion of 16 to 18-year-olds in England not in education, employment or training at end 2001 was 9 per cent.

Citizenship Curriculum

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills if he will require responsible consumption and its effects on the environment and society to be included within lessons on citizenship. [131451]

Mr. Miliband: The Citizenship curriculum includes teaching pupils about issues that impact on the society and the environment. Pupils are taught about the rights and responsibilities of consumers, to recognise the difference between the economic choices they can make, and how they impact on society and the environment. Many schools explore this with pupils through activities which examine the impact of consumer behaviour on other people, locally, nationally and globally.

QCA has sent detailed guidance to schools to help them to explore these issues, including a unit—'Choices' for use with 5 to 11-year-olds. Similarly, "Consumer Rights and Responsibilities" is aimed at discussions with 14 to 16-year-olds. These units are available at: www.standards.dfes.gov.uk/schemes

Mental Health

Mr. Hendry: To ask the Secretary of State for Education and Skills what guidance his Department issues to *(a)* schools and teachers and *(b)* the Connexions Service on depression in children and young people. [134040]

Margaret Hodge: The Government are committed to promoting mental health of children and young people within schools. In June 2001, the DfES published guidance, "Promoting Children's Mental Health within Early Years and Schools Settings". The guidance is designed to help teachers and others, working alongside mental health professionals, to promote mental health and to intervene effectively with children experiencing problems. The guidance offers advice on specific mental health problems and useful approaches that schools can take. This includes emotional disorders such as depression.

The Connexions Service National Unit issued guidance, "Making a Difference—Emerging Practice—Connexions and Mental Health Services", to Connexions Partnerships in March 2003 about supporting young people with mental health problems.

Education Act (Innovation)

Mr. Brady: To ask the Secretary of State for Education and Skills if he will list schools which have

applied for exemptions from statutory requirements relating to innovation under the Education Act 2002, giving in each case *(a)* the nature of the exemption sought and *(b)* the outcome of the application. [133941]

Mr. Miliband: The Department plans to lay before Parliament its first annual report under section 5 of the Education Act 2002 on 30 October 2003. The report will outline details of the three applications that the Secretary of State has received during the first academic year of the Power and will detail for each application the nature of the exemption sought and the outcome of the application. These have been:

Application	*Innovation facilitated*	*Relevant Legislation*	*Details of the order granted by the Secretary of State*	*Date that the order was made*
Langley Junior School, Pendeen Crescent, Southway, Plymouth PL6 6QS	The order permitted the school to extend the length of the school day mid academic year, rather than have to wait until the beginning of the new school year. The purpose of the innovation was to provide extra curricular activities for pupils on a Wednesday afternoon freeing up time for teachers to work on planning and preparation, and drawing up education plans for individual pupils.	Changing of the School Session Times Regulations	Statutory Instrument 2002 No. 3063 Langley Junior School (Change to School Session Times) Order 2002	11 December 2002
Grinling Gibbons Primary School, Clyde Street, Deptford, London SE8 5LW	The order permitted the school to extend the length of the school day mid academic year, rather than have to wait until the beginning of the new school year. The purpose of the innovation was to provide extra curricular activities for pupils on a Wednesday afternoon freeing up time for teachers to work on planning and preparation, and drawing up education plans for individual pupils.	Changing of the School Session Times Regulations	Statutory Instrument 2003 No. 716 The Grinling Gibbons Primary School (Change to School Session Times) Order 2003	12 March 2003
Norton College, Langton Road, Norton, Malton, N Yorkshire YO17 9PT	The order permitted the school to change the timings of the school day without the requirements set out in regulations: to give the minimum of three months notice to parents; and to consult parents at a meeting (instead parents were consulted by correspondence). The order facilitated the college's plan to end the school day one hour early on alternate Wednesdays from September 2003, allowing staff to have a dedicated two-hour period once a forthnight for planning, preparation, assessment, and to hold meetings.	Changing of the School Session Times Regulations	Statutory Instrument 2003 No. 1671 The Norton College (Change to School Session Times) Order 2003	2 July 2003

As of 22 October 2003 two further applications have been received by the Department. These are currently being processed. Details are:

Applicant	*Details of exemption, relaxation or modification of existing educational legislation sought*	*Relevant Legislation*
Elloughton Primary School, Stockbridge Road, Elloughton, Brough, East Riding of Yorkshire HU15 1HN	Seeking exemption from some elements of the KS2 SATs whilst replacing them with ongoing teacher assessment procedures	The Education (National Curriculum (KS3 Assessment Arrangements) (England) Order 2003
The Cardinal Wiseman School, Greenford Road, Greenford, Middlesex, UB6 9AW	To deliver the National Curriculum over four extended days freeing up Fridays to offer targeted activities.	The Education (School Day and School Year) (England) Regulations 1999

Examination Results

Mr. Damian Green: To ask the Secretary of State for Education and Skills if he will list the local education authorities in the *(a)* first decile and *(b)* tenth decile for results at (i) Key Stage 2, (ii) Key Stage 3 and (iii) GCSEs for each year since 1997. [133675]

Mr. Miliband: The information requested has been placed in the Library.

Foster Carers

Mr. Wray: To ask the Secretary of State for Education and Skills how the national award scheme for foster carers envisaged in the Green Paper 'Every Child Matters' will be assessed; and what the scheme will award. [133123]

Margaret Hodge: A national award scheme for outstanding foster carers is one of the proposals in the Green Paper, "Every Child Matters" to improve the recruitment and retention of foster carers. The Green Paper is now out for consultation until 1 December 2003 and we look forward to receiving views from the consultation both on the merit of this proposal and how such a scheme might best operate in practice.

Mr. Wray: To ask the Secretary of State for Education and Skills what framework regulates private fostering; and what definition he uses of private fostering. [133132]

Margaret Hodge: Private arrangements for fostering children are covered in Part IX of the Children Act 1989, and The Children (Private Arrangements for Fostering) Regulations 1991.

A 'privately fostered child' means a child who is under the age of 16 (or 18 if disabled) who is cared for, and provided with accommodation by, someone other than a parent of his; a person who is not a parent of his but who has parental responsibility for him; or a relative of

his. A child is not a privately fostered child if the person caring for and accommodating him has done so for a period of less than 28 days; and does not intend to do so for a longer period.

In practice, children in a variety of different circumstances will fall within this definition.

GNVQ Courses

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 14 June 2003, *Official Report*, column 100W, on GCSE/GNVQ point scores, what the uptake was of full-time intermediate GNVQ courses in each year since 1996; and what percentage of pupils achieved *(a)* 5 A+–C grades at GCSE level and *(b)* the equivalent GNVQ level in each such year. [133492]

Mr. Miliband: Information on the uptake of full-time intermediate GNVQ courses has been provided by the Labour Force Survey and covers males aged 16–64 and females aged 16–59.

The number of people of working age[1] working towards a GNVQ Intermediate

England, 1996–2003

	GNVQ intermediate	*Total people studying towards a qualification*
1996	47,335	3,576,776
1997	55,514	4,546,870
1998	52,900	4,519,408
1999	42,722	4,689,621
2000	41,936	4,801,310
2001	105,555	5,387,468
2002	92,438	5,475,155
2003	72,329	5,436,972

[1] Covers males aged 16–64 and females aged 16–59

The attainment figures for intermediate GNVQs and the 5 or more grades A*-C GCSE/GNVQ indicator are based on data collected for the secondary school performance tables and are based on 15-year-old pupils only.

Number and percentage of 15-year-old pupils achieving intermediate GNVQs

Academic year	*Number*	*Percentage of 15-year-olds*
1995/96	—	—
1996/97	2,418	0.4
1997/98	4,927	0.9
1998/99	7,925	1.4
1999/2000	10,397	1.8
2000/01	16,178	2.7
2001/02	36,197	6.0
2002/03 (Provisional)	72,680	11.7

(a) The following table shows, the number and percentage of 15-year-old pupils who achieved 5+ A*-C grades at GCSE/GNVQ, and the route they took to achieve this.

		Pupils achieving both GCSEs and GNVQs who:				*Pupils achieving GCSEs only who:*	
Academic year	*Total number achieving 5+A*-C GCSE/GNVQ*	*Achieved 5+A*-C without the help of a GNVQ*	*Percentage*	*Achieved 5+A*-C with the help of a GNVQ*	*Percentage*	*Achieved 5+A*-C*	*Percentage*
1995/96	264,537	—	—	—	—	264,537	100.0
1996/97	264,892	1,095	0.4	0	0.2	263,193	99.4
1997/98	266,431	2,230	0.8	1,073	0.4	263,128	98.8
1998/99	278,560	3,696	1.3	1,676	0.6	273,188	98.1
1999/00	285,718	4,550	1.6	2,289	0.8	278,880	97.6
2000/01	301,617	7,962	2.6	3,597	1.2	290,058	96.2
2001/02	312,739	19,098	6.1	8,367	2.7	285,274	91.2
2002/03	327,301	40,747	12.4	17,582	5.4	268,972	82.2

Finance (Essex)

Mr. Jenkin: To ask the Secretary of State for Education and Skills when he expects to respond to the request for additional financial resources made on 26 September by the Essex Secondary Headteachers' Association; and if he will make a statement. [134465]

Mr. Miliband: I refer the hon. Member to the answer I gave on 22 October 2003, *Official Report*, column 500W.

Key Stage 2

Jonathan Shaw: To ask the Secretary of State for Education and Skills if he will allow local education authorities to renegotiate their targets for key stage two. [134324]

Mr. Miliband: Changes to the Key Stage 2 target setting arrangements were announced in "Excellence and Enjoyment: A strategy for primary schools", published in May 2003. For 2005 onwards, primary schools will set their own targets for the achievement of their 11-year-old pupils in English and mathematics, with local education authorities (LEAs) setting their targets for Key Stage 2 performance afterwards.

The Secretary of State has already approved Key Stage 2 targets for all LEAs for 2004, which form part of their Educational Development Plans. The Department has issued guidance indicating that LEAs may feel it appropriate to review their 2004 Key Stage 2 targets in the light of the changes to the primary school target setting arrangements. We expect this to apply to only a small number of LEAs.

Languages Pathfinders

Mr. Gibb: To ask the Secretary of State for Education and Skills how many Languages Pathfinders have been established in *(a)* West Sussex and *(b)* England so far this year; and if he will make a statement. [133828]

Mr. Ivan Lewis: English for Speakers of Other Languages (ESOL) Pathfinders were established in 10 English regions (and one in the prison service) in September 2002 to run for approximately a year.

There is not an ESOL Pathfinder in West Sussex (there was not a bid from West Sussex). However, there is a Pathfinder in East Sussex and some of its partners have been working with colleagues at the West Sussex Lifelong Learning Partnership. The locations of the 10 Pathfinder partnerships are as follows.

Burnley and Pendle
East London and Lewisham
East Sussex, Thanet and Medway (South East Coast Pathfinder)
Exeter
Liverpool, Blackburn and the Wirral
Norfolk and Buckinghamshire
South Thames
Walsall and Birmingham
West London
West Yorkshire

Mathematics Teachers

Bob Spink: To ask the Secretary of State for Education and Skills how many teachers were in training specialising in mathematics in each of the last five years for which records exist. [134220]

Mr. Miliband: The following table shows the number of entrants to initial teacher training courses in secondary mathematics since 1998/99.

	Postgraduate	*Undergraduate*	*Total*
1998/99	928	192	1,120
1999/2000	1,109	198	1,307
2000/01	1,142	147	1,289
2001/02	1,403	150	1,553
2002/03	1,527	146	1,673
2003/04[1]	n/a	n/a	n/a

[1] The data shown above excludes trainees on the Fast Track scheme in 2001/02 and employment based teacher training.
Source:
Teacher Training Agency

Ofsted

Mr. Gibb: To ask the Secretary of State for Education and Skills how many Ofsted inspectors are qualified teacher trainers; and if he will make a statement. [134193]

Mr. Miliband: This is a matter for Ofsted. HM Chief Inspector, David Bell, will write to the hon. Member and place a copy of his letter in the Library.

PFI Projects (Jarvis)

Mr. Frank Field: To ask the Secretary of State for Education and Skills how many PFI school projects operated by Jarvis have been halted because contractors have not been paid for work completed. [133836]

Mr. Miliband: We are not aware that any schools PFI projects involving Jarvis have been halted, for any reason.

PGCE (Foreign Languages)

Mr. Gibb: To ask the Secretary of State for Education and Skills how many *(a)* places and *(b)* entrants for the modern foreign languages Post Graduate Certificate in Education course there were in each year since 1995; and if he will make a statement on the number of teachers trained to teach modern foreign languages at primary school level. [133827]

Mr. Miliband: The table shows the number of entrants to Postgraduate Certificate in Education courses in modern languages and the number of places allocated to institutions in England by the Teacher Training Agency since 1995/96.

	Places	*Entrants*[1]
1995/96	1,980	1,722
1996/97	2,128	1,673
1997/98	2,239	1,732
1998/99	2,161	1,606
1999/2000	1,986	1,431
2000/01	1,961	1,610
2001/02	2,006	1,689
2002/03	1,929	1,725
2003/04[2]	2,014	n/a

[1] Does not include trainees on the Fast Track scheme and trainees on the Graduate Teacher Programme.
[2] The number of entrants to initial teacher training in 2003/04 is not yet available.
Source:
TTA

No data are available on the numbers of teachers trained to teach modern languages at primary school level who are currently in service.

Residential Care (Children)

David Davis: To ask the Secretary of State for Education and Skills how many children were in residential care in *(a)* England and *(b)* the East Riding of Yorkshire in each of the last two years. [134051]

Margaret Hodge: The latest information available on looked after children in residential care in *(a)* England and *(b)* the East Riding of Yorkshire is shown in the table.

Number of children in residential care[1] in England and the East Riding of Yorkshire at 31 March 2001 and 2002[2]

	2001	*2002*
England	8,500	8,600
East Riding of Yorkshire	35	30

[1] Includes secure units, children's homes and hostels, residential schools and other residential settings
[2] All data are rounded—national figures to the nearest 100 and local authority figures to the nearest 5

Rural Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills what has been spent since 1997 on projects to increase standards in rural schools. [133695]

Mr. Ivan Lewis: Aggregated data on funding to increase standards in rural schools is not collected in the form requested. Funding is focused on improving standards in all schools, irrespective of whether they are based in rural or urban areas.

Specific contributions to rural schools have included some £56 million of funding for rural Excellence Clusters and rural Education Action Zones. Many rural schools are small schools and benefited from the small schools fund which was set up in 2001. The Education Formula Spending system includes a sparsity element to reflect the fact that rural and other sparsely populated areas face extra costs in providing a common standard of service.

School Companies

Mr. Brady: To ask the Secretary of State for Education and Skills what approaches have been made to his Department regarding the establishment of school companies. [133938]

Mr. Miliband: The Department has received many enquiries about school companies from school staff, LEAs and solicitors, and has accepted a number of invitations to address seminars. Information is not collected about the number and nature of specific inquiries.

Mr. Brady: To ask the Secretary of State for Education and Skills if he will list the school companies which have been established under the Education Act 2002. [133939]

Mr. Miliband: No notification of the establishment of a school company, as required by Regulation 25 of The School Companies Regulations 2002 and Regulation 17 of The School Companies (Private Finance Initiative Companies) Regulations 2002 has yet been received.

School Funding

Sir Michael Spicer: To ask the Secretary of State for Education and Skills when he will make a statement on the future payment of educational transitional funds to Worcestershire county council. [134585]

Mr. Hunter: To ask the Secretary of State for Education and Skills (1) if he will take measures to compensate Hampshire schools for the loss of grant in 2004–05 and 2005–06; [134670]

(2) what estimate he has made of the potential shortfall of schools' funding settlement for Hampshire for *(a)* 2004–05 and *(b)* 2005–06. [134672]

Mr. Miliband: In his statement to the House on 17 July, my right hon. Friend the Secretary of State outlined the initial steps he is taking to respond to the practical concerns raised about the present system of funding schools, and promised a further report in the autumn. He expects to make that report shortly.

Mr. Hunter: To ask the Secretary of State for Education and Skills what the funding increase is *(a)* in money terms and *(b)* as a percentage on 2002–03 for Hampshire schools this year, without transitional protection. [134669]

Mr. Miliband: The increase in Education Formula Spending in Hampshire between 2002–03 and 2003–04 was £60.3 million, or 11.6 per cent. This increase includes transfer of Nursery Education and class size grants and funding in respect of the increase in teachers' pension contributions into EFS for 2003–04.

Schools (Earned Autonomy)

Mr. Brady: To ask the Secretary of State for Education and Skills if he will list schools which have applied for earned autonomy under the Education Act 2002, indicating in each case *(a)* the project covered by the application and *(b)* the outcome of the application. [133940]

Mr. Miliband: I refer the hon. Member to the answer I gave to the hon. Member for Ashford (Mr. Green) on Earned Autonomy on 23 September 2003.

Sector Skills Council Boundaries

Mr. Boswell: To ask the Secretary of State for Education and Skills pursuant to his Answer of 17 September, reference 129985 what plans he has to harmonise reporting of work-based participation and success rates with sector skills council boundaries. [131571]

Mr. Ivan Lewis: This is a matter for the Learning and Skills Council (LSC). Mark Haysom the Council's Chief Executive will write to the hon. Member with the information requested and a copy of his reply will be placed in the Library.

Sixth Forms

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many schools have *(a)* opened and *(b)* closed sixth forms since 1997. [133693]

Mr. Ivan Lewis: Since 1997 73 new school sixth forms have opened and 26 school sixth forms have closed.

Skills Councils

Mr. Boswell: To ask the Secretary of State for Education and Skills which sector skills councils are *(a)* licensed, *(b)* due to be licensed by 31st December and *(c)* due to be licensed by 30 June 2004. [133422]

Mr. Ivan Lewis: We are making good progress in setting up Sector Skills Councils (SSCs). I expect the network of around 25 SSCs will be in place by summer 2004, as outlined in the recently published White Paper, '21st Century Skills. Realising Our Potential.' Between April and October this year, four SSCs have been awarded full five year licenses to operate. They are e-skills UK covering IT, Telecommunications and Contact Centres; SEMTA covering Science, Engineering and Manufacturing Technologies; ConstructionSkills covering Construction and Skills Active UK covering Active Leisure and Learning. A total of nine are expected to be licensed by the end of this year. Plans are well advanced to licence a further 16 SSCs including the five trailblazer SSCs by summer 2004.

Mr. Boswell: To ask the Secretary of State for Education and Skills what percentage of the total UK work force will be covered by each proposed sector skills council. [133423]

Mr. Ivan Lewis: There are currently four SSCs that have been awarded full five year licences to operate. Together they cover approximately 20 per cent. of the UK workforce. It is expected that the full network of around 25 Sector Skills Councils (SSCs) will be in place by Summer 2004 as outlined in the recently published White Paper, '21st Century Skills. Realising Our Potential'. This will provide a total coverage of up to 75 per cent. of the workforce. This is expected to rise to 85 per cent. over the next three years as the SSDA continues to work with other sectors to put in place suitable arrangements for engagement with the Skills for Business Network.

Mr. Boswell: To ask the Secretary of State for Education and Skills which sector skills council will have a remit for careers advice and guidance services. [133425]

Mr. Ivan Lewis: It is within the remit of each individual Sector Skills Council (SSC) to provide specific careers information for jobs in their sector. The former Employment National Training Organisation (ENTO) currently has stewardship of occupational standards for advice and guidance. No formal decisions have yet been taken on which SSC will represent careers advice and guidance employer interests in the Skills for Business Network.

Specialist Schools

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his answer of 25 June 2003, *Official Report*, column 783W, on specialist schools, if he will assess, with reference to sports specialist colleges, the finding in the report by Professor David Jesson that small differences of up to plus or minus 2.5 percentage points between predicted and actual levels of performance are not statistically significant. [133415]

Mr. Miliband: In his report, Professor David Jesson found that 'small differences of up to plus or minus 2.5 percentage points between predicted and actual levels of performance are not statistically significant for schools of average size'. This means that differences of less than 2.5 percentage points are within the uncertainty of the predicted level and therefore should not be heeded at a single school level. Uncertainty in statistical estimates generally decreases with the square of the sample size. For example, increasing a sample 100-fold will generally decrease the uncertainty of estimates from that sample by a factor of 10. Given this, when comparing the difference in performance between groups of schools such as Specialist Sports Colleges with non-selective other schools (95 and 2,342 schools respectively), a difference of plus or minus 2.5 percentage points is statistically significant due to the large number of schools involved.

Supply Teachers

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many supply teachers were employed in each year since 1997, and what proportion of those had qualified teacher status, broken down by local education authority. [133692]

Mr. Miliband: The table, which has been placed in the Library, shows occasional teachers in each local education authority in the maintained sector in January of each year and the percentage of those teachers who had qualified teacher status (QTS) in 2003. Data on the percentage of occasional teachers with qualified teacher status is not available for years prior to 2003.

Teacher Costs

Mr. Damian Green: To ask the Secretary of State for Education and Skills what his Department estimates to be the total average annual salary cost to *(a)* schools, *(b)* his Department and *(c)* local education authorities of (i) a newly qualified teacher, (ii) a teacher with five years experience in teaching and (iii) a teacher nearing retirement in 2002–03. [133668]

Mr. Miliband: For England and Wales, estimated average costs of the specified categories of teachers in England and Wales as at March 2002 (the latest available data) are as follows:

Average salary of full-time qualified regular teachers in the maintained schools sector in England and Wales, March 2002

Teacher group	Average salary[4] (£)	On-costs in 2001–02[5] (%)	Average cost as at March 2002 (£)
(i) Newly qualified teacher[1]	18,100	14.2	20,700
(ii) Teacher with five years service[2]	25,300	14.9	29,100
(iii) Teacher nearing retirement age[3]	32,900	15.5	38,000

[1] Includes all those gaining Qualified Teacher Status in 2001 who were then in full-time regular service in the maintained schools sector in England and Wales at 31 March 2002. Includes those with some previous experience before gaining QTS. Figures rounded to the nearest hundred pounds.
[2] Includes qualified teachers in full-time regular service in the maintained schools sector in England and Wales who had between 5 and 6 years' service in the maintained schools sector at 31 March 2002.
[3] Includes qualified teachers in full-time regular service in the maintained schools sector in England and Wales who were aged between 55 and 60 years at 31 March 2002.
[4] Average salary figures include any allowances paid. Figures are provisional.
[5] On-Costs were calculated using the 2001–02 Secondary Threshold, Lower and Upper Earning Limits and National Insurance Contribution Rates.
Source:
DfES Database of Teacher Records

Schools responsible for their own budgets pay the whole employment cost of their teachers; LEAs pay the salaries of unattached teachers. The Department pays a number of grants which contribute to various teachers' salary costs, but these cannot be separated out in these figures.

Teacher Training

Mr. Gibb: To ask the Secretary of State for Education and Skills what proportion of students *(a)* started and *(b)* completed teacher training courses for each yearly intake between 1995 and 2001. [134191]

Mr. Miliband: Course length data for new entrants is not available for all years and so it is not possible to match completers, entrants to give a meaningful proportion of completers to entrants in each year.

The data which is available is shown as follows:

Table 1: The number of entrants to postgraduate and undergraduate teacher training courses

	Undergraduate	*Postgraduate*	*Total*
1995/96	10,820	18,010	28,830
1996/97	10,110	18,920	28,430
1997/98	9,620	18,100	27,720
1998/99	8,790	17,420	26,210
1999/2000	8,510	17,460	25,970
2000/01	8,100	19,620	27,720
2001/02	7,830	21,360	29,190

Note:
These figures include trainees on the Fast Track scheme, but excludes the increasing number of trainees on employment based routes

Table 2: The number of successful completers gaining QTS on teacher training courses

	Undergraduate	*Postgraduate*	*Total*
1995/96	[1]n/a	[1]n/a	[1]n/a
1996/97	9,267	16,046	25,313
1997/98	8,673	15,364	24,037
1998/99	8,907	15,164	24,071
1999/2000	6,847	14,847	21,694
2000/01	6,489	16,153	22,642
2001/02	6,415	19,074	25,489

[1] Data for 1995/96 from the Performance Profiles is not available
Source:
TTA Performance Profiles

Mr. Gibb: To ask the Secretary of State for Education and Skills what the pass/fail rate was of teacher trainees sitting the *(a)* basic literacy test and *(b)* basic numeracy test set by the Teacher Training Agency each year between 1996 and 2002. [134192]

Mr. Miliband: The numeracy skills test was introduced in the summer term of 2000 and the literacy test was introduced for those seeking qualified teacher status (QTS) from 1 May 2001. Of those who sat the tests, the statistics in the following table show the pass rates:

Percentage

	2000/01	*2001/02*
Numeracy skills test	98	98
Literacy skills test	99	99

Teacher Vacancies

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many vacant teacher posts existed in *(a)* primary schools, *(b)* secondary schools and *(c)* special schools in each year since 1997, broken down by local education authority. [133678]

Mr. Miliband: The teacher vacancies in maintained nursery/primary, secondary and special schools by local education authority in January of each year since 1997 are contained in tables, copies of which have been placed in the Libraries.

Teenage Pregnancies

Jim Dobbin: To ask the Secretary of State for Education and Skills for what reasons 1998 was used as the baseline year for calculating teenage pregnancy rates since the launch of the teenage pregnancy strategy. [133146]

Margaret Hodge: In 1998, the Social Exclusion Unit (SEU) was asked by the Prime Minister to study the causes of teenage pregnancy and to develop a strategy to reduce the high rates of teenage pregnancy and parenthood in England. Following the publication of the SEU report on Teenage Pregnancy in June 1999, the Teenage Pregnancy Unit was set up in the Department of Health. 1998 was used as the baseline year for calculating teenage pregnancy rates as data for that year were the latest available at the time the Teenage Pregnancy Unit began implementing the Strategy's 30 point action plan in 2000.

Training and Enterprise Council

Paul Holmes: To ask the Secretary of State for Education and Skills pursuant to his Answer of 1 September 2003, *Official Report*, column 774W, on the Training and Enterprise Council, when he intends to publish the consolidated accounts for the Training and Enterprise Councils for 2001; and if he will make a statement. [132858]

Mr. Ivan Lewis: Only the TECs who operated Group structures produced consolidated accounts for the period April 2000 to March 2001, copies of these are held by the Department. The Department has only ever provided aggregate TEC/CCTE Income and Expenditure Accounts (for England and Wales). The last set covering 1999–2000 were published and laid in the House on March 2002. Due to reduced resources within the TEC network and the work being undertaken by many of them prior to entering liquidation, there was insufficient information available within the necessary timescale to provide the aggregate Income and Expenditure account for April 00 to March 01.

Truancy

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many children have played truant in each month of the academic year 2002–03 in each local education authority. [133694]

Mr. Ivan Lewis: I refer the hon. Member to the reply I gave on 30 April 2003, *Official Report*, column 413W.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what has been spent since 1997 on projects to reduce truancy in schools. [133699]

Mr. Ivan Lewis: I refer the hon. Member to the reply I gave on 30 April 2003, *Official Report*, column 414W.

HEALTH

Assisted Death

Mr. Wray: To ask the Secretary of State for Health what measures are in place to ensure that medical staff do not perform procedures to assist dying; and if he will make a statement. [133201]

Ms Rosie Winterton: Medical treatment which is either omitted or given to a patient with the specific intention of hastening or inducing death, whether at the patient's wish or not, is an illegal act, and is subject to a charge of murder or manslaughter. Assisted suicide is unlawful in the United Kingdom. Anyone alleged to have undertaken it would be open to penalties of up to 14 years' imprisonment under the Suicide Act 1961. As such, there is an obligation on anyone, including health professionals, to report to the police any suspicions that a crime has been committed.

The General Medical Council, The Nursing and Midwifery Council and other UK health care regulatory bodies place a requirement on health professionals to act to identify and minimise risk to patients and clients.

Autism

Mr. Jim Cunningham: To ask the Secretary of State for Health what research into autism has been supported financially by his Department in the last 18 months; and how much money was allocated in each case. [132584]

Dr. Ladyman *[holding answer 20 October 2003]:* In February 2001, the Department commissioned the Medical Research Council (MRC) to undertake a detailed review of the epidemiology and causes of autism. The MRCs report, published on 13 December 2001, outlines what scientific research has revealed about the occurrence and causes of autistic spectrum disorders, identifies gaps in knowledge and makes recommendations for the future research strategy on autism for the United Kingdom.

The MRC spent £1.25 million on autism research in 2001–02 and £1.3 million in 2002–03. In February 2002, the Department allocated £2.5 million to the MRC to help it to take forward the recommendations in the report. These funds will complement and add to the MRCs current support for research in this field. Between December 2002 and July 2003, the MRC held a series of seminars and, jointly with the National Autistic Society, the first annual autism research forum, to stimulate further high-quality research proposals from the research community.

This money will be used to further research into autism through the MRC's normal mechanism of a peer reviewed grants system. The MRC is aware that there are a number of research proposals currently being developed in this area, but it takes time to develop high quality research proposals in any area of research.

Cancers

Mr. Peter Ainsworth: To ask the Secretary of State for Health what assessment he has made of the number of cancers caused by the emission of carcinogens from petrol and diesel vehicles in the latest year for which information is available; and if he will make a statement. [132839]

Miss Melanie Johnson *[holding answer 21 October 2003]:* The Department has not estimated the number of cancers caused by the emission of carcinogens from petrol and diesel vehicles. The number is expected to be declining as emissions of carcinogens from petrol and diesel vehicles are declining.

Care Homes

Chris Grayling: To ask the Secretary of State for Health how many publicly-funded care home places there were in London in each year since 1997. [133744]

Dr. Ladyman: Information on the number of local authority funded care home places in London is shown in the table for 31 March, 1997 to 2001. Figures for later years have been collected by the National Care Standards Commission, which plans to publish the national data this autumn.

Number of places in local authority care homes at 31 March, 1997 to 2001, London.

Year (31 March)	*Number of places*
1997	8,170
1998	7,740
1999	6,690
2000	6,350
2001	5,410

Source:
Department of Health form RA Part A.

Mr. Hancock: To ask the Secretary of State for Health pursuant to his answer of 25 September 2003, *Official Report*, column 1268W, on care homes, what his assessment is of *(a)* the reasons for the drop in the number of care home places available since 1998, *(b)* future trends in the numbers of places available and *(c)* the impact this will have on (i) this sector and (ii) the NHS; and if he will make a statement. [133397]

Dr. Ladyman: There are a variety of reasons for the overall reduction in the number of care home places since 1998.

The decline since 1998 is a continuation of a trend that began in the mid 90s with the implementation of the NHS and Community Care Act 1990. Since then the care home market has been contracting. This trend has been reinforced by increased support for alternative models of care, such as intensive home care packages, introduced since 1997. Local councils are responsible for the commissioning of a range of care options that are made available for older and disabled people, and the availability of care home places, therefore, is a matter for local councils to determine.

The Government believe that people should be given a real choice of care options as far as possible in each locality. While the number of available care home places has decreased since 1998, in the same period there have been 20,900 more households receiving intensive home care, a 34 per cent. increase. Additionally, we are investing in extra care housing in order to offer people greater choice in the future.

Finally, the number of people aged 75 and over delayed awaiting discharge from hospital has reduced from 6,219 in September 1998 to 4,147 in September 2002 and 3,151 in June 2003. The downward trend should continue with the implementation of the Community Care (Delayed Discharges etc) Act (2003).

Mr. Laurence Robertson: To ask the Secretary of State for Health pursuant to his answer of 20 October 2003, *Official Report*, column 453W, on care homes, how many *(a)* nursing home and *(b)* residential home places

there were in Gloucestershire in (i) 1997 and (ii) the most recent year for which figures are available; and if he will make a statement. [134708]

Dr. Ladyman: The table shows the number of care places in Gloucestershire, as at 31 March 1997 to 31 March 2001. Figures for later years have been collected by the National Care Standards Commission and are not yet available.

Number of places in residential and nursing care homes at 31 March 1997 to2001, Gloucestershire

31 March	*Residential care*	*Nursing care*[1]	*Total*
1997	3,737	3,881	7,618
1998	3,643	3,790	7,433
1999	[2]—	3,442	[2]—
2000	3,988	3,158	7,146
2001	4,241	2,966	7,207

[1] Excludes places in hospitals and clinics
[2] Data are not available
Source:
Department of Health forms RAC5, RA Part A and RH(N) Part A and KQ36.

I understand that Gloucestershire has worked very closely with all stakeholders to maintain the independence of service users. Following independent research by Laing and Buisson, which was joint funded by Gloucestershire county council, the council has made a three year commitment to allocate an additional £1 million per year towards fees over and above inflation. In the current financial year, fees have risen in some cases by 27 per cent.

Cataract Operations

Mr. Lidington: To ask the Secretary of State for Health what the average unit cost of a cataract operation at each trust within the Thames Valley Strategic Health Authority Area has been in 2003; and what the estimated average unit cost of a cataract operation to be provided by the proposed diagnostic and treatment centre for Oxfordshire and Buckinghamshire is. [131398]

Mr. Hutton *[holding answer Tuesday 14 October]:* The information for the average cost of a cataract operation at each trust within the Thames Valley area for 2003 is not collected centrally.

However, the costs shown in the table represent the national average cost in the national health service for all NHS patients treated as an inpatient or day case. These costs are collected using healthcare resource groups (HRGs), which are groups of treatments that are clinically homogeneous and have similar costs. Therefore, the treatments the HRGs contain are less specific than those listed in the question. The most up to date costs published by the Department are for the financial year 2001–02.

£

HRG code	*HRG label*	*Average*
BO2	Phakoemulsification cataract extractions with lens	971
BO3	Other cataract extraction with lens	740

It is not possible to estimate the average unit cost of a cataract operation to be provided by the proposed diagnostic and treatment centre as this is still under negotiation. However, the primary care trust will only pay the tariff figure for procedures carried out there. Value for money is one of the key concerns for the negotiators.

Corneal Grafts

Lembit Öpik: To ask the Secretary of State for Health (1) what targets he has set for UK Transplant to increase the number of corneal grafts available for transplant in the UK; and if he will make a statement; [132510]

(2) how many corneal graft donations there were in each of the last five years; and if he will make a statement; [132511]

(3) what measures his Department has taken over the last three years to increase the number of corneal graft donations available for transplant; and if he will make a statement; [132512]

(4) what procedural reforms his Department has initiated over the last three years to increase the number of corneal grafts available for transplant; and if he will make a statement. [132513]

Ms Rosie Winterton: Although no specific targets have been set to increase the number of corneal grafts available for transplant in the United Kingdom, UK Transplant aims to provide sufficient corneas to allow 2,500 grafts per year. The transplant framework, published in July 2003, sets out the key aims for transplantation over the next 10 years and describes good practice, which the national health service, organisations and individuals can use to maximise the benefits of transplantation.

The table shows the number of corneas donated and grafted in each of the last five financial years, from 1 April to 31 March. Not all corneas retrieved are suitable for transplantation. Medical contra-indications and endothelial deficiency account for the majority of corneas that are unable to be used.

	Corneas donated	*Corneas grafted*
1998–99	3,434	2,262
1999–2000	3,646	2,245
2000–01	3,808	2,264
2001–02	3,280	2,056
2002–03	3,469	2,299

Dental Practice Board

Mr. Waterson: To ask the Secretary of State for Health if he will make a statement on the future of the Dental Practice Board. [132641]

Ms Rosie Winterton: Clause 177 of the Health and Social Care (Community Health and Standards) Bill, currently before Parliament, provides for the abolition of the Dental Practice Board (DPB). The DPB will be replaced by a special health authority (SHA), established under section 11 of the 1977 Act by the Secretary of State and the Assembly. The new SHA will be cross-border, undertaking functions in relation to both England and Wales. The assets, liabilities and staff (subject to consultation) of the DPB will be transferred under section 11 powers to the new SHA. The new SHA

will undertake monitoring and quality assurance functions in relation to the new primary dental services regime.

The DPB is currently subject to the Lyons review, which is examining the scope for relocation of public sector work from London and the south east. The outcome of the review is expected at the end of November 2003.

Dental Technicians

Mr. Frank Field: To ask the Secretary of State for Health what financial resources are allocated from the NHS budget for the recruiting and training of dental technicians during the next three years. [133245]

Ms Rosie Winterton: Local work force development confederations are responsible for commissioning education and training for dental technicians. Their aggregate business plans indicate that nationally they are forecasting to spend £1.5 million in 2003–04, £1.7 million in 2004–05 and £1.8 million in 2005–06 on pre-registration dental technician training. We value highly the contribution that dental technicians make to the dental team and are working with the profession to see how training opportunities might be expanded.

Depression

Mr. Hendry: To ask the Secretary of State for Health how many 11 to 17-year-olds are diagnosed as suffering from depression; what proportion of that age group this figure represents; and how many of those diagnosed are being prescribed anti-depressants, broken down by age. [134039]

Dr. Ladyman *[holding answer 23 October 2003]:* Information is not collected in the form requested. A study undertaken by the Office of National Statistics in 1999 found that 1.8 per cent. of children aged 11 to 15 suffer from depression.

The table shows the estimated number of prescription items of anti-depressants issued in the community for children in 2001 and 2002. Children are defined as 0 to 15-year-olds and those aged 16 to 18-year-olds in full time education. They form approximately one per cent. of the total number of prescriptions issued for anti-depressants.

Estimated number of prescription items of anti-depressant drugs dispensed in the community in England for children in 2001 and 2002

Thousands

	Prescription items
2001	240.00
2002	260.00

Mr. Hendry: To ask the Secretary of State for Health (1) what research his Department has commissioned into links between the consumption of anti-depressants by young people and the risk of suicide; and if he will make a statement; [134041]

(2) what restrictions there are on the prescription of anti-depressants to under 18s. [134042]

Dr. Ladyman *[holding answer 23 October 2003]:* No antidepressants are licensed for the treatment of depressive illness in children and adolescents in the United Kingdom. Doctors are able to legally prescribe medicines outside their licensed indications if they consider it is in the best interests of their patient.

On the basis of advice from their independent expert working group on selective serotonin reuptake inhibitors (SSRIs), the Committee on Safety of Medicines (CSM) has issued advice that paroxetine (Seroxat) and venlafaxine (Efexor) should not be used in the treatment of depression in children and adolescents under 18 years. This followed review of clinical trial data which suggested an increased risk of self harm and potentially suicidal behaviour in those treated with paroxetine or venlafaxine, compared with those given placebo.

The safety and efficacy of other SSRIs in children and adolescents is under review by the expert working group. The working group is also providing input to the Europe-wide consideration of the safety of paroxetine, which is being led by the Netherlands and the UK on behalf of the Committee for Proprietary Medicinal Products.

As part of the review of the safety of SSRIs, the Medicines and Healthcare products Regulatory Agency has commissioned a study using general practitioner records to investigate whether there is an association between the consumption of antidepressants, including SSRIs, and suicide. This study includes children and adolescents. Interim guidance has been provided to all doctors and pharmacists in the CSM's bulletin, "Current Problems in Pharmacovigilance." The National Institute of Clinical Excellence is in the process of drafting guidelines on the treatment of depression in children and adolescents.

Mr. Hendry: To ask the Secretary of State for Health if he will make a statement on *(a)* the Government's policy on tackling depression in young people and *(b)* the steps he is taking to raise awareness of depression in young people. [134043]

Dr. Ladyman *[holding answer 23 October 2003]:* The Department, together with the Welsh Assembly, has asked the National Institute for Clinical Excellence to develop a clinical guideline on the management of depression in children and young people in primary, community and secondary care for use in the National Health Service in England and Wales. The guideline will provide recommendations for good practice that are based on the best available evidence of clinical and cost effectiveness.

The Department has also commissioned the "Mind Out of Mental Health" campaign to work with its partners in the voluntary sector, the media, employers and youth student organisations to raise awareness of mental health problems, as well as combating the stigma and sidcrimination surrounding mental health. They provide advice and information on a range of mental health problems including depression. The "Wired for Health website at www.wiredforhealth.gov.uk/ is another useful source of information.

Diabetes

Mr. David Atkinson: To ask the Secretary of State for Health what plans he has to introduce an insulin user's identity card for diabetics; and if he will make a statement. [133092]

Ms Rosie Winterton: There are no plans to introduce identity cards for people with diabetes who use insulin. However, such cards are available from Diabetes UK. We are also aware of companies that offer jewellery, such as bracelets, pendants and watches that can be used for the purpose of conveying medical information.

Essex Ambulance Service

Bob Russell: To ask the Secretary of State for Health if he will publish the names of those people who were considered for the post of Chairman of the Essex Ambulance Service NHS Trust. [132820]

Ms Rosie Winterton: The National Health Service Appointments Commission now has responsibility for all chair and non-executive appointments to NHS boards. The Commission owes a duty of confidentiality to all candidates for appointments. Only the names of successful candidates are published.

Gosport War Memorial Hospital

Mr. Waterson: To ask the Secretary of State for Health what representations he has received from relatives of deceased patients in the Gosport War Memorial Hospital in the last 12 months; and if he will make a statement. [132643]

Ms Rosie Winterton: In the last 12 months, we have received seven letters from relatives of patients who died at Gosport War Memorial Hospital. As the hon. Member is aware, there is an on-going police inquiry into the deaths of patients at the hospital and it would therefore not be appropriate for me to make any further comments.

Hospital Beds

Mr. Hancock: To ask the Secretary of State for Health what progress has been made towards the target for extra hospital beds in the NHS. [132353]

Mr. Hutton: The latest available statistics for 2002–03 showed that general and acute beds increased by 1,600 to 136,679 over the previous three years. This represents 75 per cent. of the target set out in the NHS Plan.

Inpatient Treatment

Mr. Burns: To ask the Secretary of State for Health how many people are waiting for inpatient hospital treatment in the Mid-Essex Hospital Trust area. [132931]

Dr. Ladyman *[holding answer 23 October 2003]:* The number of patients waiting for elective inpatient admission at Mid Essex Hospital Services National Health Service Trust was 8,120 at 31 August 2003.

Source:
Department of Health form KH07.

Local Pharmacy Services Pilots

John Cryer: To ask the Secretary of State for Health which services are included in Local Pharmacy Services pilots. [133269]

Ms Rosie Winterton: All local pharmaceutical services (LPS) pilots include the dispensing of some prescriptions. Beyond that, the services provided vary from one pilot to another. Examples of LPS pilot schemes approved to date include provision of pharmaceutical services (including translation service where required) to a local ethnic minority, medication reviews for the elderly, liaison and support in medication taking upon discharge from secondary care, out-of-hours services, access to minor ailment schemes, provision of compliance aids and health promotion and advice, as well as needle exchange, dispensing and supervision of consumption for drug misusers.

John Cryer: To ask the Secretary of State for Health how many Local Pharmacy Services pilots are running; and which areas they serve. [133270]

Ms Rosie Winterton: The tables show the locations of local pharmaceutical services (LPS) pilots which have commenced. 2002 was the first year of the scheme and there were two waves (1A and 1B) of LPS pilots. A further three pilots were approved and will start in the near future. Three proposals received preliminary approval and full proposals are awaited for these.

Primary care trusts	*Locations served*
Wave 1A Approvals	
Salford PCT	Lower Kersal and Charlestown
Central Manchester on behalf of Central, North and South Manchester PCTs	Ancoats, Blackley, Cheetham, Clayton, Newton Heath, (North Manchester) Burnage, Chorlton, Wythenshawe (South Manchester), Ardwick, Chorlton, Gorton, Levenshulme, Rusholme, Whalley Range (Central Manchester)
Northumberland PCT	Belford
Wave 1B Approvals	
Northumberland Care Trust	Berwick-on-Tweed
Lambeth PCT	Across PCT
Southwark PCT	Across PCT
Lewisham PCT	Across PCT
Camden PCT	Somers Town
Trafford North PCT	Lostock
St. Helens PCT	St. Helens
Blackpool PCT	Across PCT
Harrow PCT	Stanmore South
Wandsworth PCT	Fairfield Ward
Chesterfield PCT	Chesterfield and North Derbyshire Royal Hospital NHS Trust

Primary care trusts	Locations served
South Liverpool PCT	West Speke
Brighton and Hove City PCT	Across PCT

Long-term Care

Mr. Berry: To ask the Secretary of State for Health if he will make a statement on the comments of the Royal Commission on long-term care of 29 September 2003, with special reference to the Government's policy on means testing personal care; and what plans he has to meet the members of the Royal Commission to discuss the issues which they have raised. [132640]

Dr. Ladyman: The Government have accepted each of the recommendations of the Royal Commission on long-term care except the recommendation to provide free personal care. We stand by that decision.

Our decision has allowed us to invest an additional £1 billion by 2006 towards the care of older people in a variety of ways, including measures to support more older people to continue to live in their homes. If we had implemented the recommendation of the Royal Commission, we would not have been able to provide increased domiciliary care for older people, nor would we have been able to provide additional care home places and alternatives such as extra care housing or additional support for carers.

I have no plans to meet the members of the Royal Commission to discuss the issues they have raised.

Mental Health

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list for each primary care trust the number of mental health patients. [132220]

Ms Rosie Winterton: The Department does not centralise information about the diagnoses given to patients; exact information about the number of people with a mental health problem in each primary care trust is therefore not available.

However, the Office for National Statistics (ONS), which is responsible for compiling, analysing and disseminating information relating to United Kingdom economic, social and demographic statistics, reports that about one in six adults were assessed as having a neurotic disorder in the week before interview. The ONS report, "Psychiatric morbidity among adults living in private households, 2000" is available at www.statistics.gov.uk. It gives an indication of the factors with which variations in the prevalence of mental health problems are associated.

Midwifery

Harry Cohen: To ask the Secretary of State for Health whether independent midwives will be included within the scope of the NHS Litigation Authority; and if he will make a statement. [133329]

Ms Rosie Winterton: The NHS Litigation Authority administers the clinical negligence scheme for trusts. Advice to the national health service in "Health Service Guideline (96)48: NHS Indemnity, Arrangements for Clinical Negligence Claims in the NHS", states that independent midwives are responsible for making their own indemnity arrangements, as are other self-employed health care professionals. A review of NHS indemnity is about to commence and the status of all health care professionals under NHS indemnity will be examined. No decision has been made concerning independent midwives.

NHS Senior Management

Mr. Norman: To ask the Secretary of State for Health (1) pursuant to his Answer of 1 September 2003, *Official Report,* column 948W, on NHS senior management, if he will list the headings of the record fields held in the database of senior leaders compiled by the NHS Appointments Commission; [133609]

(2) pursuant to his Answers given on 1 September 2003, *Official Report,* column 948W, on NHS senior management and of 6 October 2003, *Official Report,* column 1345W, whether the NHS Appointments Commission records *(a)* the service of all chairs and non-executives to the NHS and *(b)* individuals who resign from the boards of NHS trusts. [133621]

Ms Rosie Winterton: I have asked the Chairman of the National Health Service Appointments Commission to write to the hon. Member on these questions. A copy of his letter will be placed in the Library.

Parliamentary Questions

Sir Michael Spicer: To ask the Secretary of State for Health when the hon. Member for West Worcestershire will receive a response to PQ1035099. [134328]

Ms Rosie Winterton: This letter was transferred to the Department for Environment, Food and Rural Affairs. My hon. Friend the Minister for Environment and Agri-Environment (Mr. Elliot Morley) wrote to the hon. Member on Wednesday 22 October.

Patient Deaths

David Davis: To ask the Secretary of State for Health how many and what proportion of patients' deaths occurred within 30 days of surgery in Hull and the East Riding in *(a)* 2002 and *(b)* 2003. [132399]

Miss Melanie Johnson: Figures on the number and proportion of patient deaths within 30 days of surgery are compiled by the Commission for Health Improvement (CHI) and included on its website.

Figures for 2002 for Hull and East Yorkshire Hospitals National Health Service Trust are available on the CHI website at http://www.chi.nhs.uk/Ratings/Reports/AcuteTrustDetail.asp?TrustCode=RWA

Data for the calendar year 2003 will not be available until the year is complete and will be published in the 2004 NHS star ratings.

Personal Dental Services Pilots

John Cryer: To ask the Secretary of State for Health in which areas Personal Dental Services pilots have been introduced. [133271]

Ms Rosie Winterton: There were 95 personal dental service (PDS) pilots supplying data to the Dental Practice Board at the end of September 2003. The table shows the primary care trusts in which each of them were operating.

PDS Pilot	*Primary Care Trust*[1]
Bedfordshire	Bedford; Bedfordshire Heartlands
Buckingham—Aylesbury Vale	Vale of Aylesbury
Cornwall DAC	West of Cornwall; Central Cornwall
Ealing, Hammersmith and Hounslow	Hammersmith and Fulham; Ealing; Hounslow
East London and the City	Tower Hamlets
Lambeth, Southwark and Lewisham	Lambeth; Southwark; Lewisham
Liverpool	Central Liverpool
North Essex	Colchester
Shropshire DAC	Shropshire County; Telford and Wrekin
South Cheshire—Ellesmere Port	Cheshire West; Ellesmere Port and Neston; Ashton, Leigh and Wigan
Southern Derbyshire	Central Derby; Erewash; Derbyshire Dales and South Derbyshire
South Lancashire	Chorley and South Ribble; West Lancashire
Tees	North Tees
Warwickshire	Rugby
South Derbyshire General Anaesthetic	Central Derby; Amber Valley
Bedfordshire Restorative Care	Luton
Bromley DAC	Bromley
Darlington General Anaesthetic	Darlington
East Yorkshire	East Yorkshire; Yorkshire Wolds and Coast
Gloucestershire DAC	Cheltenham and Tewkesbury; West Gloucestershire; Cotswold and Vale
Isle of Wight	Isle of Wight
Leasowe	Birkenhead and Wallasey
Manchester DAC—Kath Locke	Central Manchester
Sefton—Netherton	South Sefton
Northamptonshire	Northampton
North Derby	Chesterfield
Rock Ferry	Birkenhead and Wallasey
Salford and Trafford Homeless	Salford
Southampton and South West Hampshire	New Forest; Southampton City; Eastleigh and Test Valley South
South Derbyshire Transitional	Amber Valley; Greater Derby; Derbyshire Dales and South Derbyshire
West Sussex	Mid Sussex; Adur, Arun and Worthing; Western Sussex; Crawley; Horsham and Chanctonbury
Swindon DAC	West Wiltshire; Swindon; Kennet and North Wiltshire
Wolverhampton DAC	Wolverhampton City
Worcestershire DAC	Wyre Forest; Shropshire County; South Worcestershire
Peterborough DAC	North Peterborough
Avon DAC	Bath and North East Somerset; Bristol South and West
Barnsley	Barnsley
Birmingham	South Birmingham; North Birmingham; Heart of Birmingham; Eastern Birmingham
Blackpool	Blackpool
Brighton DAC	Brighton and Hove City; Eastbourne Downs
Bury and Rochdale DAC	Bury, Rochdale
Camden and Islington	Camden; Islington
Macclesfield DAC	Central Cheshire; Eastern Cheshire
Crewe	Central Cheshire
County Durham Mobile	Derwentside
East Kent DAC	Ashford; Canterbury and Coastal; East Kent Coastal; Shepway
Eden Valley DAC	Carlisle and District PCT
Gamesley	Tameside and Glossop
Herefordshire DAC	Herefordshire
Hull and East Riding DAC	East Yorkshire; Yorkshire Wolds and Coast; Eastern Hull; West Hull
West Norfolk and Wisbech DAC	West Norfolk; East Cambridgeshire and Fenland
Lincolnshire DAC	West Lincolnshire; Lincolnshire South West; East Lincolnshire
Milton Keynes DAC	Milton Keynes
North and East Devon DAC	North Devon; Exeter; East Devon; Mid Devon
North Merseyside DAC	North Liverpool; Central Liverpool; St. Helens
North Merseyside	Central Liverpool; St. Helens
North Staffordshire DAC	North Stoke
Ordsall	Salford
Oxfordshire DAC	North East Oxfordshire; Cherwell Vale; Oxford City; South East Oxfordshire; South West Oxfordshire

PDS Pilot	*Primary Care Trust*[1]
Pendle	Burnley, Pendle and Rossendale
Plymouth DAC	Plymouth
Portsmouth and South East Hampshire DAC	East Hampshire; Fareham and Gosport
Somerset DAC	Somerset Coast; Mendip; South Somerset; Taunton Deane
Chester	Cheshire West
South Staffordshire DAC	South Western Staffordshire
Tipton	Rowley, Regis and Tipton; Wednesbury and West Bromwich
Victoria Mill DAC	Central Manchester; North Manchester
Warrington DAC	Halton; Warrington
Warwickshire DAC	South Warwickshire
East and West Surrey DAC	East Elmbridge and Mid Surrey; East Surrey; Guildford and Waverley; North Surrey; Woking Area
North Cumbria DAC—Egremont	West Cumbria
Barnet, Enfield and Haringey DAC	Barnet; Enfield
Slough DAC	Newbury and Community; Reading; Slough; Wokingham; South East Oxfordshire; Bracknell Forest; Windsor, Ascot and Maidenhead; Chiltern and South Bucks
Walsall DAC	Walsall
Leicestershire DAC	Eastern Leicestershire
Morecambe Bay DAC	Morecambe Bay
Blackburn	Blackburn with Darwen
Bedfordshire	Luton; Bedford; Bedfordshire Heartlands
North Norfolk DAC	Norwich; Broadland
Bury St. Edmonds and West Suffolk DAC	Central Suffolk; Suffolk West
St. Helen and Knowsley	St. Helens
East Lancashire	Burnley, Pendle and Rossendale
Bradford	Bradford City
Leeds DAC	Leeds West; Leeds North East; East Leeds; South Leeds; Leeds North West
Newcastle and North Tyneside DAC	Newcastle
Northamptonshire DAC	Daventry and South Northamptonshire; Northampton
Scarborough DAC	Selby and York; Hambleton and Richmondshire; Craven, Harrogate and Rural District; Scarborough, Whitby and Ryedale
Cornwall	North and East Cornwall; Central Cornwall
Nottingham DAC	Nottingham City
Sandwell	Rowley, Regis and Tipton; Wednesbury and West Bromwich
Preston	Preston
Solihull DAC	Solihull

[1] All Primary Care Trusts the pilot operates in.

Source:
Dental Practice Board

Pharmaceutical Products (Embryos)

Jim Dobbin: To ask the Secretary of State for Health what plans the Government has to require manufacturers of pharmaceutical products derived from human embryos or foetuses to label their products. [133145]

Miss Melanie Johnson: The statutory labelling particulars are set out in Title V of Council Directive 2001/83/EEC. These apply across all member states of the European Union. The unilateral imposition of additional labelling requirements by the United Kingdom would constitute a breach of EU and international law. To include a statement of the type proposed would therefore require amendment to all EU Directives that regulate labelling and packaging, plus amendments to any international agreements on labelling and packaging.

The Government have no plans to introduce additional labelling requirements.

Post-operative Deaths

Mr. Hoban: To ask the Secretary of State for Health if he will make a statement on the research undertaken by University College, London, and Columbia University, New York, into the relative death rates between the Queen Alexandra Hospital, Portsmouth, and Mount Sinai Hospital, Manhattan. [129653]

Mr. Hutton *[holding answer 15 September 2003]:* The research study reported that a comparison between two cohorts of patients undergoing major surgery between August 1996 and May 1998 showed 'risk-adjusted' death rates for major surgery in Portsmouth Hospitals that were approximately four times higher than Mount Sinai Hospital in the United States.

Considerable caution should be exercised over these findings. There is insufficient information in the research paper to be sure that the two hospitals (in Portsmouth and New York) are truly comparable in terms of their patient mix. As the researchers acknowledge, conclusions about national differences cannot be properly based on a comparison between just one hospital in each country. Also, the number of critical care beds in the national health service has significantly increased since these patients were studied during 1996–98 and this is likely to mean that the mortality rates for Portsmouth found in the study would not be applicable today. For example, the Commission for Health Improvement 2002 performance ratings for Portsmouth had a 28 day post surgical death rate of 4.5 per cent., for patients admitted as emergencies. However, we recognise that there may be some lessons to be learned from this research, despite its limitations.

Proton Therapy (Clatterbridge Hospital)

Mr. Ben Chapman: To ask the Secretary of State for Health if he will make a statement on investment in proton therapy at Clatterbridge hospital. [132279]

Miss Melanie Johnson: The cost of cyclotron equipment was approximately £5 million and originally installed by the Medical Research Council. The facilities to provide proton therapy for eye tumours were funded by the Imperial Cancer Research Fund at a cost of approximately £1 million.

The cyclotron and the proton therapy facility were donated as a charitable gift to the Clatterbridge hospital, part of the Clatterbridge Centre for Oncology National Health Service Trust. The equipment is not subject to capital charges arrangements, with its running costs met through income generated from the treatment of NHS and overseas patients. Income is also generated from the supply of radioactive isotopes to Christie hospital. The cyclotron equipment has also attracted charitable funding, which is used in part to re-develop parts of the equipment and to fund some of the research activities.

Shropshire Central Services (Staffing)

Mr. Paul Marsden: To ask the Secretary of State for Health how many staff worked in Central Services for Shropshire County Council in each year since 1997. [132292]

Mr. Raynsford: I have been asked to reply.

The number of staff working in Central Services for Shropshire County Council in each year since 1997 is tabled:

Year	*Central Service*
1997	[1]
1998	[1]
1999	412
2000	414
2001	418
2002	403
2003	415

[1] Comparable figures for 1997/98 are not readily available. Significant changes arose at that time because of Local Government re-organisation, when some 35 percentage of the Council's staffing transferred to Telford & Wrekin Council.

Public Interest Disclosure Act

Mr. Pickthall: To ask the Secretary of State for Health if he will make a statement on his Department's obligations under the Public Interest Disclosure Act 1998; how many complaints were made concerning his Department in the last 12 months; and how long it took to resolve each complaint. [132324]

Ms Rosie Winterton *[holding answer 16 October 2003]:* The Department has no record of any complaints under the Public Interest Disclosure Act 1998.

Strategic Health Authorities

Jonathan Shaw: To ask the Secretary of State for Health whether the Kent and Medway strategic health authority will be required to passport to hospices in Kent all of the £1.5 million funding which he recently announced for palliative care; and if he will instruct the strategic health authority to consult with hospice managers on how that funding should be spent. [134323]

Miss Melanie Johnson: The additional £50 million per annum central budget, the allocation of which was recently announced by my right hon. Friend, the Secretary of State for Health, is for specialist palliative care services in their entirety and not for voluntary hospices alone. The level of funding for hospices, both from local allocation from the additional £50 million and from local resources, is a matter for local discussion and agreement.

All 34 cancer networks were asked to submit their proposed investment plans for the use of their allocation from the £50 million to the National Partnership Group (NPG) for palliative care which is made up of representatives from the voluntary sector (including hospices), the national health service and the Department. The NPG set out clear criteria for the use of the funding, which included evidence of local consultation and partnership working between all stakeholders in deciding how the additional funding should be invested.

Stroke

Mr. Baron: To ask the Secretary of State for Health what proportion of specialised stroke units are *(a)* acute care units, *(b)* rehabilitation stroke units and *(c)* both acute care and rehabilitation stroke units. [133010]

Dr. Ladyman: The most comprehensive source of information on stroke is the national sentinel stroke audit, carried out by the Royal College of Physicians. 235 hospitals, 95 per cent. of those caring for patients after a stroke in England, Wales and Northern Ireland, took part in the third round of the audit in 2002. The audit shows that 73 per cent. of trusts who participated in the audit had a stroke unit. Of those, 46 per cent. only had rehabilitation stroke beds and three per cent. only had acute stroke beds. The remainder had both rehabilitation and acute stroke beds.

Vehicle Emissions

Mr. Amess: To ask the Secretary of State for Health if he will list the common carcinogens emitted from petrol and diesel vehicles in the UK; and the tonnages of each emitted in the latest available year. [132759]

Mr. Bradshaw: I have been asked to reply.

Emissions from petrol and diesel vehicles are included in the National Atmospheric Emission Inventory. This inventory, available on-line (http://www.naei.org.uk/) compiles air pollutant emissions for the United Kingdom. The air pollutants emitted in 2001 from road transport that are known carcinogens or potential carcinogens are listed below, including the total emission and the percentage of the total UK emission from road transport for each pollutant.

Pollutant	Sector	Emissions in 2001 in Kilotonnes	Proportion of total (percentage)
1,3-Butadiene	Road Transport—Petrol	2.33	52
	Road Transport—Diesel	1.15	26
	Total (All sources)	4.48	—
Benzene	Road Transport—Petrol	5.31	34
	Road Transport—Diesel	0.22	1
	Total (All sources)	15.39	—
Dioxins & Furans	Road Transport—Petrol	3.79	1.1
	Road Transport—Diesel	J0.42	0.1
	(Total (All sources)	[1]341.28	—
16 Polycyclic Aromatic Hydrocarbons[2]	Road Transport—Petrol	0.02	1
	Road Transport—Diesel	1.10	52
	Total (All sources)	2.10	—

[1] Total excludes natural fires and vehicle fires)

[2] Polycyclic Aromatic Hydrocarbons (PAHs) are a large group of chemical compounds with a similar structure, although individual PAHs differ in their capacity to damage human cells. This data provides emissions of the 16 PAHs commonly found in ambient air. They include emissions of benzo[a]pyrene, benz[a]anthracene and dibenz[a]janthracene, which are the three potent animal carcinogens that are classified as 'probably carcinogenic to humans'.

DEPUTY PRIME MINISTER

Contracts (Bechtel)

Malcolm Bruce: To ask the Deputy Prime Minister if he will list contracts for consultancy or work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133898]

Yvette Cooper: Since the Office of the Deputy Prime Minister was established in May 2002, there have been no contracts with Bechtel.

Correspondence

Mr. Kaufman: To ask the Deputy Prime Minister when he will reply to the letter to him dated 15 September from the right hon. Member for Manchester, Gorton, with regard to Sylvia Mason. [133840]

Yvette Cooper: I replied to the right hon. Member on 20 October.

Sir Michael Spicer: To ask the Deputy Prime Minister when the hon. Member for West Worcestershire will receive a response to his letter to the Minister of State for Local and Regional Government of 22 September. [134329]

Phil Hope: I replied to the hon. Member on 22 October.

Council Housing Stock

Mr. Skinner: To ask the Deputy Prime Minister what the total impact on employment in local housing authorities has been where transfers of all or part of the housing stock have taken place. [133773]

Keith Hill: The information requested is not held centrally and could only be provided at disproportionate cost. Large Scale Voluntary Transfer (LSVT) Staff Impacts and Implications Research Report suggests there is no evidence of job losses, rather that some local authorities need to recruit new staff to undertake their strategic housing role post transfer. However, where a local authority transfers all or part of its housing and the local authority considers the sale amounts to a transfer of undertaking, the authority and the new landlord would have to have regard to the Transfer of Undertakings (Protections of Employment) Regulations 1981 (as amended).

Councillors (Tenure)

Mr. Hoban: To ask the Deputy Prime Minister pursuant to the Answer of 20 October 2003, *Official Report*, column 403W on councillors (tenure), whether this change will be enacted by primary legislation. [134724]

Mr. Raynsford: The Local Government Act 2003 allows my right. hon. Friend the Deputy Prime Minister, by order, to move the date of local government and Greater London Authority elections in 2004 so that they can be held on the same day as the European Parliamentary election, making voting more convenient for voters. The Government will shortly be consulting on the Statutory Instruments which give effect to the Government's stated policy as set out in my previous reply.

Electoral Registration Departments

Chris Ruane: To ask the Deputy Prime Minister if he will list the budgets allocated to electoral registration departments by each local authority *(a)* in total and *(b)* per head of population in descending order according to the amount spent per head of population. [133047]

Keith Hill: The latest figures for English local authorities are available in the Library of the House.

Energy Performance

Gregory Barker: To ask the Deputy Prime Minister if he plans to set requirements for entire renovated buildings over 1,000 sq m as proposed under Article 6 of Directive 2002/91 on the Energy Performance of Buildings. [134545]

Phil Hope: Article 6 indicates that, when buildings with floor areas over 1000 square meters undergo major renovation, "the requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out in a limited time period". The Office of the Deputy Prime Minister shall decide on which of these options to pursue during the course of the review of the Building Regulations announced in the Energy White Paper earlier this year.

Equity Loans Scheme

Tim Loughton: To ask the Deputy Prime Minister how many social workers will benefit from interest-free mortgages under the equity loans scheme announced by his Department. [134835]

Keith Hill: The balance of products taken up by individual key worker groups will depend on the severity of recruitment and retention problems in their sector, the level of employer contribution and the personal circumstances of individual key workers. Full details of the operation of the scheme will be announced by the beginning of March.

Ex-firefighters (Pensions)

Mr. McWalter: To ask the Deputy Prime Minister how many ex-firefighters are being paid a pension because of early retirement through ill health; and what monitoring systems are in place to ensure that the ill health is not transient. [134547]

Mr. Raynsford: The information concerning the number of ex-firefighters being paid ill-health pensions is not held centrally, and could only be provided at disproportionate cost as individual Fire Authorities administer the Firefighters' Pension Scheme. Fire Authorities have discretion to review the payment of ill-health pensions to determine whether they should remain in payment for so long as firefighters are below the age at which they could or should have retired with ordinary pensions. The Office of theDeputy Prime Minister has recommended Fire Authorities to carry out regular reviews.

Homeless Households

Bob Spink: To ask the Deputy Prime Minister when he will publish a summary of information being collected from local authorities on the *(a)* type and *(b)* sex of members of homeless households in bed and breakfast accommodation as at 31 March. [133862]

Yvette Cooper: Specific information about the household type and gender of homeless applicants, and those in various forms of temporary accommodation such as bed and breakfast, is included in an annual return supplied by local authorities, using the classifications as follows:

Couples with dependent children
Lone parent—female applicant
Lone parent—male applicant
Single person—female applicant
Single person—male applicant
All other household types

No information is collected about individual household members.

Final responses to the return are still being received. Data are currently being validated and provisional analyses are expected to be available before the end of the year.

Housing

Mr. Gordon Prentice: To ask the Deputy Prime Minister what financial allocations have been made to each of the housing renewal pathfinders in England; and if he will make a statement. [134402]

Keith Hill: All of the nine pathfinder areas have been allocated £2.66 million for preparation of a strategic scheme and where considered by the pathfinder appropriate some early projects.

Birmingham Sandwell, East Lancashire, Oldham Rochdale, Merseyside, NewcastleGateshead, North Staffordshire, and South Yorkshire have been allocated £4 million to begin action on the ground ahead of scheme agreement.

Manchester Salford is the first pathfinder to complete and agree their strategic scheme. They have been awarded £125 million over the next two and a half years to implement its scheme.

Further funding for other pathfinders will be negotiated on completion of their scheme.

Local Elections

Dr. Pugh: To ask the Deputy Prime Minister for what percentage of the electorate in the North West Region all ward memberships will be up for election at the local elections scheduled for June 2004. [134280]

Mr. Raynsford: Approximately 80 per cent. of the electorate in the North West Region will be voting at the elections for local government in 2004.

Dr. Pugh: To ask the Deputy Prime Minister how many councils in the North West Region have elections of all members scheduled for June 2004. [134281]

Mr. Raynsford: There are 18 local authorities that are due to have whole council elections in 2004.

Local Government (Compensation Claims)

Simon Hughes: To ask the Deputy Prime Minister how much compensation has been paid in claims against local government in London in each of the last six years. [135160]

Mr. Raynsford: The information requested is not held centrally and could only be provided at disproportionate cost.

Local Government Finance

David Wright: To ask the Deputy Prime Minister which local authorities in England and Wales were affected by the floors and ceilings in the local government settlement for 2003–04; and how much grant each one gained or lost. [132547]

Mr. Raynsford: All authorities in England were affected by the floors and ceilings in the local government settlement for 2003–04.

In order to pay for the cost of the floor authorities are subject to a ceiling. However because the money raised from ceiling authorities does not entirely pay for the cost of the floor, middle authorities (i.e. those not subject to either the floor or the ceiling) are subject to a scaling factor on any increase above the floor. The amount raised from both middle and ceiling authorities equals the amount needed for floor authorities.

A table showing the actual benefit from cost to authorities of the floors and ceilings in the local government settlement for 2003–04 is available in the Library of the House.

Public Services (Co-payments)

Angela Eagle: To ask the Deputy Prime Minister what plans he has to introduce co-payments for the public services for which he is responsible. [102201]

Mr. Raynsford: The Office of the Deputy Prime Minister aims to deliver high quality public services in the most cost-effective way. The Office of the Deputy Prime Minister currently has PFI projects that deliver investment in affordable housing, fire stations and joint service centres. The Office of the Deputy Prime Minister will continue to consider PPPs and PFIs where they minimise financial risk and maximise benefit to the public.

Regional Assemblies

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will include maps showing options for the proposed new local government areas with the postal ballot papers to be sent out in the referendums on regional assemblies. [134590]

Mr. Raynsford: Once decisions have been taken about the options that are to be subject to local government referendums, the Office of the Deputy Prime Minister will consider how best to present those options to the electorate. As required by section 3(7) of the Regional Assemblies (Preparations) Act, we will consult the Electoral Commission about the text of the options to be inserted in the question appearing on the ballot paper and any explanatory material, including maps, that is to be made available to voters at the time that they vote.

Revenue Support Grant

Mr. Spring: To ask the Deputy Prime Minister if he will list the revenue support grant per head for 2003–04 in each English county council. [134408]

Mr. Raynsford: A table showing revenue support grant per head is available in the Library of the House.

Please note that the original mid-2001 population estimates have been used as these formed the basis of the calculations. The Office of the Deputy Prime Minister will in due course be making an Amending Report for 2003–04 which will take into account the revised mid-2001 population estimates.

Mr. Spring: To ask the Deputy Prime Minister what discussions he has had with Suffolk county council regarding the revenue support grant settlement in the past 12 months. [134409]

Mr. Raynsfordr My right hon. Friend the Deputy Prime Minister has not had formal discussions with Suffolk county council within the last 12 months about the Local Government Finance Settlement.

Surveys/Questionnaires

Tim Loughton: To ask the Deputy Prime Minister (1) which local authorities have sent out surveys to their residents as a requirement by his Department in the last 12 months; and on what issues; [134815]

(2) how many people in England have received questionnaires from local authorities as a requirement by his Department within the last 12 months; and at what cost. [134816]

Mr. Raynsford: It is important that all service providers have a clear understanding of the views of their users. Local authorities have for many years sought the views of residents on the quality and delivery of local services using a variety of different methods.

Since 2000–01, authorities have been required to conduct a survey following a common methodology and containing a fixed set of questions. However, there is scope for authorities to include some questions on specific local issues. The surveys are run at three yearly intervals, the second full round is being run during 2003–04.The surveys provide authorities with a ready means to obtain the views of local people. By adopting a common methodology and common questions a national picture can be obtained on the issues of most concern to local people.

The surveys measure the level of satisfaction with the general services provided by an authority and provide the opportunity for feedback about local community issues. In addition, specific questions are asked about residents' views on the benefits, planning, libraries and housing services.

In order to ensure that the results of the surveys are statistically valid, authorities are required to ensure that a minimum sample level is achieved.

As the surveys are conducted by local authorities, either in-house or through an external commission, the Office of the Deputy Prime Minister does not have figures for the cost of the 2000–01 survey. However, as part of the information that is being collected on the operation of the 2003–04 survey, authorities have been asked to provide details of the cost of carrying out their survey. The Office of the Deputy Prime Minister have also taken steps to reduce local authority costs by setting up a dedicated website which, amongst other things, avoids the need for authorities to produce their own population sample database. It also provides guidance and templates for running the survey and carries a list of frequently asked questions.

Tenant Management

Ian Lucas: To ask the Deputy Prime Minister how many tenant management organisations have been wound up in the last three years for which figures are available. [133979]

Keith Hill: In England there are currently in the region of 250 tenant management organisations managing around 80,000 council dwellings. To the knowledge of the Office of the Deputy Prime Minister three have been wound up or have ceased to operate in the last three years. As a Welsh Member my hon. Friend will be aware that in Wales the responsibility for tenant participation and tenant management policy rests with the Welsh Assembly.

HOME DEPARTMENT

Asylum Seekers

14. **Jeremy Corbyn:** To ask the Secretary of State for the Home Department, how many asylum seekers are held in detention under immigration law. [134171]

Beverley Hughes: As at 28 June, the most recent date of which published figures are available, there were a total of 1,690 individuals detained solely under Immigration Act powers. Of these, 1,355 were asylum seekers.

17. **Mr. Prosser:** To ask the Secretary of State for the Home Department what change there was in the number of asylum applications between October 2002 and September 2003. [134174]

Beverley Hughes: In June 2003, the most recent month for which published figures are available, there were 3,610 asylum applications, 59 per cent. lower than the 8,770 in October 2002[1]. Figures for July-September have not yet been finalised but we are confident that we will meet our commitment to halve intake in September 2003 compared with last October.

[1] All figures exclude dependants.

Special Constables

21. **Bob Spink:** To ask the Secretary of State for the Home Department how many special constables there were in each of the last three years. [134178]

Ms Blears: The latest police service strength figures for the year ending 31 March 2003 were published on 1 October 2003 in Home Office Statistical bulletin 11/03. The number of Special Constables in England and Wales was 11,037. The equivalent figures for 2002 and 2001 were 11,598 and 12,722 respectively.

Border Controls (Northern France)

22. **Laura Moffatt:** To ask the Secretary of State for the Home Department, if he will make a statement on the development of UK border controls in Northern France. [134179]

Beverley Hughes: The introduction of UK Border Controls in northern France should be viewed in the context of a wider package of measures, developed in close co-operation with the French government, aimed at reducing illegal immigration. The closure of Sangatte, for example, which 67,000 people passed through in the last three years, has also had a major impact, reducing illegal immigration into the UK and ensuring that fewer potential illegal immigrants are drawn to Northern France.

In this context we are pleased with the further steps we are taking, in co-operation with the French, in extending UK Border Controls in France. Such controls have proved effective in the past in relation to rail routes, stopping many illegal immigrants before they reach the UK. Since August 2002 we have had UK immigration officers in Calais acting in an advisory capacity to the Police Aux Frontieres, and in February we agreed a treaty which will enable these officers to exercise their full powers at Calais and Dunkerque. This treaty will be implemented shortly. Boulogne will follow when services to the UK begin in spring next year.

In addition to juxtaposed border controls we are also loaning UK personnel-detection technology to Calais port. As a result the port now has the capacity to screen 100 per cent. of freight traffic embarking to the UK. We intend to roll out similar technology to other UK-serving ports in northern France in the New Year.

Anti-social Behaviour

23. **Mr. Challen:** To ask the Secretary of State for the Home Department, if he will make a statement on the role of local communities in tackling antisocial behaviour. [134180]

Ms Blears: Local communities have a critical role. The Anti-Social Behaviour Plan places communities at the heart of its agenda. It seeks to shift the culture from one where people accept anti-social behaviour to one where communities are helped and supported to seek and uphold standards. Part of our work to support communities includes tackling those barriers which prevent victims and witnesses from coming forward.

Communities should also hold local agencies to account for the way they address anti-social behaviour and how they use the wide range of interventions available.

24. **Mr. Tony Clarke:** To ask the Secretary of State for the Home Department, what anti-social behaviour measures his Department will introduce to tackle the problem of abandoned cars. [134181]

Ms Blears: In our Anti-Social Behaviour Action Plan, launched on 14 October, we announced that we will establish trailblazers to tackle abandoned cars in London and Liverpool, in partnership with the Association of London Government and Liverpool city council respectively. From October 2004 these projects will ensure that all vehicles confirmed as untaxed or abandoned will be removed within 72 hours of reporting. This work will be shared with communities across the country.

Mr. Prisk: To ask the Secretary of State for the Home Department what estimate he has made of the cost of *(a)* producing and distributing the tackling anti-social behaviour action plan booklet and *(b)* related promotional costs for this initiative, including employment costs. [132580]

Ms Blears: An estimate of £11,000 has been made for the production and distribution of the action plan booklet including design, printing and delivery and distribution. A total of £135,000 has been spent on the launch event and associated launch materials. This includes costs of support from the Central Office of Information (COI). Civil servants from the Home Office press office, marketing department and Anti-social Behaviour Unit produced the Action Plan and organised the event as part of their daily duties.

Crime Detection

25. **Mr. Jack:** To ask the Secretary of State for the Home Department if he will make a statement on his Department's role in assisting the police to improve detection of crime. [134182]

Ms Blears: Latest figures show that the number of detections rose in the last year, and that the detection rate remains stable. We are working with the police to improve rates. For example:

we are helping the police to exploit the advances in Science and Technology;

we have record police numbers—136,386 officers in England and Wales at the end of August 2003;

with the Association of Chief Police Officers (ACPO), we are promoting intelligence-led policing. The National Intelligence Model is being implemented in all forces across England and Wales, and the National Policing Plan requires National Intelligence Model (NIM) to be implemented in all forces by April 2004.

Asbestos

Dr. Cable: To ask the Secretary of State for the Home Department how much has been spent by his Department and its agencies on *(a)* asbestos surveys and *(b)* the management and removal of asbestos since 1 January 2001; and what budget is available to (i) commission asbestos surveys and (ii) manage and remove asbestos from buildings in (A) 2003 and (B) 2004. [130919]

Fiona Mactaggart: No central records are kept on the costs and budgets for asbestos surveys or the management and removal of asbestos. This information could be obtained only at disproportionate costs. However, we can more readily provide information on the costs that the Prison Service have incurred in undertaking asbestos surveys and the necessary remedial work.

Since July 2001, the Prison Service has spent £1.85 million to manage their asbestos strategy, which has included undertaking surveys to identify the location and condition of asbestos on the prison estate and establish the risks. Since May 2002, the Prison Service has spent a further £1.7 million on remedial work on managing and removing asbestos where this was identified as being necessary by the surveys. In addition, asbestos will have been removed as part of various works projects to refurbish, demolish or upgrade existing accommodation. These costs would have been recorded in the relevant individual capital schemes and could be extracted only at a disproportionate cost. The Prison Service has a further £300,000 allocated for additional remedial work for the remainder of this financial year.

Asylum and Immigration (Publicly Funded Work)

Lynne Jones: To ask the Secretary of State for the Home Department when the results of the consultation paper, Proposed Changes to Publicly Funded Immigration and Asylum Work will be published. [133850]

Mr. Lammy: I have been asked to reply.

We received over 260 responses to the consultation paper. These have now been collated and analysed. The Constitutional Affairs Select Committee has also undertaken an inquiry into our proposals and is due to report shortly. We will be considering their report along with all other responses before any final decisions on future policy are made.

Bechtel

Malcolm Bruce: To ask the Secretary of State for the Home Department if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [132594]

Fiona Mactaggart *[holding answer 20 October 2003]:* The available information held by the Home Office on contracts for consultancy and other work shows that the Home Office has not had any contractual agreements with Bechtel from 1997 to the present time.

Charity Commission

Mr. Lidington: To ask the Secretary of State for the Home Department pursuant to the Answer of 4 July 2003, *Official Report,* column 549W, on the Charity Commission, when the Charity Commission will write to the hon. Member for Aylesbury; and if he will make a statement on the reasons for the delay. [130716]

Fiona Mactaggart *[holding answer 16 September 2003]:* This is a matter for the Charity Commission as the Government Department responsible for the regulation of charities in England and Wales. The Director of Operations wrote to the hon. Member on 5 August and a further copy of this letter will be sent to him and placed in the Library.

Community Support Officers

Mr. Bryant: To ask the Secretary of State for the Home Department, if he will make a statement on the recruitment of community support officers. [134175]

Ms Blears: Last year 27 police forces made successful bids for a share of the £19.5 million fund which enabled them to recruit, train and deploy 1,222 Community Support Officers (CSOs). This year £41 million was made available to continue paying for these and to recruit a further 1,234 CSOs. We are on course to reach the target of 4,000 CSOs by the end of 2005–06.

Recruitment standards are set by individual forces but there is comprehensive Association of Chief Police Officers, (ACPO) guidance available to assist them.

Correspondence

Mr. Chope: To ask the Secretary of State for the Home Department what the reasons were for the delay in transferring the letter of 3 July, on behalf of Mr. R. A. Forde, from the hon. Member for Christchurch to the Department for Constitutional Affairs. [133536]

Caroline Flint: The letter was received in the Home Office on 8 July 2003. The delay in transferring the letter to the Department of Constitutional Affairs was principally due to officials wrongly identifying the appropriate Department to which the case should be transferred. Additional delays were caused by a failure to obtain a swift response from the other Departments when they were invited to accept the correspondence.

I am determined to see an improvement in the Home Office's performance in this respect. Officials are now reviewing the department's systems to prevent this sort

of unacceptable delay from recurring. More widely, the Home Office is working with other departments so that robust protocols are in place for dealing with the effective and timely transfer of correspondence.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 11 September from the right hon. Member for Manchester, Gorton, with regard to Mr. Muhammad Rafique. [133838]

Mr. Blunkett: I wrote to my right hon. Friend on 23 October 2003.

Criminal Records Bureau

Mr. Butterfill: To ask the Secretary of State for the Home Department pursuant to his answer of 1 September 2003, *Official Report*, column 974W, on criminal records checks, how many representations he has received; and from what organisations. [130657]

Paul Goggins *[holding answer 17 September 2003]:* We have received written representations from 32 bodies in the voluntary and community sector, about the increase in fees charged by the Criminal Records Bureau.

Representations have been received from the following:

Adele House

'Castel Froma' Royal Midland Counties Home for Disabled

Catholic Children's Society

Central Council of Physical Recreation

The Chasely Trust

Community Matters

The CP Centre

The Disabilities Trust

Fair Play for Children

Fareham (Home Help) MOPS

The Fremantle Trust

St. John's Hospice

Leonard Cheshire

Lincoln Cathedral

National Association of Councils for Voluntary Service

National Council of Voluntary Child Care Organisations

National Council for Voluntary Organisations

National Council for Voluntary Youth Services

People in Action

Rethink Disability

Royal National Institute for the Blind

Rugby Council for Voluntary Services

Sandwell Council of Voluntary Organisations

Saint Francis House

South East Regional Play Association

2D Support from the voluntary and community sector in Teesdale and Wear Valley

Volunteer Development England

Voluntary Organisations Disability Group

Watford Council for Voluntary Service

Willen Hospice

Youth Hostels Association

YWCA.

Mr. Burstow: To ask the Secretary of State for the Home Department pursuant to his answer of 3 June 2003, *Official Report*, columns 141–42W, on Criminal Records Bureau unit costs, what the agency's latest estimate of unit costs in 2003–04 is. [131049]

Paul Goggins *[holding answer 18 September 2003]:* Based on the projections in the Criminal Records Bureau's Corporate and Business Plans 2003–04, the individual unit costs are estimated as:

	£
Standard Paper Application	25.00
Standard Telephone Application	20.00
Enhanced Paper Application	31.00
Enhanced Telephone Application	26.00
Basic Disclosure	n/a

Standard and Enhanced Disclosures are issued free of charge to volunteers.

Dog Thefts

Mr. Peter Ainsworth: To ask the Secretary of State for the Home Department how many instances of the theft of pet dogs have been recorded in each of the last five years *(a)* in England and Wales and *(b)* in each police authority area. [132837]

Ms Blears *[holding answer 21 October 2003]:* The requested information is not collected centrally.

Extradition

Annabelle Ewing: To ask the Secretary of State for the Home Department what level of evidence is required for an extradition order to be granted to extradite an individual *(a)* to the USA from the UK and *(b)* from the UK to the USA; and what plans he has to change such requirements. [132775]

Caroline Flint: Extradition relations between the UK and the United States of America are currently governed by the 1976 bilateral treaty (as amended in 1986). The present treaty requires that if the request relates to an accusation case (that is a case where the person has not been convicted) it must be accompanied by:

> "A warrant of arrest issued by a judge, magistrate or other competent authority in the territory of the requesting Party and by such evidence as, according to the law of the requested Party, would justify his committal for trial if the offence had been committed in the territory of the requested Party, including evidence that the person requested is the person to whom the warrant of arrest refers".

On 31 March 2003, my right hon. Friend the Home Secretary and the US Attorney General, John Ashcroft, signed a revised bilateral extradition treaty, which we

hope to bring into effect shortly. Article 8 of the Treaty provides that the evidential requirements in an accusation case are as follows:

(a) a copy of the warrant or order of arrest issued by a judge or other competent authority;

(b) a copy of the charging document, if any; and

(c) for requests to the United States, such information as would provide a reasonable basis to believe that the person sought committed the offence for which extradition is requested.

Firearms Offences

Mr. Oaten: To ask the Secretary of State for the Home Department (1) how many offences were committed in which *(a)* a firearm and *(b)* a replica firearm was used in each of the last 10 years; and if he will make a statement; [133830]

(2) how many crimes involving firearms were recorded in each police force area in 2002–03. [133968]

Caroline Flint: Final figures for firearms offences for 2002–03 will be published in January. While a provisional overall total for England and Wales for recorded crimes involving firearms other than air weapons was published on 16 October, the individual data are still subject to further checking, and so further details are not yet available.

The numbers of recorded crimes involving firearms in England and Wales over the last 10 years are as follows:

	Firearms excluding air weapons	*Air weapons*
1992	7,243	6,098
1993	7,730	6,337
1994	6,002	7,165
1995	5,866	7,568
1996	6,063	7,813
1997	4,904	7,506
1997–98	4,903	7,902
1998–99	5,209	8,665
1999–2000	6,843	10,103
2000–01	7,470	10,227
2001–02	9,974	12,340

It should be noted that there was a change in counting rules for recorded crime on 1 April 1998, which tended to increase the number of crimes recorded. Also, some police forces implemented the principles of the National Crime Recording Standard in advance of its national implementation on 1 April 2002, and this will also have tended to increase the number of crimes recorded.

Mr. Rosindell: To ask the Secretary of State for the Home Department what the level of gun crime is in the United Kingdom. [133996]

Caroline Flint: Provisional figures released on 16 October show that the total number of firearms offences in England and Wales in 2002–03 (excluding those involving air weapons) was around 10,250. This represents a 3 per cent. increase from 2001–02. The increase in the preceding year was 35 per cent. In 2002–03 the number of fatal injuries from firearms went down to 80, from 95 in 2001–02.

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will make a statement on gun crime in the United Kingdom. [133997]

Caroline Flint: Although the incidence of firearms offences is low compared to recorded crime as a whole, too many people are still being killed and injured by firearms. This is unacceptable.

We are taking forward a programme to tackle gun crime on a number of fronts. This includes:

tackling the links to drug supply and crime through initiatives such as the Criminal Justice Interventions Programme and the National Crack Plan;

reducing the supply and availability of firearms;

effective police operations to drive down firearm offences;

tough laws and effective enforcement;

engaging the worst affected communities to address the underlying gun culture.

The firearms amnesty during April this year resulted in 44,000 guns and over a million rounds of ammunition being handed in. This included 5,700 handguns, the weapons most often used in gun crime, and 795 other prohibited weapons.

The Criminal Justice Bill includes proposals for a five-year minimum sentence for anybody convicted of illegally possessing, selling or manufacturing prohibited firearms.

This will send a clear message that we will not tolerate the illegal proliferation of guns within our society.

Gun Trade

Mr. Rosindell: To ask the Secretary of State for the Home Department what action he is taking to prevent the illegal trade in guns. [134002]

Caroline Flint: We are taking forward a programme to tackle gun crime on a number of fronts. This includes:

tackling the links to drug supply and crime through initiatives such as the Criminal Justice Interventions Programme and the National Crack Plan;

reducing the supply and availability of firearms;

effective police operations to drive down firearm offences;

tough laws and effective enforcement;

engaging the worst affected communities to address the underlying gun culture.

The firearms amnesty during April this year resulted in 44,000 guns and over a million rounds of ammunition being handed in. This included 5,700 handguns, the weapons most often used in gun crime, and 795 other prohibited weapons.

The Criminal Justice Bill includes proposals for a five-year minimum sentence for anybody convicted of illegally possessing, selling or manufacturing prohibited firearms.

This will send a clear message that we will not tolerate the illegal proliferation of guns within our society.

Gwent Police Authority

Paul Flynn: To ask the Secretary of State for the Home Department whether he has received a recommendation from Gwent Police Authority to issue a certificate of forfeiture for all or part of the pension of an employee whose name has been communicated to him. [132679]

Ms Blears: Our records, which go back to 1987, show that the Secretary of State for the Home Department has received one application for a certificate of forfeiture of pension from Gwent Police Authority.

Paul Flynn: To ask the Secretary of State for the Home Department how many investigations an employee of Gwent Police whose name has been communicated to him has been the subject of; and what the investigations related to. [132680]

Ms Blears: Based on previous questions tabled by my hon. Friend, and assuming I have understood your question correctly, Gwent Police informs me that there were five separate investigations regarding a former officer whose name has been communicated to the Secretary of State for the Home Department:

three of those investigations concerned the officer's role as the disciplining authority and the oversight of complaints' investigations; and

two concerned the officer's role as the disciplining authority and the oversight of discipline investigations.

None of these investigations revealed any matters that required further action.

Iraq

Mr. David Stewart: To ask the Secretary of State for the Home Department if he will make a statement on the timescale for the secondment of the police personnel to Iraq; how many have been recruited to date; and what the costs of the programme are. [133160]

Caroline Flint: A pool of 200 volunteers from the police service of England and Wales has been created to assist in the reform of the Iraqi Police Service. The pool is intended to sustain the deployment of up to 100 police officers at any one time. I have agreed to a request from my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs (Jack Straw) to the deployment of 75 of those officers before the end of the year to a secure training facility in Jordan for the purpose of training Iraqi police recruits.

A further 24 officers are about to undergo training with a view to possible deployment to Basra, when the Regional Police Training Academy is ready to receive them. Officers will only be deployed to Iraq when we are satisfied that the security conditions are right. The security position will be reviewed regularly. The advice of the two secondees from the Association of Chief Police Officers presently serving in Iraq will inform any decision on the timing of a deployment.

The full costs of the programme, which will be c. £10 million per financial year, will be met from the joint Foreign and Commonwealth Office (FCO), the Department for International Development (DFID), and the Ministry of Defence (MOD), Global Conflict Prevention Pool. This includes reimbursing to police forces the full costs of training, equipping and deploying police officers.

Jamaican Prisoners

Paul Flynn: To ask the Secretary of State for the Home Department what percentage of women prisoners are *(a)* Jamaican nationals and *(b)* Jamaican nationals convicted of drug-trafficking offences in each of the last five years. [132317]

Paul Goggins: The information on the percentage of women prisoners who are *(a)* Jamaican nationals and *(b)* Jamaican nationals convicted of drug-trafficking offences in each of the last five years is provided in the following table.

Population in Prison Service establishments in England and Wales—as at 30 June each year

	Percentage of female prisoners who are:	
	Jamaican nationals	*Jamaican nationals convicted of drug-trafficking offences*[1]
1998	4.4	3.1
1999	5.3	4.0
2000	5.6	4.4
2001	8.9	6.8
2002	11.5	9.9

[1] Drug-trafficking offences are defined here as unlawful import/export, possession with intent to supply and unlawful supply.

National Criminal Intelligence Service

Mr. Simon Thomas: To ask the Secretary of State for the Home Department for how many staff at the National Criminal Intelligence Service have monitoring of allegations of bribery of foreign public officials is specifically as part of their job description; what percentage of time they are recommended as part of their job description to give such monitoring; and in which department of NCIS they are based. [132370]

Ms Blears: The National Criminal Intelligence Service has one member of staff who acts as the point of contact for allegations of bribery of foreign public officials. This role is included in the individual's job description although no recommended time is allocated to fulfil the role. These arrangements have been sufficient to discharge properly the responsibilities involved. The individual is a member of the International Division of the National Criminal Intelligence Service.

Mr. Simon Thomas: To ask the Secretary of State for the Home Department how many allegations of corruption the National Criminal Intelligence Service has received since *(a)* 14 February 2002 and *(b)* January 2003 following the Memorandum of Understanding on Implementing Part 12 of the Anti-Terrorism, Crime and Security Act 2001; how many of these allegations have resulted in investigations; and whether any charges have been brought or arrests made under Part 12 of the Act. [132371]

Ms Blears: The National Criminal Intelligence Service has logged the following notifications of corruption:

(a) Four in total since 14 February 2002.

(b) Two since January 2003.

One allegation has been forwarded for investigation. No charges have been made.

Police Forces (DNA Samples Retention)

Mr. Pike: To ask the Secretary of State for the Home Department, what assessment his Department has

made of the extent to which the extension of powers for police forces to retain DNA samples of suspects could *(a)* help prevent miscarriages of justice and *(b)* increase detection rates. [134177]

Caroline Flint: Proposals in the Criminal Justice Bill to allow the police to take and retain DNA from persons arrested for a recordable offence will help contribute to the prevention of miscarriages of justice by eliminating suspects from police inquiries at an early stage of an investigation.

It is estimated that in the first year of implementation using current National DNA Database statistics and police performance rates, there will be nearly 2,000 additional detections as a result of these proposed changes.

Prisons

Mr. Lidington: To ask the Secretary of State for the Home Department (1) whether it is his policy that the Prison Service should promote the procurement of British food; what guidance he has issued to the prison service about food procurement; and if he will make a statement; [129363]

(2) how much the Prison Service spent on food in *(a)* 2001–02 and *(b)* 2002–03; how much food was wasted in each year; and if he will make a statement. [129365]

Paul Goggins: The Prison Service procures food using contracts awarded in accordance with European Union (EU) procurement regulations, taking account of quality of product, cost and availability. The EU regulations are designed to support fair and open competition, allowing British suppliers to compete for business with other members of the Community.

The Prison Service is working with the Department for Environment, Food and Rural Affairs on the Sustainable Food Procurement Initiative, which is part of the Government's Strategy for Sustainable Farming and Food. This is intended to encourage the public sector to procure food in a manner that promotes sustainable development and does not discriminate against local and UK suppliers. As part of this, the Prison Service has developed an action plan that will be used to measure progress towards meeting the initiative's objectives.

The Prison Service spent £40,155,638 on food in 2001–02 and £42,357,666 in 2002–03. We have no estimate for the amount of food wasted in 2001–02, but the indicative figures for the current year suggest that waste is currently about 8 per cent.

Professional Footballers

Bob Russell: To ask the Secretary of State for the Home Department what advice he has issued to chief constables on invoking legislation relating to assault, violent behaviour and anti-social behaviour involving professional footballers during football matches; and if he will make a statement. [132833]

Ms Blears *[holding answer 20 October 2003]:* Individuals playing in football matches and other sports events are subject to the same laws and police powers as other citizens. Following consultation with the football authorities and other agencies, the Association of Chief Police Officers has issued guidance on the involvement of the police on the field of play. That guidance makes clear that while match officials are responsible for dealing with incidents on the pitch, the police retain the right to intervene should it be necessary in the interests of safety or the maintenance of public order. Incidents which may lead to the involvement of the police include violent or abusive behaviour directed to other persons on the playing surface and words or behaviour by players or club officials which are likely to inflame spectators. A decision on whether to intervene, or charge any individual for an offence committed, during a football match is an operational matter for the local police force concerned.

Bob Russell: To ask the Secretary of State for the Home Department under what powers professional footballers may be charged for offences of assault, violent behaviour and anti-social behaviour during a football match. [132834]

Ms Blears *[holding answer 20 October 2003]:* Individuals playing in football matches and other sports events are subject to the same laws and police powers as other citizens. Following consultation with the football authorities and other agencies, the Association of Chief Police Officers has issued guidance on the involvement of the police on the field of play. That guidance makes clear that while match officials are responsible for dealing with incidents on the pitch, the police retain the right to intervene should it be necessary in the interests of safety or the maintenance of public order.

Remand Prisoners

Simon Hughes: To ask the Secretary of State for the Home Department pursuant to his answer of 23 June 2003, *Official Report*, column 603W, on remand prisoners, (1) how many *(a)* unconvicted and *(b)* convicted unsentenced prisoners have been held in prison for more than 24 months in each of the last five years; [131768]

(2) what assessment he has made of the reasons for the recent change in the number of prisoners held on remand for more than 24 months. [131651]

Paul Goggins: I refer the hon. Member to my letter of 16 October 2003.

Victim Support

Mr. Leigh: To ask the Secretary of State for the Home Department, what progress has been made in taking forward the recommendations on recruiting volunteers to provide support to victims in high crime areas made in the Committee of Public Accounts' 17th report of 2002–03 'Helping Victims and witnesses: the work of Victim Support'. [134176]

Paul Goggins: The Home Office is actively considering the recommendations made both in the National Audit Office Report 'Helping victims and witnesses: the work of Victim Support', and in the 17th report of the Committee of Public Accounts. Regular meetings are held between Victim Support and the Home Office to address these issues, including looking at how to increase the number of volunteers in higher

crime areas. We are considering ways to establish stronger links with minority ethnic and inner city community based organisations, making more effective use of paid staff and more imaginative approaches to volunteering, such as linking volunteering to accredited educational programmes.

NORTHERN IRELAND

Belfast Regeneration Office

Mr. Dodds: To ask the Secretary of State for Northern Ireland what approach will be taken to applications for Belfast Regeneration Office Action Plan funding which were solicited by the Belfast Regeneration Office and subsequently prepared by other agencies. [133030]

Mr. Spellar: The future of the Belfast Regeneration Office Action Plan has been under consideration by Government.

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will make a statement on the draft strategy for Belfast Regeneration Office. [133031]

Mr. Spellar: The Belfast Regeneration Office (BRO) consulted widely on its draft strategy document between April 2002 and July 2002. The key issues to emerge from this consultation are relevant to the implementing of the Neighbourhood Renewal Strategy, "People and Place" in Belfast.

Child Care

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many residential child care places there are in each Northern Ireland parliamentary constituency. [132791]

Angela Smith: The number of residential child care places in children's homes in each Northern Ireland parliamentary constituency at 31 March 2003, the latest date for which information is available, is shown in the following table.

Number of residential child care places, by parliamentary constituency, 31 March 2003

Parliamentary constituency	*Number of residential child care places*
Belfast East	8
Belfast North	24
Belfast South	16
Belfast West	35
East Antrim	32
East Londonderry	8
Fermanagh and South Tyrone	14
Foyle	42
Lagan Valley	28
Newry and Armagh	10
North Antrim	12
North Down	33
South Antrim	11
South Down	6
Strangford	12
Upper Bann	18
West Tyrone	11
Northern Ireland Total	320

Crime (Belfast)

Mr. Dodds: To ask the Secretary of State for Northern Ireland what the clear-up rate is for crime in each *(a)* ward and *(b)* district council unit in Belfast in each of the last three years. [133239]

Jane Kennedy: The table below sets out the clear up rate for each of the District Command Units within Belfast in each of the last three years. Statistics in respect of clear up rates per ward are not readily available and the provision of such information would be disproportionate to the cost.

2000–01

	Recorded crime	*Crimes cleared*	*Clearance rate (percentage)*
East Belfast	6,950	1,623	23.4
North Belfast	10,029	2,245	22.4
South Belfast	14,664	3,288	22.4
West Belfast	7,254	1,810	25.0

2001–02

	Recorded crime	*Crimes cleared*	*Clearance rate (percentage)*
East Belfast	7,164	1,240	17.3
North Belfast	12,605	1,265	10.0
South Belfast	18,191	2,399	13.2
West Belfast	6,511	1,191	18.3

2002–03

	Recorded crime	*Crimes cleared*	*Clearance rate (percentage)*
East Belfast	8,429	1,395	16.6
North Belfast	12,137	1,899	15.6
South Belfast	18,389	2,917	15.9
West Belfast	6,346	1,253	19.7

Crime (Racism)

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of crimes committed in Northern Ireland in each year since 1997 were racially motivated; what steps he is taking to reduce these figures; and if he will make a statement. [133189]

Mr. Paul Murphy: It is not possible to provide statistics in the precise format requested. However, the table sets out the number of racial incidents reported to, and the total number of crimes recorded by, the police in Northern Ireland since 1997.

This Government condemns all racially motivated crimes and is committed to tackling such intolerance. Later this year I hope to publish a proposal for a draft Order in Council to enable the courts to deal more severely with crimes motivated by racist, sectarian, and homophobic hatred.

This measure will send out a clear message that racism has no place in our society.

Number of racial incidents reported and total number of crimes recorded in Northern Ireland, 1997–2002/03

	Number of racial incidents reported	*Number of recorded crimes*
1997	25	62,222
1998–99	93	109,053
1999–2000	237	119,111
2000–01	260	119,912
2001–02	185	139,786
2002–03	226	142,496

Source:
Police Service of Northern Ireland.

Disability Rights Task Force

Mr. Dodds: To ask the Secretary of State for Northern Ireland how many of the recommendations of the Disability Rights Task Force have been implemented in Northern Ireland and how many are still outstanding; and if he will list the recommendations in each case. [133238]

Mr. Spellar: It will not be possible to collate the information requested by the hon. Gentleman within the accepted timescale. I will write as soon as possible and place a copy of that letter in the Library.

E-commerce

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many Northern Ireland-based businesses he estimates trade using e-commerce website technology. [133868]

Mr. Pearson: It is estimated that 21 per cent. of businesses in Northern Ireland are trading online.

Source:
October 2002 DTI Annual Benchmarking Study, October 2002)

In response to the e-commerce needs of client companies, Invest Northern Ireland has developed a portfolio of support solutions to assist clients with the adoption of e-business technologies, both advisory and financial.

Fire Escapes

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland (1) what building regulations relating to fire escapes apply to *(a)* dwellings and *(b)* offices with three or more floors in Northern Ireland; [132089]

(2) what requirements relating to fire escape equipment are placed upon property developers building multi-floored *(a)* dwellings and *(b)* offices in Northern Ireland. [132090]

Mr. Paul Murphy: The Building Regulations (Northern Ireland) 2000 came into operation on 1 April 2001 and, with certain exemption, they apply to new buildings and existing buildings being altered or undergoing a material change of use, As such, they apply to dwellings and offices with three or more floors.

The regulations impose mandatory requirements and Part E of the regulations relates to fire safety. Regulation E2 *(c)* (Means of escape) requires that a building must be so designed and constructed that in the event of a fire there is adequate means of escape, which can be safely and effectively used at all material times.

In addition Regulation 5 of the Fire Precautions (Workplace) Regulations (NI) 2001 sets out the conditions to which employers must ensure emergency routes and exits in the workplace comply and the Fire Services (Northern Ireland) Order 1984 stipulates that District Councils should consult with the Fire Authority before approval is granted for certain planning applications.

Fort George (Derry)

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make it his policy that the purchase of Fort George in Derry from the integrated development fund does not detract from the overall investment available for Derry. [133006]

Mr. Pearson: As announced, at the launch of Ilex Urban Regeneration Company on 9 October 2003, the Department for Social Development and the Londonderry Port and Harbour Commission have reached agreement, in principle, on the purchase of Fort George and the case has been sent for urgent economic appraisal.

This investment, if confirmed, will be a call on the Integrated Development Fund (IDF). Any further calls on IDF will be assessed on a merit basis in line with the principles of IDF and the overall resources available, and must be fully supported by accompanying business case and appraisal. The purpose of the Integrated Development Fund is to provide additional support to strong wide-ranging partnerships initially in a small number of areas, one of which is the north west. This will enable the production and implementation of agreed comprehensive plans to develop and rejuvenate the area and communities in an integrated way.

I can confirm that the Fund's role is to remove blockages where there are no resources available from any other sources and it is not intended to be a replacement or substitute for existing mainstream funding which is in place or planned for Derry.

GM Crop Trials

Lady Hermon: To ask the Secretary of State for Northern Ireland what recent discussions he has had with ministers in the Department for Environment, Food and Rural Affairs on holding GM crop trials in Northern Ireland; and if he will make a statement. [134828]

Angela Smith: There have been no discussions with Ministers in the Department for Environment, Food and Rural Affairs on holding crop trials in Northern Ireland.

Individual Learning Accounts

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on the organisation of *(a)* revised individual learning accounts and *(b)* career development loans in Northern Ireland. [132787]

Jane Kennedy: The information is as follows:

Individual learning accounts

You will be aware that provision was not made in the Northern Ireland budget for a replacement ILA scheme in the 2003–04 financial year. The development work on a replacement individual learning account (ILA) scheme

will be taken account of in the light of the Review of Further Education and the development of the Skills Strategy. Consequently, the provision of adult learning in Northern Ireland will be reviewed in line with the recommendations contained in both documents. Despite the much-publicised difficulties with individual learning accounts, the approach proved popular and successful with learners and, for this reason, I anticipate that the model will be considered alongside other funding support mechanisms in the review of adult learning.

Career development loans

Work to date has indicated that the scale of potential demand in Northern Ireland for Career Development Loans Scheme renders a separate local arrangement unviable. Representatives from the Department have been in liaison with their counterparts in Great Britain to ascertain how we can work together to determine how Career Development Loans can be introduced into Northern Ireland. Great Britain has embarked upon a major review of adult learning that includes Career Development Loans. In light of this, I have asked the Department to keep abreast of developments, and await the outcome of the major review work prior to embarking on detailed plans to extend the GB scheme here.

Integrated Development Fund

Mr. Hume: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of plans for the Integrated Development Fund announced in March 2003 and on the quality of engagement with local key bodies and individuals; whether there will be technical support provided by the Departments; and whether there are safeguards to ensure that the fund is treated as additional rather than mainstream spending. [133008]

Mr. Pearson: The purpose of the Integrated Development Fund (IDF) is to provide additional support to strong wide-ranging partnerships initially in a small number of areas. On 12 August 2003, I formally invited bids from the Integrated Development Fund in the context of integrated development plans for the North West, West Belfast and Greater Shankill and the South Down fishing villages.

I can confirm that all the key local partner organisations have been engaging positively in each of the three areas to progress the development of integrated plans and identify the resources which may be required to support the plans.

Relevant Government Departments, in their role as active partner organisations, are involved in providing the necessary information and support, and helping to ensure that plans are consistent with existing Government strategies.

I have made clear that the monies available to the Fund are additional and intended to be used to remove particular blockages where there is compelling evidence that there are no resources available from any other sources, including Departments' own spending plans, for the purpose. The removal of such blockages should be seen to enable the full implementation of plans to go forward. The Fund is not intended to be a replacement or substitute for existing mainstream funding.

International Bodies

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the total cost of *(a)* the British-Irish Intergovernmental Conference, *(b)* the British-Irish Council and *(c)* the North-South Implementation Bodies has been since April 1998. [132095]

Mr. Paul Murphy: A breakdown of the costs in each year since December 1999, when these bodies were established, is set out as follows:

(a) The information requested by the hon. Member for Strangford on the total cost of the British-Irish Intergovernmental Conferences since 1999 can be obtained only at disproportionate cost. The expenditure of the British-Irish Intergovernmental Secretariat is met by the two governments and the cost to the British Government since 2 December 1999 is as follows:

	£000
1999–2000	[1]232
2000–01	488
2001–02	554
2002–03	539
2003–04	[2]287

[1] The BIIGC was established on 2 December 1999.The figure for that year covers the period 2 December 1999 to 31 March 2000.
[2] Provisional figure (April to September 2003).

(b) Each member of the British-Irish Council is responsible for the costs of its participation. The British and Irish Governments provide the secretariat for the Council, in co-ordination with officials of each of the other members, and bear the costs between them. It is, therefore, not possible to provide the total cost of the Council since its inception in December 1999.

(c) I refer the hon. Member to the answer given on 7 July 2003, *Official Report*, column 596W.

North/South Ministerial Council

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what the total cost has been since April 1998 of the North/South Ministerial Council. [132093]

Mr. Paul Murphy: The information requested in respect of the North/South Ministerial Council is set out in the table.

Period	*Total cost*
December 1999 to December 2000	1,027,000
January 2001 to December 2001	2,025,000
January 2002 to December 2002	1,525,790

The first meeting of the North/South Ministerial Council took place in December 1999. Financial information for the calendar year 2003 is not yet available.

Pension Credits

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the take-up rate for pension credits is in each Northern Ireland parliamentary constituency. [132792]

Mr. Spellar: Take-up refers to the percentage of those eligible who are actually claiming pension credit. As the number eligible for pension credit is not known, the take-up rate is also unknown. The numbers currently receiving pension credit and the numbers of people of pensionable age are shown in the table.

Parliamentary Constituency	*Number of Pension Credit Claimants*	*Number of Persons aged 60 and over (Census 2001 data)*
Unallocated	426	
Belfast East	3,742	19,076
Belfast North	5,848	18,745
Belfast South	3,194	16,989
Belfast West	5,867	13,725
East Antrim	2,772	15,329
East Londonderry	3,884	15,216
Fermanagh and South Tyrone	5,330	16,438
Foyle	4,974	14,275
Lagan Valley	3,181	17,928
Mid Ulster	4,722	13,067
Newry and Armagh	5,514	16,342
North Antrim	4,388	19,296
North Down	2,796	18,499
South Antrim	3,026	16,126
South Down	4,370	17,281
Strangford	3,410	17,727
Upper Bann	4,654	17,374
West Tyrone	4,779	13,481
Northern Ireland	76,877	296,912

Police Service Training College

Lady Hermon: To ask the Secretary of State for Northern Ireland what funding has been made available for the new Police Service of Northern Ireland training college; what progress has been made in identifying a site for the college; and if he will make a statement. [134821]

Mr. Paul Murphy: The project for the provision of a new police college is of key importance and has the Government's full commitment to see the project through to completion.

The project is being progressed by the Police College Project Board (chaired by the PSNI and with representatives from the NIO and Policing Board) and an Outline Business Case was recently approved by Treasury, allowing the project to proceed to procurement stage.

The procurement is to take the form of a Public Private Partnership (PPP), wherein the successful developer will incur all of the costs associated with the design, build and maintenance of the premises in return for an annual fee over the lifespan of the facility. Consultants have been appointed to project manage the scheme, for which full funding has been provided.

In relation to the site of the new college, the PSNI and the Policing Board have carried out an exercise to identify a suitable site for the location of the facility and this process is due to reach a conclusion shortly. Provision for funding has been made for the purchase of the site.

Public Disorder

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland how many public disorder incidents there were in the Cluan Place/Short Strand area from 1 June to 30 September in *(a)* 2003 and *(b)* 2002; and what (i) police man hours and (ii) the number of arrests were during the two periods. [132950]

Jane Kennedy: The table below lists the statistics requested in relation to Cluan Place/Short Strand for the years 2002 and 2003.

Year	*Incidents*	*Arrest*	*Man Hours*
2002	673	42	57,280
2003	141	5	14,373

School Pupil Statistics

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many pupils have been *(a)* identified as persistent non-attendees, *(b)* suspended and *(c)* expelled from school in each of the last five years, broken down by education and library board. [133879]

Jane Kennedy: Information on the number of pupils who have been referred because of poor attendance or suspension has be collected, on an agreed basis, from the education and library boards since 2000–01. Data for 2002–03 school year are not available yet and the following table is based on returns provided for the relevant school years.

	BELB	*NEELB*	*SEELB*	*SELB*	*WELB*
Referrals for poor attendance					
2000–01	2,207	2,344	1,323	2,634	1,878
2001–02	1,837	1,448	2,588	2,410	2,808
Pupils suspended from school					
2000–01	783	1,189	803	763	919
2001–02	1,277	1,107	916	914	882
Pupils expelled from school					
1997–98	17	14	4	20	25
1998–99	6	29	6	14	18
1999–2000	19	20	3	16	25
2000–01	5	29	11	22	19
2001–02	7	18	12	8	16

Skills Shortages

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many *(a)* enrolments and *(b)* graduations there were in each of the last three years in Northern Ireland further education colleges in (i) construction, (ii) computing, (iii) software engineering, (iv) electronics, (v) manufacturing engineering and (vi) hospitality, tourism and catering. [132795]

Jane Kennedy: The following tables show a breakdown of the requested statistics. The tables are independent of each other. The enrolment data relates to all students within each academic year. The achievement information is for students who gained their qualifications in the courses which they studied over one/two/three year's duration and took their examinations in the years detailed.

Enrolments

Subject Area	*1999–00*	*2000–01*	*2001–02*
Construction	6,113	7,482	8,290
Computing	22,772	31,661	25,705
Software Engineering	321	420	478
Electronics	2,011	2,198	1,886
Manufacturing Engineering	1,120	1,721	1,904
Hospitality, Tourism and Catering	6,138	5,987	4,901
Total	38,475	49,469	43,164

Achievements

	1999–00		*2000–01*		*2000–02*	
Subject Area	*Full awards*	*Partial passes*	*Full awards*	*Partial passes*	*Full awards*	*Partial passes*
Construction	1,872	318	1,845	414	2,624	258
Computing	9,538	919	12,962	1,204	12,570	1,182
Software Engineering	96	0	144	20	93	1
Electronics	513	155	540	159	631	121
Manufacturing Engineering	338	57	820	47	696	35
Hospitality, Tourism and Catering	2,027	507	2,211	459	1,610	275
Total	14,384	1,956	18,522	2,303	18,224	1,872

Written Answers to Questions

Tuesday 28 October 2003

SCOTLAND

Electronics Industry

6. **David Cairns:** To ask the Secretary of State for Scotland, recent discussions he has had with ministers in the Scottish Executive concerning the future of the Scottish electronics industry. [133811]

Mr. Darling: I have regular contact with Scottish Executive Ministers to discuss a wide range of issues affecting the Scottish economy.

Pension Rights

7. **Mr. Tom Clarke**: To ask the Secretary of State for Scotland, what discussions he has had with the Department of Trade and Industry and the Department for Work and Pensions about assistance for workers in Scotland whose companies are in receivership and whose pension rights might be jeopardised. [133813]

Mrs. McGuire: My right hon. Friend and I have regular discussions with ministerial colleagues on a variety of issues of relevance to Scotland.

On 11 June, my right hon. Friend the Secretary of State for Work and Pensions announced government proposals to introduce a range of measures on occupational pensions. In insolvency cases, the Pension Protection Fund will guarantee pension scheme members a specified minimum level of pension. The Government will also introduce a full buy-out provision for solvent companies who decide to wind up their schemes.

Pension Credit

8. **Mr. Savidge**: To ask the Secretary of State for Scotland, if he will make a statement on the uptake of pension credit in Scotland. [133814]

10. **Rosemary McKenna:** To ask the Secretary of State for Scotland what estimate he has made of the take-up of pension credit in Scotland. [133816]

Mrs. McGuire: My right hon. Friend launched the Pension Credit in Scotland on 3 October. Around 201,000 pension credit awards have been made to pensioner households in Scotland, benefiting approximately 235,000 individuals.

We are making every endeavour to ensure that all those eligible for Pension Credit take up their entitlement.

9. **Jim Sheridan:** To ask the Secretary of State for Scotland what action he is taking to promote pension credit uptake in Scotland. [133815]

Mrs. McGuire: My right hon. Friend launched the pension credit in Scotland on 3 October 2003.

The Pension Service will have written to every pensioner household by June 2004 to tell them about pension credit and help them decide whether to apply. To support this process, the Government are running a major TV and press advertising campaign.

Air Traffic Control

11. **Mr. Gray:** To ask the Secretary of State for Scotland if he will make a statement on proposed changes to the air traffic control infrastructure in Scotland. [133817]

Mr. Darling: I was pleased to be at Prestwick to welcome the recent announcement by National Air Traffic Services that they are to re-start works on the new Prestwick centre in the near future. Their two-centre strategy, based on Swanwick and Prestwick, will ensure that the UK continues to have one of the most modern, efficient and safe air traffic systems in the world.

Motoring Taxation

12. **Chris Grayling:** To ask the Secretary of State for Scotland when he proposes to meet *(a)* the Treasury and *(b)* the Scottish Executive to discuss motoring taxation as it affects Scotland. [133818]

Mrs. McGuire: My right hon. Friend and I have regular discussions with both the Treasury and the Scottish Executive about a variety of issues affecting Scotland.

Carlisle Airport

13. **Mr. Russell Brown:** To ask the Secretary of State for Scotland what discussions he has had with public sector bodies in Dumfries and Galloway about Carlisle airport and a possible financial contribution by them towards the airport's costs. [133819]

Mrs. McGuire: The Scotland Office has not taken part in any such discussions. Responsibility for economic development in Dumfries and Galloway rests with Scottish Ministers.

I understand that Scottish Enterprise Dumfries and Galloway are involved with the North West Development Agency in looking at the issues surrounding the financing of airport and route development at Carlisle.

Asylum Seekers (Dungavel)

14. **Mr. Connarty:** To ask the Secretary of State for Scotland what discussions he has had with the Home Office about the continued use of Dungavel for the detention of asylum seekers' children. [133820]

Mrs. McGuire: I have regular discussions with Home Office Ministers on asylum issues, including the operation of Dungavel Immigration Removal Centre. I most recently visited Dungavel on 20 October 2003 and was impressed by the high quality of the facilities for the children there and the conscientious and caring attitude of the staff.

Post Offices (Banking Services)

John Thurso: To ask the Secretary of State for Scotland what recent discussions he has held with *(a)* the Royal Bank of Scotland, *(b)* Halifax Bank of Scotland and *(c)* Clydesdale Bank concerning the provision of banking services in the Post Office; and if he will make a statement. [133526]

Mrs. McGuire: No recent discussions have taken place between Scottish banks and the Scotland Office on this subject. Scotland Office Ministers have taken a specific interest in the provision of banking services in Scotland and have also had discussions with Post Office Ltd. in relation to this.

Discussions are on-going between the Post Office and the banks to improve the level of services currently offered.

Water Industry

Mr. Rosindell: To ask the Secretary of State for Scotland when he last met members of the Scottish Executive to discuss employment in the water industry in Scotland. [134003]

Mrs. McGuire: Scotland Office Ministers have discussions from time to time with members of the Scottish Executive across a wide range of issues affecting Scotland. Management of the water industry is a devolved matter.

LEADER OF THE HOUSE

Aviation

37. **David Taylor:** To ask the Leader of the House what plans he has to bring forward proposals for pre-legislative scrutiny of a draft bill on aviation. [134533]

Mr. Woolas: My hon. Friend will be aware that I cannot reveal the Government's future legislative plans or pre-empt the contents of the Queen's Speech.

Information Technology

38. **Kevin Brennan:** To ask the Leader of the House what proposals he will put before the Select Committee on the Modernisation of the House of Commons on the use of information technology in Standing Committees. [134534]

Mr. Woolas: My right hon. Friend is conscious of the benefits which information technology can bring to Members serving on Standing Committees, as in other aspects of our work, but has no immediate plans to put proposals to the Modernisation Committee on this subject.

Pre-legislative Scrutiny

39. **Vera Baird:** To ask the Leader of the House what criteria he proposes for selecting draft legislation to be subject to pre-legislative scrutiny. [134535]

Mr. Woolas: My right hon. Friend's wish is that bills should be published in draft for pre-legislative scrutiny whenever time and the preparedness of the bill permits, as long as this is consistent with the overall interests of the legislative programme.

Conservative Party Funding

Norman Baker: To ask the Leader of the House how much he estimates will be paid to the Conservative Party out of public funds in the year 2003–04. [135097]

Mr. Hain: Short Money is allocated under three headings: general funding, travel expenses and the costs of the office of the Leader of the Opposition. The amounts available in the first two categories are determined by a formula based on the number of votes cast and the number of seats won in the last general election. The amounts available in 2003–04 for general funding and the office of the Leader of the Opposition are £2,935,041 and £548,102 respectively. Full travel expenses have yet to be claimed.

Cranborne Money is the House of Lords equivalent of Short Money. It must be used by the Official Opposition exclusively in relation to their parliamentary business. The amount available to the Official Opposition in the House of Lords for the 2003–04 financial year is £402,662.

In addition, section 12 of the Political Parties, Elections and Referendums Act 2000 established a policy development grant, which is a grant to a represented registered political party which meets the qualifying conditions to assist the party with the development of policies for inclusion in any manifesto. The total fund for 2003–04 is £2 million, the amount stipulated in the legislation, of which the Conservative Party will be paid £438,603[1]. The fund is administered by the Electoral Commission.

[1]*Source:*
Electoral Commission.

Official Transport

Norman Baker: To ask the Leader of the House if he will list the transport arrangements for which payment is made out of public funds to *(a)* the Prime Minister, *(b)* the Leader of the Conservative Party and *(c)* the Leader of the Liberal Democrats in their respective capacities; and what payments were made in each case in 2002–03. [135096]

Mr. Alexander: I have been asked to reply.

The travel arrangements for Ministers are set out in Travel by Ministers, a copy of which is in the Library of the House. The Leader of the Official Opposition is provided with a car for official duties associated with that office. The leader of the Liberal Democrats is not provided with an official car. For details of costs, I refer the hon. Member to the answer provided to the hon. Member for North Tayside (Pete Wishart), on 3 March 2003, *Official Report*, column 783W.

CHURCH COMMISSIONERS

Archbishop of Canterbury

Norman Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what proportion and how much of the total costs of the visit by the Archbishop of Canterbury to Rome in the first week of October were paid by the Church Commissioners; and of that sum, what proportion and how much relates to the cost for staff members, excluding the Archbishop, his wife and chaplain. [134346]

Mr. Bell: The total cost met by the Commissioners from within an annual budget set aside for the Archbishop for overseas travel was £2,100.

Of this amount, £227 (11 per cent. of the total) related to the cost for staff members.

Other members of the party and supporters were paid for by their respective offices or travelled at their own expense.

Church of England

Norman Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how much the Church of England has contributed since 1 June 2002 towards the costs of *(a)* the Anglican Commission, *(b)* the Anglican Consultative Council and *(c)* the Anglican Consultative Centre in Rome. [134345]

Mr. Bell: The Anglican Communion (not Commission) comprises 38 self-governing Anglican churches, including the Church of England. Each church is responsible for its own costs.

The member churches of the provinces of the Anglican Communion meet 85 per cent. of the Anglican Consultative Council's core budget income and the Church of England's contribution is provided by parishes via the Archbishops' Council. I understand from the Council that the current amount paid is £359,700 a year, which would amount to some £509,000 from 1 June 2002 to the present.

The Anglican Centre in Rome is financed by fundraising and is not a responsibility of the Church Commissioners. However, the Archbishop made a contribution of £2,500 from his discretionary funds in 2002.

CONSTITUTIONAL AFFAIRS

Criminal Justice Boards

23. **Mr. Allen**: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps the Lord Chancellor is taking to involve hon. Members in the work of local criminal justice boards. [134518]

Mr. Leslie: Local Criminal Justice Boards are newly formed partnership comprising key stakeholders including the Police, the Crown Prosecution Service, Probation and the Courts. As executive boards focused on improving the local criminal justice system, they need the ability to meet in private to discuss sensitive policy matters. However, it is possible for there to be more regular consultative discussions with hon. Members in particular, and for non-sensitive minutes of meetings to be published.

Legal Services (Consumer Choice)

24. **Ross Cranston:** To ask the Parliamentary Secretary, Department for Constitutional Affairs what recent progress the Lord Chancellor has made in increasing consumer choice in legal services. [134519]

Mr. Lammy: The Government have commissioned an independent review of the regulation of legal services aimed at promoting competition and innovation and improving services for consumers and we are reviewing future demand for legal services and the suppliers needed particularly in the publicly funded sector. We have already decided to open up the probate market to new providers, which should enable consumers to benefit from better and more cost effective services.

Stipendiary Magistrates

26. **Mr. Llwyd:** To ask the Parliamentary Secretary, Department for Constitutional Affairs how many stipendiary magistrates there are in England and Wales; and what the figure was in 1995. [134521]

Mr. Leslie: Stipendiary magistrates are now known as "District Judges (Magistrates' Courts)", and there are currently 108 in England and Wales, including the Senior and Deputy Senior District Judges. At the end of 1995, 92 full-time stipendiaries were in post.

House of Lords

27. **Ian Lucas:** To ask the Parliamentary Secretary, Department for Constitutional Affairs if the Secretary of State will bring forward proposals for an indirectly elected second chamber for the UK Parliament. [134523]

Mr. Leslie: As I announced to the House on 18 September, the Government proposes to introduce legislation, when parliamentary time allows, to put the House of Lords on a stable basis for the medium term. We are consulting on the details of our proposals and recognise that there is more to be done on Lords Reform after the removal of the remaining hereditary peerages.

Financial Penalties

29. **Mr. Leigh:** To ask the Parliamentary Secretary, Department for Constitutional Affairs what progress has been made in *(a)* improving the payment rate for financial penalties imposed by the courts and *(b)* implementing the recommendations made by the Committee of Public Accounts in its 68th Report, Session 2001–02, on the collection of fines and other financial penalties in the criminal justice systems. [134525]

Mr. Leslie: Sustained improvement in the fine payment rate is a key priority, and to deliver that my Department has established a wide-ranging programme of change to implement my 7-point action plan and to address the recommendations of the Public Accounts Committee. Furthermore I have now set a revised target for 2003–04 which gives a clearer focus to those involved in enforcement.

Land Registry

30. **Jim Knight:** To ask the Parliamentary Secretary, Department for Constitutional Affairs what progress has been made with putting the Land Registry on-line. [134526]

Mr. Lammy: Land Registry's key information services are already available online. The Department is also progressively enabling customers to make land registration transactions electronically, the culmination of which will be the introduction of a full electronic conveyancing system in England and Wales from 2006.

Legal Aid

31. **Tony Lloyd:** To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans the Lord Chancellor has to amend the workings of the legal aid system. [134527]

Mr. Lammy: The Government has a clear responsibility to ensure that we achieve value for money from the legal aid system. It seeks to achieve this through active monitoring and a programme of work which includes a major review of the demand, supply and purchasing arrangements for legal services, which will report in December.

Community Legal Service

Mr. Kidney: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assessment the Lord Chancellor has made of the effectiveness of community legal service partnerships in promoting increased access to legal advice and assistance. [134520]

Mr. Lammy: Since the launch of the CLS in April 2000 more than 200 Community Legal Service Partnerships have been set up, covering more than 99 per cent. of the population of England and Wales. These partnerships have been effective in identifying priority areas of unmet need for legal and advice services in their locality. The extent to which these Partnerships have been effective in getting advice to the right people at the right time will be folly examined by the Independent Review of the CLS, which is due to report in April 2004.

Judges' Lodgings

Mr. Dismore: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the judges' lodgings system. [134524]

Mr. Leslie: As I confirmed to the hon. Member in my written answer of 6 October 2003, it is our policy intention to introduce further efficiencies, particularly on rationalisation of Lodgings' ownership. I still hope to be in a position to make a more detailed statement later this year.

TRANSPORT

Imports

Denzil Davies: To ask the Secretary of State for Transport what percentage by volume of the goods imported into the United Kingdom in the latest available financial year were transported by *(a)* sea, *(b)* rail and *(c)* air. [133901]

Dr. Howells: In 2002[1], the estimated shares of goods (tonnes lifted) imported into the United Kingdom were as follows:

[1] Information is not available on a financial year basis.

	Percentage
Sea	95
Rail[1]	4
Air	Less than 1 per cent.

[1] Goods transported through the Channel Tunnel on through trains or on the freight shuttle.

Source:

DfT (sea), Eurotunnel (rail), Civil Aviation Authority (air)

Aviation Fuel

Mr. Kidney: To ask the Secretary of State for Transport what steps he is taking in *(a)* European and *(b)* international forums to promote a common approach to imposing tax on aviation fuel. [133959]

Mr. McNulty: This matter was last raised internationally at the ICAO 33rd Assembly in 2001, when the overwhelming majority of States spoke out against the introduction of a tax on aviation fuel. Analysis by the European Commission has also suggested that an EU-wide tax would deliver minimal environmental benefit. However, the Government remain committed to finding alternative ways of applying the 'polluter pays' concept to civil aviation. Information is contained in the joint HM Treasury/ Department for Transport discussion document "Aviation and the Environment: Using Economic Instruments", published in March 2003.

Bus Services

Mr. Kidney: To ask the Secretary of State for Transport what conclusions he has reached following his review of fuel duty rebate for operators of bus services. [134266]

Mr. McNulty: The Chancellor's Budget statement in April 2003 announced that the review of bus subsidies would be continuing in the context of the review of the 10-year transport plan. This is being taken forward in line with Spending Review 2004 and is expected to conclude next summer.

Mr. Don Foster: To ask the Secretary of State for Transport pursuant to his answer of 16 June 2003, *Official Report*, column 26W, on transport policies, what measures he has taken to disseminate good practice in the bus sector to *(a)* individual authorities, *(b)* bus companies, *(c)* regulators and *(d)* professional and trade bodies, including trade unions, listing the (i) cost, (ii) means of dissemination and (iii) what assessment has been made in each case; and if he will make a statement. [133985]

Mr. McNulty: The Department takes many measures to disseminate good practice in the bus sector, both

alone and in partnership with other stakeholders. It is not possible to allocate costs and benefits in the form set out in the question.

For example, the Department has published:

(a) good practice guidance on Quality Bus Partnerships, aimed at both local authorities and operators (2001); and

(b) "Get on Board: an Agenda for Improving Personal Security in Bus Travel" (April 2002), including guidance and best practice case studies on measures that can be taken by bus companies and local authorities concerning crime and anti-social behaviour in bus travel.

The Bus Partnership Forum, which I chair, brings together senior representatives from the bus industry, central and local government and has produced:

(a) a report on Understanding Customer Needs, of value to both operators and local authorities;

(b) a code of conduct on Service Stability to encourage local authorities and operators to agree to limit timetable changes to specific dates; and

(c) an information pack, "Bus Priority: The Way Ahead", to help local authorities get the most out of bus priority measures.

The Government have established the Safer Travel on Buses and Coaches Panel (STOP), bringing together bus operators, local authorities, police, unions, and other stakeholders to exchange and disseminate best practice in tackling problems caused by crime and anti-social behaviour around bus and coach travel.

The Department will shortly be publishing three further good practice guides:

(a) "Rural Bus Service Provision", drawing on experience with Rural Bus Grant and the Rural Bus Challenge, and aimed at local authority officers and elected Members, transport operators and other local interest groups;

(b) guidance on local authority procurement of local bus services, replacing existing guidance published in 1999, and aimed chiefly at local authorities; and

(c) protecting bus and coach crews, updating the 1995 booklet which advises bus drivers and crews, operators and local authorities on measures they can take to reduce the incidence and fear of crime and anti-social behaviour in bus travel.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures he has taken to encourage *(a)* local authorities and *(b)* bus companies to promote the use of quality bus corridors; and if he will make a statement; [133986]

(2) if he will list the *(a)* local authorities and *(b)* bus companies involved in quality bus corridors, listing the (i) number of passengers carried (A) before and (B) after implementation, (ii) number of services run and (iii) length of the schemes involved; and if he will make a statement; [133987]

(3) what specific measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to enter into a quality bus partnership; and if he will make a statement; [134024]

(4) if he will list the *(a)* local authorities and *(b)* bus companies which have entered into a quality bus partnership; how many passengers have been carried; how many services have been run; and if he will make a statement. [134025]

Mr. McNulty: The Department provides funding to local authorities for bus priority measures such as quality bus corridors which, in 2002–03, put in place almost 900 kilometres of improved bus routes.

The Department has published Good Practice Guidance on Quality Bus Partnerships and has facilitated their provision on a statutory basis through powers in the Transport Act 2000, making them enforceable by traffic commissioners. Many such partnerships comprise one or more bus corridor improvements.

The Bus Partnership Forum has published an information pack, "Bus Priority: The Way Ahead", to help local authorities get the most out of bus priority measures including bus corridors.

Research shows that quality partnership schemes typically increase bus patronage by between 5 per cent. and 20 per cent. within the first 12 months of operation. These schemes also contribute towards modal shift, with surveys showing that around 33 per cent. of new users had previously undertaken their journey by car.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to simplify fare structures on buses to a flat-rate for all inner-city single journeys; and if he will make a statement; [133988]

(2) if he will list the *(a)* local authorities and *(b)* bus companies that have simplified their fare structure on buses to a flat-rate for all inner-city single journeys, listing (i) the number of passengers carried (A) before and (B) after implementation and (ii) the number of services run; and if he will make a statement. [133989]

Mr. McNulty: The setting of bus fares in a deregulated market is a matter of commercial decision for bus operators. The appropriateness of a flat-rate fare system (with concessions for those statutorily entitled to them) will depend on the size of the urban area concerned and on travel patterns within it. Many operators are simplifying their fare structures in the light of evidence that this is what customers prefer.

The Department's booklet, "Protecting Bus and Coach Crews", advises that simplifying fare structures can reduce the scope for disputes between passengers and drivers. This booklet is currently being revised by the Safer Travel on Buses and Coaches Panel (STOP).

In April 2002, the Department published "Get on Board: an Agenda for Improving Personal Security in Bus Travel", including advice to operators and local authorities on using fare structures to reduce the scope for conflict between drivers and passengers.

The Government do not collect data on flat-rate fare schemes.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to create integrated bus/rail links; and if he will make a statement; [134015]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which have created integrated bus/rail links; how many passengers were carried on the bus services

(i) before and (ii) after implementation; how many bus services have been run; and if he will make a statement. [134016]

Mr. McNulty: The Department's Local Transport Plan (LTP) funding provides local authorities with the resources from which they can develop bus/rail interchange facilities. The LTP guidance highlights the benefits of developing seamless travel conditions at interchange points where rail and bus services can dovetail to enable fully integrated journeys.

The West Yorkshire Passenger Transport Authority which has Centre of Excellence status, has, for example, developed a network of modern bus interchanges in the major urban centres of the county many of which provide bus/rail links. These have the latest designs which have resulted in significant improvements in user satisfaction, and increases in passenger throughputs. They are also developing a significant number of bus/rail interchange facilities at smaller rail stations.

The statistical information requested here is not available.

Mr. Don Foster: To ask the Secretary of State for Transport which *(a)* local authorities and *(b)* bus companies operate a hail-and-ride system, broken down by (i) number of passengers carried, (ii) length of schemes and (iii) number of services run; and if he will make a statement. [134021]

Mr. McNulty: Hail-and-ride has been in common use for many years outside main urban centres. Registration documents lodged with the Traffic Commissioners record the stopping arrangements for services, including whether they are wholly or partly operated on a hail-and-ride basis, but the statistical information requested here is not available.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to operate a buy before boarding ticket system; and if he will make a statement; [134026]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which operate a buy before boarding ticket system, providing details of (i) the number of passengers carried (A) 12 months before and (B) after implementation and (ii) the number of services run; and if he will make a statement. [134027]

Mr. McNulty: Information about where bus tickets are sold is not held centrally. This is essentially a matter for local decision. Multi-journey tickets, particularly weekly and monthly travelcards and carnets, are commonly sold off the vehicle.

The Department's booklet "Protecting Bus and Coach Crews" advises that the use of pre-paid tickets reduces the scope for disputes between passengers and drivers and the risk of theft created by carrying large amounts of cash on the bus. This booklet is currently being revised by the Safer Travel on Buses and Coaches Panel (STOP).

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to offer combined ticketing for bus, rail and taxi journeys; and if he will make a statement; [134028]

(2) if he will list the *(a)* local authorities and *(b)* bus companies that offer combined tickets for bus, rail and taxi journeys; how many (i) passengers use the joint service and (ii) services run; and if he will make a statement. [134029]

Mr. McNulty: The Transport Act 2000 empowers local authorities to make ticketing schemes covering local bus services which may include travel on connecting rail or tram services. Operators themselves may agree inter-available tickets within the terms of the Public Transport Ticketing Schemes Block Exemption Order. This Order covers journeys by bus, rail, tram or ferry.

The "Plus-bus" scheme run by "Journey Solutions" and funded by transport operators, provides an add-on bus option to rail tickets at either or both ends of a train journey. Plus-bus is currently available at 135 stations across the rail network, and is being rolled out to every major town and city in Great Britain.

Various other combined ticketing schemes are available, particularly in major conurbations. Their terms and conditions vary from time to time and it would not be practical for central Government to collect data on them, or the number of passengers using them.

Mr. Don Foster: To ask the Secretary of State for Transport (1) if he will list the *(a)* local authorities and *(b)* bus companies which provide a route from rural train stations to towns not served by rail; and how many (i) passengers are carried and (ii) services there were; and if he will make a statement; [134030]

(2) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to implement hub-and-spoke rural bus systems; and if he will make a statement; [134036]

(3) if he will list the *(a)* local authorities and *(b)* bus companies which operate hub-and-spoke rural bus systems; how many (i) passengers were carried and (ii) services were run (A) 12 months before and (B) after implementation; and if he will make a statement; [134037]

(4) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to set up bus routes from rural train stations to towns not served by rail; and if he will make a statement. [134099]

Mr. McNulty: The Department is providing significant funding to improve rural bus services through the Rural Bus Subsidy Grant (RBSG) and Rural Bus Challenge (RBC). This has enabled local authorities to address the transport needs of rural communities, including where necessary the provision of services from rural train stations.

The Department has recently conducted research on the impact of RBSG and RBC funding. This showed, for example, that in allocating RBSG, several authorities gave attention to reducing barriers to travel and promoting social inclusion, by considering access and interchange requirements. More than a quarter of the authorities responding to the study's survey, specifically sponsored services that provided improved bus-rail interchange.

The research also showed that RBC funding has allowed and encouraged the development of complex schemes involving feeder services to main routes. In Lincolnshire, for instance, the Interconnect scheme has sought to remove barriers to travel by combining infrastructure and vehicle improvements with new service patterns revolving around guaranteed interchange and, increasingly, demand responsive transport.

The Department's Local Transport Plan funding has also enabled examples of good practice in rural rail/bus links. Cornwall which is one of the Centres of Excellence has established the first "bus branch line" in the UK. Work on the project, which fully integrates rail and bus services was completed in September 2000 and the service now operates between Redruth train station and Helston.

The statistical information requested here is not available.

Mr. Don Foster: To ask the Secretary of State for Transport what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to install seating on buses where seats face each other; and if he will make a statement. [134031]

Mr. McNulty: No measures have been taken to encourage either local authorities or bus companies to install seats that face each other. It is for the operators and those requiring the service to determine the best design for the seating arrangements that will get the optimum use on the route the vehicle is required for.

Mr. Don Foster: To ask the Secretary of State for Transport what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to enforce bus lane restrictions with (i) staff and (ii) cameras; and if he will make a statement. [134032]

Mr. McNulty: The use of bus priority measures, including bus lanes, as a way of providing attractive and reliable bus services has been encouraged by Local Transport Note 1/97 "Keeping Buses Moving", Traffic Advisory Leaflet 6/01 "Bus Priority" and the Bus Priority Resource Pack "The Way Ahead" published in September this year. Each of these publications points to the importance of enforcement to the extent that the priority measures in question are not self-enforcing.

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the *(a)* local authorities and *(b)* bus companies that have enforced their bus lane restrictions with (i) staff and (ii) cameras; how many (A) prosecutions for infringement there are (1) 12 months before and (2) after implementation, (B) staff are employed and (C) cameras are set up; and if he will make a statement. [134033]

Mr. McNulty: Responsibility for enforcement of bus lanes rests with the police or local authorities with civil enforcement powers. Information in the form requested is not collected centrally.

Civil enforcement of bus lanes in London by London local authorities and Transport for London (TfL) has been enabled by powers contained in Part II of the London Local Authorities Act 1996. Such enforcement is carried out using bus mounted cameras, roadside cameras and closed circuit television cameras. Under the bus lane enforcement camera project run by TfL, 836 buses have been equipped with cameras and 46 roadside cameras have been installed to date. In addition, the following 12 London authorities are currently using closed circuit television cameras to enforce bus lanes in their areas: Bexley, Camden, Croydon, Ealing, Enfield, Hammersmith and Fulham, Haringey, Lambeth, Newham, Southwark, Waltham Forest and Wandsworth. In 2001–02, 290,231 penalty charge notices were issued by London local authorities and TfL for bus lane contraventions.

Regulations under section 144 of the Transport Act 2000 enabling civil enforcement of bus lanes by local authorities outside London are in preparation.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures he has taken to encourage *(a)* local authorities and *(b)* bus companies to improve the regularity of bus timetabling for rural services; and if he will make a statement; [134034]

(2) if he will list the *(a)* local authorities and *(b)* bus companies that have improved the regularity of bus timetabling for rural services; how many (i) passengers were carried and (ii) services were run (A) 12 months before and (B) after implementation; and if he will make a statement. [134035]

Mr. McNulty: The Bus Partnership Forum encourages operators and local authorities to agree to limit the dates on which timetable changes are made and has produced a Code of Conduct on Service Stability for implementation locally, which was placed on the Department's website in May 2003. This code should help to stabilise the timetabling of services in rural areas, among others, but it is too soon to monitor any improvement.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to offer reduced-rate tickets for (i) pensioners, (ii) people with disabilities, (iii) children under 16 and (iv) people between the ages of 16 and 19 in full-time education; and if he will make a statement; [134078]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which have implemented reduced-rate tickets for (i) pensioners, (ii) people with disabilities, (iii) children under 16 and (iv) people between the ages of 16 and 19 in full-time education in the last five years; how many passengers were carried (A) before and (B) after implementation; and if he will make a statement. [134079]

Mr. McNulty: From June 2001 the Transport Act 2000 provides a standard minimum requirement for concessionary travel in England which guarantees half fares for all pensioners and disabled people on local buses, with no charge for the pass. Local authorities may make more generous provision at their discretion. From 1 April this year concessionary travel schemes are available to men aged 60 to 64, bringing them into line with women of the same age.

Free travel to and from school is provided by local education authorities under the education acts for schoolchildren up to the age of 16 living more than the

statutory walking distances from school. Under the Transport Act 1985 local authorities have a power to provide concessionary travel for school children, and for young people aged 16 to 19 who are undergoing full-time education (see table). That power applies to all journeys, not just those to or from school. Some bus operators offer reduced fares for young people on a commercial basis. These schemes will vary from time to time. In addition the Connexions Card project offers a range of commercial discounts for all 16 to 19-year-olds and the card is capable of carrying existing travel concessions.

We do not collect information on what bus companies offer for these groups of people, nor on how many passengers were carried before and after implementation of any discount schemes, many of which have been in place for many years.

In 2001 the Department carried out a survey about local authority concessionary travel in England. This survey showed that in 2001 the following authorities provided concessionary travel, at their discretion, for children and young people of the following age categories:

Under 16	*16 years*	*Students*
Unitaries		
Derby City	East Riding of Yorkshire	Darlington
East Riding of Yorkshire	Milton Keynes	Derby City
Isle of Wight	North East Lincolnshire	East Riding of Yorkshire
Kingston upon Hull	North Lincolnshire	Hartlepool
Milton Keynes	Plymouth	Isle of Wight
North East Lincolnshire	York	Kingston upon Hull
North Lincolnshire		Middlesbrough
Swindon		Milton Keynes
York		North East Lincolnshire
		North Lincolnshire
		Redcar and Cleveland
		Stockton on Tees
		Telford and Wrekin
		Warrington
		Windsor and Maidenhead
Counties		
Derbyshire	Durham	Cornwall
Durham	Hertfordshire	Derbyshire
Hertfordshire	Northumberland	Hertfordshire
Northumberland		Northumberland
		Surrey
Passenger transport authorities		
Greater Manchester	Greater Manchester	Greater Manchester
Merseyside	South Yorkshire	South Yorkshire
South Yorkshire	Tyne and Wear	Tyne and Wear
Tyne and Wear	West Midlands	West Midlands
West Midlands	West Yorkshire	West Yorkshire
West Yorkshire		
Transport for London (TFL)	TFL	TFL

Mr. Don Foster: To ask the Secretary of State for Transport what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to use low-emission buses; and if he will make a statement. [134080]

Mr. McNulty: The Powering Future Vehicles strategy set a target that:

> "By 2012, 600 or more buses coming into operation per year will be low carbon".

I recently announced a Low Carbon Bus Challenge, offering financial support under the DfT's TransportEnergy programme for bus operators to introduce and demonstrate fleets of low carbon buses. Bus operators are invited to submit expressions of interest by the end of the year.

In addition, TransportEnergy provides grants for cleaner fuelled buses and for the retrofitting of pollution reducing equipment to existing buses and are providing funds for the CUTE (Clean Urban Transport for Europe) Hydrogen bus project in London. They have also produced and widely distributed "The Route to Cleaner Buses: A Guide to Operating Cleaner, Low Carbon Buses".

Mr. Don Foster: To ask the Secretary of State for Transport if he will list the *(a)* local authorities and *(b)* bus companies using low-emission buses; what the level of emissions was (i) before and (ii) after implementation; and if he will make a statement. [134081]

Mr. McNulty: The Department has, through the TransportEnergy programme, given financial support for the purchase of 38 cleaner fuelled buses and the fitting of 4,898 buses with pollution reducing equipment. The Energy Saving Trust, which manages the programme, estimate that over the life time of these vehicles, emissions of NOx will be 4,340 tonnes less and PM10 will be 709 tonnes less. The Energy Saving Trust do not hold information on other operators using such buses.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to increase public awareness through improved advertising of bus services; and if he will make a statement; [134082]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which have improved advertising of bus services in the last five years; what estimate he has made of the number of passengers carried (i) before and (ii) after advertising campaigns; and if he will make a statement. [134083]

Mr. McNulty: The Bus Partnership Forum recently produced a report, "Understanding Customer Needs", which was placed on the Department's website in May 2003, and has been widely publicised among operators and local authorities. The report gives many examples where intelligent marketing and branding of bus services has increased public awareness, and hence patronage of the services.

The Department does not evaluate the effect of advertising campaigns by local authorities or bus companies.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies, to introduce yellow school buses; and if he will make a statement; [134084]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which have introduced yellow school buses; how many (i) passengers were carried and (ii) services were run in the last period for which figures are available; and if he will make a statement. [134085]

Mr. McNulty: The Department for Transport has commissioned an independent evaluation of yellow school bus schemes. The evaluation is now almost complete and we expect to publish the final report, which will include an analysis of the various dedicated school bus schemes currently in operation, within the next few weeks. We will make a statement at that time.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to fit bicycle racks on buses; and if he will make a statement; [134086]

(2) if he will list the *(a)* local authorities and *(b)* bus companies which have fitted bicycle racks on buses; what estimate he has made of the number of passengers carrying bicycles (i) before and (ii) after implementation; and if he will make a statement. [134087]

Mr. McNulty: The Department recognises that combined bicycle and bus journeys have the potential to increase the market of operators as well as enabling people to use bicycles for part of a longer journey. It has encouraged local authorities and bus operators to improve the provision of cycle and bus journeys.

The Department has funded the production of advice leaflets on combined cycle and bus journeys. The National Cycling Forum (since renamed as the National Cycling Strategy Board for England) has published:

"Issues for Public Transport Planners and Operators"—advising public transport operators of the commercial gains that can be made by encouraging combined cycling and public transport;

"Combined Bicycle and Bus or Coach Journeys"—a good practice guidance on all aspects of cycle and bus journeys including carriage, access and information and cycle parking at bus stations; and

"Model Conditions of Carriage—Accommodating the Bicycle on Bus and Coach", that provides a basic model for operators to adopt on carriage.

The Department has also commissioned research on the implications of fitting bicycle racks to the fronts of buses, the results of which are expected to be published later this year.

We have also funded a number of schemes involving cycle racks on buses, for example, through the Rural Bus Challenge competition in separate projects in Cornwall, Shropshire and Cumbria.

The statistical information requested here is not available.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what measures have been taken to encourage *(a)* local authorities and *(b)* bus companies to provide seat belts on buses; and if he will make a statement; [134088]

(2) if he will list the *(a)* local authorities and *(b)* bus companies that have fitted seat belts on buses in the last five years; how many (i) deaths, (ii) serious injuries and (iii) injuries there were (A) before and (B) after implementation; and if he will make a statement. [134089]

Mr. McNulty: This information on individual local authorities and companies is not available. However, there has been a progressive increase in the provision of seat belts on buses over the last six years. This has been due to:

(i) legislation implemented from February 1997 to require children on organised trips in minibuses and coaches to be provided with seat belts, and

(ii) legislation requiring all buses registered since October 2001 (apart from those specifically designed for standing passengers) to have seat belts provided for all forward and rearward-facing seats.

Figures for fatal, serious and slight injuries to seated bus and coach passengers in Great Britain over the last 10 years are given in the table.

	Killed	*Serious*	*Slight*
1993	17	264	4,357
1994	11	320	5,039
1995	28	350	4,430
1996	4	264	4,800
1997	6	209	4,865
1998	10	242	5,216
1999	4	278	5,707
2000	4	255	5,477
2001	4	231	5,466
2002	9	219	4,869

Concessionary Travel Schemes

Mr. Djanogly: To ask the Secretary of State for Transport (1) what estimate he has made of the potential costs to *(a)* each local authority, *(b)* London boroughs and *(c)* local government as a whole, of replacing the national minimum standards for concessionary travel schemes for people over the age of 60 with a 100 per cent. discount on fares for people over the age of 70; [134384]

(2) what estimate he has made of the change in the local government finance settlement necessary fully to reimburse local government for the costs of replacing the national minimum standards for concessionary travel schemes for people aged over 60 with schemes providing travel tokens worth *(a)* £25 and *(b)* £50 to (i) to people aged over 60, (ii) all pensioners and (iii) to people aged over 70; [134385]

(3) what estimate he has made of the potential cost to *(a)* each local authority, *(b)* the London boroughs and *(c)* local government as a whole of replacing the national minimum standards for concessionary travel schemes for people aged over 60 with schemes providing travel tokens worth (i) £25 and (ii) £50 to (A) to people aged over 60, (B) all pensioners and (C) to people aged over 70; [134386]

(4) what estimate he has made of the change in the local government finance settlement necessary to reimburse fully local government for the costs of replacing the national minimum standards for concessionary travel schemes for people over the age of 60 with a 100 per cent. discount on fares for people over the age of 70. [134387]

Mr. McNulty: The extension this year of the minimum statutory requirement to men aged 60–65 cost £50 million per year. The Government does not plan further extensions of concessionary fares. We estimate that free concessionary travel for pensioners in England (women aged 60 and over, men aged 65 and over) would cost in excess of an extra £300 million a year. We have not costed all the variants listed in the question and could do so only at disproportionate cost.

Cycling

Jane Griffiths: To ask the Secretary of State for Transport what consultations were held during the preparation of the school based cycle helmet awareness programme booklet with the *(a)* Schools Travel Advisory Group, *(b)* Health Development Agency, *(c)* Sports and Physical Activity Board, *(d)* National Cycling Strategy Board, *(e)* cycle user groups and *(f)* other bodies. [135018]

Mr. Jamieson: The Department has not produced a school based cycle helmet awareness programme booklet. However the Bicycle Helmet Initiative Trust has produced, "Guidelines for setting up a successful school based helmet awareness programme" booklet with Government grant financing some of the costs. The principal aims of the BHIT guidelines, to encourage school children to wear cycle helmets, are consistent with Government policy.

Dealing with Disadvantage Project

Mr. Chope: To ask the Secretary of State for Transport if he will list the local authorities which have applied to his Department for special Dealing with Disadvantage grants; and if he will set out the criteria used in deciding upon the successful applications. [134745]

Mr. Jamieson *[holding answer 27 October 2003]:* Applications for Dealing with Disadvantage funds have been made by:

Blackburn with Darwen, Blackpool, Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Wigan.

Further applications have been invited from:

Bradford, Liverpool, Nottingham, Sandwell.

The criteria by which applications are judged are: a clear understanding of the road safety problems associated with disadvantage in the council's area; the relevance of the proposals to those problems; the likelihood of those proposals addressing the issues; the extent to which other programmes, such as Neighbourhood Renewal, have been linked to the proposal.

Dover Harbour Board

Mr. Chope: To ask the Secretary of State for Transport how many members of the Dover Harbour Board are appointed by his Department; and if he will make a statement on future policy relating to such appointments. [135032]

Mr. Jamieson: Seven board members, including the Chairman, are appointed by the Secretary of State to the Dover Harbour Board (DHB).

Government appointments to the DHB are made in strict accord with its policy on the appointment of all non-executive directors and board members of public bodies and we abide by guidelines set out by the Office of the Commissioner for Public Appointments (OCPA). We have no current plans to alter this policy.

Driving Licence Applications

Mr. George Howarth: To ask the Secretary of State for Transport what his target is for the time taken to process a provisional driving licence application from the date of receipt to the applicant receiving the licence, in cases where the applicant indicates that they have a relevant medical condition; and what proportion of licences were issued within this target in each of the last three years. [134663]

Mr. Jamieson: The Driver and Vehicle Licensing Agency's published charter standards for dealing with applications, where a medical condition has to be considered, are as follows:

(a) if a decision can be made based on the information originally provided by the applicant, the Agency aims to make a decision on 97.5 per cent. of cases within 15 working days;

(b) if further information is needed about the medical condition from the applicant, his doctors or other sources, the Agency aims to make a decision on 80 per cent. of cases within 90 working days.

The Agency has reported against these standards since April 2002. In financial year 2002–03, the cumulative performance was for *(a)* 98 per cent. of cases were cleared within 15 working days and for *(b)* 80.2 per cent. of cases were cleared within 90 working days.

Since April this year, the cumulative performance is for *(a)* 95.4 per cent. of cases have been cleared within 15 working days and for *(b)* 78.7 per cent. of cases have been cleared within 90 working days.

No separate figures are available for provisional driving licence applications.

Road Deaths

Lynne Jones: To ask the Secretary of State for Transport pursuant to his answer of 15 October 2003,

Official Report, column 240W, on road deaths, whether the information provided by the Dutch on new traffic arrangements at various sites in North Holland indicated decreases in casualties; and what reasons were given by the two UK authorities for considering more familiar techniques rather than the measures used in North Holland. [134106]

Dr. Howells: Information was supplied on 15 locations in North Holland that had been treated in innovative ways. Only two of the locations had an injury accident record showing more than one injury per year (one had two in a single year, one had three). Of the 15 treatments, 13 were neutral in their influence on injuries, one may have saved injuries and one may have put injuries up. In all cases, though, the casualty numbers are very small.

No specific reasons were given by UK authorities, in discussion with Department officials, for not including measures used in North Holland. The discussions took place while the authorities were considering various approaches in the design of traffic management for the areas under consideration. Removing traffic signals was just one technique in the approach used in North Holland for sharing space. We are not aware that either of the UK sites had traffic signals but the authorities were considering a range of techniques similar to those used in North Holland. Lower vehicle speeds plays a key part in this. Reducing the dominance of motor vehicles allow alternative urban treatments aimed at providing a more equal allocation of space for all road users.

Road Vehicles Construction and Use Regulations

Mr. Chope: To ask the Secretary of State for Transport if he will place in the Library a regulatory risk assessment of the proposal to amend the Road Vehicles Construction and Use Regulations in respect of tinted windows. [135029]

Mr. Jamieson: No assessment was produced because the regulation amendment did not change anything—it merely clarified an existing provision of law.

US Reserve Fleet

Norman Baker: To ask the Secretary of State for Transport what communications he has received, and on what date, from the right hon. Member for Hartlepool (Mr. Mandelson) in respect of the proposal to bring ships from the US Reserve Fleet to Teesside for disposal; and if he will make a statement. [133292]

Mr. McNulty *[holding answer 20 October 2003]:* Correspondence between the Department and its correspondents is treated in confidence unless the originator chooses to make it public.

Vehicle Excise Duty Offences

Mr. Chope: To ask the Secretary of State for Transport if he will place in the Library the terms of the netting off arrangement agreed between his Department and Her Majesty's Treasury in relation to the costs and penalty income arising from vehicle excise duty offences. [134746]

Mr. Jamieson *[holding answer 27 October 2003]:* The terms of the netting off arrangement are contained in the "Proposed governance arrangements for the cost recovery system for continuous registration" document which has been placed in the Libraries of the House.

Mr. Chope: To ask the Secretary of State for Transport if he will make a statement on the components of the cost estimate over three years to the DVLA in implementing continuous registration; and what he estimates will be the gross proceeds from penalties levied on vehicle excise duty offenders. [134747]

Mr. Jamieson *[holding answer 27 October 2003]:* The components of the cost estimate over three years in implementing continuous registration are contained in the "Proposed governance arrangements for the cost recovery system for continuous registration" document which will be placed in the Library of the House. The cost information appears on page 1–9 paragraph 1.3.

Vehicle Registration

Mr. Chope: To ask the Secretary of State for Transport how many vehicles are outside the vehicle registration system; and how many of these will be brought back into the system through the measures set out in the Regulatory Impact Assessment for the Road Vehicles (Registration and Licensing) (Amendment) (No 3) Regulations 2003. [134749]

Mr. Jamieson *[holding answer 27 October 2003]:* These are currently 2.1 million vehicles on the vehicle record with no current keeper details, although not all of these will be in use on our roads.

As I announced on 22 May, I have set the DVLA tough new targets in relation to Continuous Registration, which have to be achieved by 2007. One objective is to halve the number of vehicles outside the system, either by relicensing them or by removing them from the road.

The purpose of the regulations is to stop further seepage out of the system by making keepers of vehicles responsible for taxing them until the DVLA are informed that the vehicle has been sold or taken off the road. This will be assisted by enhanced checking procedures for the identity of new keepers when DVLA is informed of a change of keeper.

In addition, as a result of the publicity that will accompany the new arrangements, it is anticipated that many unlicensed vehicles will be brought back onto the register by their keepers relicensing them.

Vehicles outside the system will be dealt with through enhanced enforcement measures—mainly wheel clamping and removal—undertaken by the DVLA. Since April 2002 local authorities can now take on the powers of DVLA in clamping unlicensed vehicles. 14 authorities have these powers already, three are being inducted into their use currently and a further 27 are in talks with DVLA about taking on these powers. This will complement DVLA's own wheel clamping capacity and will ensure that vehicles currently outside the system are properly dealt with.

WALES

Asbestos

Dr. Cable: To ask the Secretary of State for Wales pursuant to his answer of 1 July 2003, *Official Report,* column 258W, on asbestos, if he will list the buildings which have been identified as containing asbestos. [130944]

Mr. Touhig: Following the Asbestos Survey of 2002, Gwydyr House was found to contain asbestos.

Miners' Compensation

Donald Anderson: To ask the Secretary of State for Wales how much has been paid under the *(a)* chronic obstructive pulmonary disease and *(b)* vibration white finger schemes in Wales, broken down by constituency. [133248]

Mr. Touhig: I will write to my right hon. Friend as soon as possible and place a copy of the letter in the House of Commons Library.

DEFENCE

Draft EU Constitution

Mr. Redwood: To ask the Secretary of State for Defence what commitments of capability the UK plans to make to the EU under Articles III—210 to 214 of the Draft EU Constitution. [134312]

Mr. Hoon: The EU's Headline Goal, towards which the UK has offered a substantial military contribution, is due to be reviewed. The review will need to take account of the strategic environment, including the outcome of negotiations on the draft Treaty. The Government will then consider whether any changes to the UK contribution are appropriate. Under the draft Treaty, the commitment of national resources by Member States to ESDP operations will as now be based on their sovereign decisions.

European Armaments Agency

Mr. Redwood: To ask the Secretary of State for Defence (1) what budget is planned for the first year of the European Armaments, Research and Military Capabilities Agency. [134313]

(2) what level of *(a)* financial and *(b)* personnel commitment the UK plans to make to the European Armaments, Research and Military Capabilities Agency. [134314]

Mr. Hoon: The organisational and financial arrangements, including the contributions to be made by individual Member States, for the proposed European agency in the field of defence capabilities development, research, acquisition and armaments are under discussion with European partners.

Ex-service Personnel

Mr. Wray: To ask the Secretary of State for Defence what help is given to ex-service personnel who have difficulty in returning to civilian life; and if he will make a statement on his assessment of the emotional changes that can result. [121522]

Mr. Caplin: In my statement of 17 September 2003, *Official Report,* column 51WS, I drew Member's attention to the King's College London research paper published on the same day. It confirmed the MOD's assessment that although joining the armed forces is generally a positive experience, with the overwhelming majority of Service Personnel who have difficulty making the transition back to civilian life. Personnel most vulnerable to problems of transition include those discharged for medical reasons, including mental health conditions, as well as those dismissed for disciplinary reasons, premature leavers and those discharged as temperamentally unsuitable.

The MOD has a comprehensive range of measures to prevent or help deal with these potential difficulties. All Service Personnel who are medically discharged are entitled to the full resettlement package available to personnel serving prescribed lengths of service, including a career transition workshop, financial and housing briefings and individual interviews with a career consultant who is available for up to two years after discharge. When Service Personnel are medically discharged, the Veterans Agency automatically considers entitlement to pensions and allowances under the War Pension Scheme. Disablement pensions are tax-free and not income-related. The scheme includes a range of supplementary allowances to address the disabling effects of accepted disorders, for example, mobility and care. The War Pensioners' Welfare Service, located throughout the United Kingdom, provides war pensions advice, information and help to access appropriate services. When personnel leave the armed forces, their medical management becomes the responsibility of the national health service (NHS). Since the 1950s war pensioners have been entitled to NHS Priority Treatment for their accepted disorders.

The MOD has recently developed an Early Service Leavers Initiative which involves a programme to improve the transition process for those who leave early for whatever reason and are not eligible therefore, for the full resettlement package. The overarching aim is to create a resettlement umbrella that will cover all Service leavers. The Initiative provides for a range of measures that will include a mandatory resettlement interview to assess vulnerability, provide guidance on access to Job Centre Plus and Department for Work and Pensions (DWP) benefits, housing associations, financial matters and give contact details for the ex-Service charities and other welfare organisations.

As part of the Veterans Initiative, projects are in place or being developed on housing and homelessness and employment issues. Many of these involve the voluntary sector. Close contact is also being maintained with the DWP Pathways to Work Project and MOD is represented on the Social Exclusion Unit's Mental Health Project. This is inter-Departmental and is looking at how to improve employment rates for adults with mental health problems, both in terms of take-up and retention of jobs and how to promote greater social participation and access to services for this group. The Department of Health (DoH) has designated mental health in the community at large as one of its key

priorities. MOD is working closely with DoH colleagues to explore better services including delivery of mental health services for veterans and improved access to services. This will include work to increase Service leavers' and veterans' awareness of NHS facilities and services and to brief health professionals on military matters and culture.

Service Accommodation

Mr. Keith Simpson: To ask the Secretary of State for Defence how many units within his Department's married quarters estate will be upgraded in each of the next five years. [133372]

Mr. Caplin: For financial year 2003–04,1 refer the hon. Member to my Written Ministerial Statement on 2 July *Official Report*, columns 18–19WS. Planned targets for financial years 2004–05, 2006–06 and 2006–07 were published in this year's Ministry of Defence Departmental Plan. Copies are available in the Library of the House. No target has yet been identified for financial year 2007–08, but will emerge from the decisions made in the MOD's Short Term Planning process.

Mr. Keith Simpson: To ask the Secretary of State for Defence what the cost was in each of the last five years of upgrading properties in his Department's married quarters estate; and what the planned expenditure is for this financial year. [133376]

Mr. Caplin: The cost of upgrading Service Family Accommodation to Standard 1 for condition in mainland United Kingdom in each of the past five financial years was:

Year	*£ million*
1998–99	2.14
1999–2000	48
2000–01	56.7
2002–02	78.0
2002–03	52.7
Total	256.8

For the current Financial Year the estimated outturn on upgrade projects is £40.4 million.

These figures include capital projects where new properties replace demolished properties. The cost of new build stock provided through PFI projects is not included.

In addition to the above, a number of properties benefited from improvements and partial upgrades through property management contracts.

Mr. Keith Simpson: To ask the Secretary of State for Defence if he estimates his Department's upgrade programme for the married quarters estate will be completed by November 2005; how many units are part of this upgrade programme; how many units have been upgraded so far; and if he will make a statement. [133379]

Mr. Caplin: I refer the hon. Member to the answer given to him on 13 May 2003, *Official Report*, column 153W, by my hon. Friend the Member for Kirkcaldy (Dr. Moonie).

Over 8,800 properties have been upgraded to Standard 1, the highest standard, since 1999 and over 90 per cent. of Service families now live in properties at either Standard 1 or 2.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Combined Heat and Power

Jonathan Shaw: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to ensure that the EU Emissions Trading Scheme benefits combined heat and power systems. [131970]

Mr. Bradshaw *[holding answer 14 October 2003]:* The Government are aware of concerns that the EU Emissions Trading Scheme may act as a disincentive for the installation of combined heat and power (CHP) technologies. For this reason we are considering options for the treatment of CHP plants in the process of developing the National Allocation Plan.

The CHP industry believe that supplying operators in this situation with allowances for free from a limited CHP set-aside may act as an incentive. In this case operators installing new CHP plants would be provided with allowances equal to the difference in emissions between their existing or proposed traditional boiler and the proposed CHP plant. We are considering this and other options in the draft National Allocation Plan which we intend to publish for consultation in early December, giving industry an opportunity to comment on the various options.

Fuels Protocol

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to seek to amend the substitute Fuels Protocol; and if she will make a statement. [133105]

Mr. Bradshaw: The Environment Agency asked its Regional Environment Protection Advisory Committees (REPACS), in June, to consider the need for review of the Substitute Fuels Protocol and their views are being taken into account in the preparation of a formal consultation paper, which the Agency hopes to publish in November. Interested stakeholders will have three months from publication in which to respond to the consultation.

Animal Welfare

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs how many authorisations for export have been granted by the animal exports division for captive wild animals in each of the last three years, broken down by *(a)* breed and *(b)* destination; and if she will make a statement. [132443]

Mr. Bradshaw: The information is not available in the form requested. However according to our computer systems used for issuing export health certificates and CITES certificates, the following numbers of export certificates and permits have been issued during the last three years for categories of animals which exclude livestock, horses and pets.

CITES certificates are issued under the "Washington" Convention on International Trade in Endangered Species of Wild Fauna and Flora, more commonly known as CITES. The aim is to protect certain plants and animals by regulating and monitoring their international trade to prevent it reaching unsustainable levels.

Animal health

	To EU countries	*To non-EU countries*
2001	382	237
2002	504	283
2003	419	229

CITES

	Exports (non-EU)
2001	1,726
2002	1,324
2003	1,509

The records for these exports are not kept in a format which readily shows a breakdown by breed and destination. For CITES specimens the main exports are of falcons to Middle East destinations.

Beef

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what timetable she has set for the resumption of unrestricted beef exports to the EU when BSE cases in the UK have fallen to below the moderate risk status threshold. [133858]

Mr. Bradshaw: It is not possible to give a precise date for any such relaxation of current beef export controls. We have submitted papers to the European Commission to support our case for lifting restrictions and these are now being considered by the European Food Safety Authority (EFSA). EFSA's opinion is expected in early 2004. In addition an inspection by the EU Food and Veterinary Office is likely to be required. We would then need agreement with other member states and changes to EU regulations. Export controls are therefore unlikely to change before mid 2004.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what targets have been set for the introduction of *(a)* beef from cattle born after August 1996 onto the UK market from 24 April 2004 and *(b)* moderate risk status beef onto the UK market before autumn 2004; and if she will make a statement on progress towards these targets. [133859]

Mr. Bradshaw: Ministers are currently considering Food Standard's Agency recommendations on changes to the Over Thirty Month rule. Beef from over thirty month cattle born after August 1996 will not therefore be allowed onto the UK market before April 2004.

We have worked closely with the Meat and Livestock Commission to examine how the domestic market can absorb the extra beef from cattle born after 1 August 1996 and the balanced view of the industry is that this can be achieved by import substitution and increases in processed product consumption. We are also pressing the commission to introduce market support arrangements should there be a short term need.

With regards to moderate risk status, the commission has sought advice from the European Food Safety Authority (EFSA) on amending the Date-based Export Scheme (DBES) for UK beef and our methodology of scaling up testing results to support our claim that export restrictions should be lifted so that the UK can trade on the same basis as other member states. An EFSA opinion is expected in early 2004.

Ian Lucas: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions her Department has had with the United States Department of Agriculture on United Kingdom beef exports. [133982]

Mr. Bradshaw: We lobbied the United States Department of Agriculture in October 2002, in collaboration with the Foreign and Commonwealth Office, as part of a wider lobbying strategy of third countries to lift their bans on UK beef exports. Plans for further such lobbying are kept under continuing review in the light of developments with the associated EU rules.

Common Agricultural Policy

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations her Department has received from the horticultural industry over Common Agricultural Policy Reform. [134140]

Mr. Bradshaw *[holding answer 27 October 2003]:* The department has received a number of representations from the horticulture industry in response to our consultation on the implementation options under the CAP reform agreement. Most of these representations have argued in favour of an area based approach in implementing the new Single Payment Scheme.

Dairy Farms

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what estimates she has made of the *(a)* average net value and *(b)* average net profit of dairy farms in the (i) 12 months to March 2002 and (ii) 12 months to March 2003. [134378]

Mr. Bradshaw: Results from the Farm Business Survey published earlier this year show that the average net worth of full-time dairy farms in the year ending March 2002 to be £415,000. The average Occupiers Net Income for the same period was £22,200. The data for the year ending March 2003 will be published in March 2004.

Occupiers net income is defined as the return to the farmer and spouse for their manual and managerial labour and on all their capital invested in the business. This is the most appropriate income measure to compare with net worth.

EU Directives

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs which EU directives relating to environmental matters would incur a financial penalty if the commitments were not met; and how much each fine would be, per annum. [133261]

Mr. Bradshaw: Failure by any part of the UK to observe EU obligations may lead to enforcement action being taken by the European Commission in the European Court of Justice (ECJ).

If a member state fails to take the necessary measures to comply with the judgment of the European Court of Justice within the time limit specified, the member state may incur either a lump sum penalty or a daily penalty payment. The penalty payment would be based on a uniform flat rate amount, multiplied by two coefficients, one reflecting the seriousness of the infringement, and the other the duration. This would then be multiplied by a factor reflecting the ability of the member state to pay and the number of votes it has in Council.

Fallen Stock Scheme

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when details on the application of the National Fallen Stock Scheme will be announced; and what consultation there has been with farmers on the scheme. [133597]

Mr. Bradshaw: Rapid progress is now being made on the establishment of this Scheme. We have recently announced the names of the Directors who will sit on the Board of the company that will run the Scheme. These were selected by organisations representing the farming industry and cover regional and sectoral interests. They are now addressing key issues associated with Scheme rules. The Scheme administrators are developing the necessary computer software for recording farmer details and registration. If things go according to plan we hope that the Scheme will be up and running early in the New Year.

Farming

Mr. Brazier: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has commissioned into the age profile of those in the farming community; and what measures she is taking to encourage younger people into the agriculture industry. [133891]

Mr. Bradshaw *[holding answer 27 October 2003]:* The Government recognise the importance of encouraging new entrants into farming. The Strategy for Sustainable Farming and Food sets out how industry, Government and consumers must work together to secure profitable and internationally competitive farming and food industries, which are attractive to those already engaged in them and to potential new entrants.

This Department has commissioned research which will seek to identify the existence and nature of any artificial barriers to new entrants, and the potential means by which such barriers might be overcome.

Mr. Nicholas Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with non-farming commercial interests regarding loss insurance in the event of a disease outbreak in *(a)* farmed livestock and *(b)* crops. [134506]

Mr. Bradshaw: The discussions are the same ones referred to in the answer I gave to my right hon. Friend on 6 October 2003, *Official Report,* column 1185W.

Fisheries

Mrs. Iris Robinson: To ask the Secretary of State for Environment, Food and Rural Affairs whether *(a)* the International Council for the Exploration of the Sea and *(b)* the Scientific, Technical and Economic Committee for Fisheries has scientific evidence on the connection between fishing effort by the UK fishing fleet and the levels of fish stocks in UK national waters; and if she will review fisheries management systems including those applied by the Faeroese and Icelandic industries. [133991]

Mr. Bradshaw: In recognition of the migratory behaviour of the fish species concerned, stock assessments and related work are carried out on identifiably discrete stocks of fish, rather than according to national boundaries. For the same reason they are carried out by independent international organisations, which combine data from most of the main countries and fleets that exploit each stock in order to assess their impact on stocks. As part of this process, the scientists from the UK who attend the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries, (STECF) therefore submit data on our national catch, and on fishing effort, to inform the discussions. I expect the report being prepared on fisheries by the Prime Minister's Strategy Unit to cover a broad range of issues related to fisheries management, including possible alternative management systems.

Fruit Marketing Standards

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made with EU negotiations over the marketing standard for apples and pears. [134139]

Mr. Bradshaw *[holding answer 27 October 2003]:* The EU Commission's proposals to amend the marketing standard for apples are expected to be presented at the November meeting of the Fresh Fruit and Vegetables Management Committee.

Biofuels

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what quantity of biofuel the United Kingdom imported from *(a)* Germany and *(b)* France in the last year for which figures are available. [134371]

Mr. Bradshaw *[holding answer 27 October 2003]:* Currently, around 2 million litres of biodiesel are sold each month in the UK. Around half of this is imported but information is not collected on the country of origin.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effect of the duty reduction to 20 pence a litre for biofuels. [134372]

Mr. Bradshaw *[holding answer 27 October 2003]:* The cut in the duty on biodiesel has already brought forward production of biodiesel from recycled vegetable oil. This offers waste reduction benefits as well as savings in carbon dioxide emissions. Currently, around 2 million litres of biodiesel are sold each month from over 130

filling stations in the UK. Companies are actively considering the production of biodiesel from UK-grown oilseed rape.

Mr. John Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what the Government's estimate is of *(a)* the percentage of the United Kingdom's farmland suitable for growing biofuel crops and *(b)* the quantity of biofuel that could be produced from this land. [134373]

Mr. Bradshaw *[holding answer 27 October 2003]:* As biofuels can be produced from mainstream arable crops, a large proportion of the UK's 4.2 million hectares of arable land (2001–02 figures) is suitable for growing biofuel feedstocks. The key factor in determining the amount of land used is the need for the market return to the farmer to be sufficient to motivate diversion from production for established food and animal feed markets. Achieving the Biofuels Directive's reference target of 5.75 per cent. use of biofuels by 2010 would require the production of biofuels from waste vegetable oil, plus feedstocks from around 1 million hectares of agricultural land.

Greyhounds

Mr. Gordon Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs what actions her Department is taking to tackle abuse of greyhounds. [134187]

Mr. Bradshaw: Officials are discussing with the racing industry and welfare organisations possible measures to improve the welfare of greyhounds under the proposed Animal Welfare Bill.

Shooting/Fishing

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make it her policy to maintain the existing regulatory framework not to introduce further restrictions on *(a)* fishing and *(b)* shooting laws. [133515]

Mr. Bradshaw: Within our manifesto is a firm commitment not to introduce further restrictions on the sports of fishing or shooting. The Government recognises the significant contribution that shooting can give to the social, economic and environmental well-being of rural areas, where it can provide a supplement to incomes and jobs, and contribute to conservation of landscapes, habitats and wildlife.

When undertaken correctly, we fully recognise the usefulness of shooting as a wildlife management measure. For species such as deer and foxes, lawful shooting is one of the recommended methods of population control and can be very effective. In addition the Government fully supports The Code of Good Shooting Practice, launched by the County Land and Business Association earlier this year, which is based on the following "golden rules":

> To ensure safe conduct, those involved in shooting must show respect for the countryside and consideration for others.
>
> Shoot managers must endeavour to deliver enhancement of wildlife conservation, habitat and the countryside.
>
> Reared gamebirds should be released before the start of their shooting season.
>
> Respect for quarry is paramount. It is fundamental to mark and retrieve all birds. Shot game is food and must be treated as such.
>
> Game management and shooting must at all times be conducted within the law and the principles of the Code of Practice.

Angling provides an easily accessible activity that can bring people of all ages, especially the young, into a sport that teaches discipline, respect for the environment and helps them to realise their potential. It is one of the UK's most popular sports in terms of participation with more than two million people involved.

Angling and shooting—as with all sports—have an important role to play in the life of this country, and in helping to tackle some of the our major problems, such as crime, social problems and regeneration. This Government remains committed to angling and shooting, and to working with the governing bodies in the best interests of anglers and shooters for the overall development of those sports.

Illegal Meat Imports

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her Department's progress in tackling illegal meat imports. [134004]

Mr. Bradshaw: Progress against the Government's Action Plan on illegal imports in the financial year 2002–03 is reported in the Annual Review of Controls on Imports of Animal Products. Copies have been placed in the House Libraries.

The 2003–04 Action Plan is appended to the Review, and we are working with HM Customs and other responsible parties to implement it. HM Customs took over responsibility for anti-smuggling controls at the border on 11 April this year. Progress will be reported in the next Annual Review, to be published after the end of this financial year.

Japanese Knotweed

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what research her Department has *(a)* commissioned and *(b)* evaluated on the spread of Japanese knotweed; and if she will make a statement. [134228]

Mr. Bradshaw: I am aware of the problems caused by the spread of Japanese knotweed. The Department commissioned a new survey of plants in Britain and Ireland between 1987 and 1999 to produce updated 10-km square distribution maps of all plant species found in the wild. The results of this research were published in the New Atlas of the British and Irish Flora in September 2002. This included information on the spread of non-native plants such as Japanese knotweed.

The Botanical Society for the British Isles continues to collect records for all native and the majority of non-native species (including Japanese Knotweed) in the UK and submit them to the Biological Record Centre at the Centre for Ecology and Hydrology.

This Department is collaborating with a consortium led by Cornwall county council to undertake a four year project researching the biological control of Japanese knotweed. The study will undertake the necessary research to establish whether biological control is a feasible method for the long-term, sustainable management of Japanese knotweed in the UK.

Livestock Markets

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how many livestock markets there were in 1997, broken down by county; how many of them closed during the foot and mouth outbreak of 2001; how many markets *(a)* did not open after the outbreak and *(b)* have closed since; and how many livestock markets there are in each county; [134404]

(2) which livestock markets have closed in each of the last six years. [134406]

Mr. Bradshaw: The information in the format requested is not readily available and could be obtained only at disproportionate cost. However, based upon information provided by the Livestock Auctioneers Association, in 1997 there were 199 livestock auction markets in England and Wales compared with 140 currently. Of the closures 40 have been since February 2001.

Official Visits

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what official overseas visits she made in 2002. [132158]

Margaret Beckett: In addition to regular Agriculture and Environment Council Meetings in Brussels and Luxembourg, I made official visits to the following countries:

January: Germany and Poland—Bilaterals

February: India—World Summit on Sustainable Development (WSSD)

March: Denmark—CAPRI (CAP Reform Meeting) and South Africa—WSSD

April: USA and Canada—WSSD and Spain—Informal Agriculture Council

June: Indonesia—WSSD

July: France—OECD and Denmark—Informal Environment Council

August: South Africa—WSSD

September: Denmark—Informal Agriculture Council

October: France—The Global Food Marketplace (SIAL), Germany—Bilateral and India—Trade Visit

Renewable Energy

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what additional incentives will be made available to the forestry industry to produce renewable products for use in power stations. [133883]

Mr. Bradshaw *[holding answer 22 October 2003]:* Defra, in association with the devolved administrations and the Forestry Commission, is setting up a £3.5 million UK-wide Bio-energy Infrastructure Scheme. This scheme will help develop the supply chain required to harvest, store, process and supply biomass, such as energy crops and forestry woodfuel, to energy end-users. The European Commission's approval of the scheme is currently being sought. Subject to this, Defra hopes to launch the scheme in early 2004. Markets for woodfuel in heat, combined heat and power, and power generation are being developed through the Department of Trade and Industry/New Opportunities Fund's Bio-energy Capital Grants Scheme.

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on further assistance for the agriculture industry in producing biomass for use in power stations. [133884]

Mr. Bradshaw *[holding answer 23 October 2003]:* This Department is committed to supporting biomass for energy use. In addition to Defra's existing Energy Crops Scheme, which provides funding to support the planting of energy crops and the setting up of producer groups, there are several new initiatives which will support biomass.

Under the reform of the Common Agricultural Policy, crops for energy use can continue to be grown on both set-aside and non set-aside land and will receive payments under the new Single Payments Scheme. An additional Euro 45 per hectare will be available from 1 January 2004 for energy crops grown on non set-aside land. A maximum guaranteed area of 1.5m hectares is fixed for the EU for this additional payment and aid will be reduced if production exceeds that area. Defra, in association with the devolved administrations and the Forestry Commission, is setting up a £3.5 million UK-wide Bio-energy Infrastructure Scheme. This scheme will help develop the supply chain required to harvest, store, process and supply biomass to energy end-users.

Markets for biomass in heat, combined heat and power, and power generation are being developed through the Department of Trade and Industry/New Opportunities Fund's Bio-energy Capital Grants Scheme. The Department of Trade and Industry is currently consulting stakeholders on changes to the rules for co-firing biomass with fossil fuels in conventional power stations. The proposed changes will give longer timescales for the use of biomass, thereby making co-firing a more attractive option for both farmers and power generators.

Mr. Gordon Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions her Department has had with other Government Departments on the potential for future expansion in the use of biofuels. [134189]

Mr. Bradshaw: The Department has had a number of discussions, both at ministerial and official level, with the Treasury, HM Customs and Excise, the Department for Transport, the Department of Trade and Industry and the Inland Revenue. The potential for biofuels has also

been considered by the Ministerial Low Carbon Group and the Ministerial Group on the Implementation of the Energy White Paper.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the farming industry about the opportunities for growers to produce biofuel crops. [134374]

Mr. Bradshaw: The Department has had a number of discussions, both at ministerial and official level, with the National Farmers Union, the Country Land and Business Association and with trade organisations, such as the British Association for Biofuels and Oils and British BioGen, which include farming industry representatives amongst their members. Officials have also had discussions with many individual farmers, plant breeders, agricultural suppliers, farming consultants, other agricultural businesses and potential project developers.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what quantity of palm oil the United Kingdom imported for use in the biofuel industry in the last year for which figures are available. [134375]

Mr. Bradshaw: Total imports of palm oil in 2001, the latest year for which figures are available, amounted to 1.28 million tonnes. Information is not collected on the use of the oil. Some palm oil is known to be used in the production of biodiesel.

Research and Development

Dr. Iddon: To ask the Secretary of State for Environment, Food and Rural Affairs what factors explain the difference between the figure of £131 million stated in Press Release 133/03 from her Department to be the spending on research and development by her Department during financial year 2002–03 and the figure of £174 million presented in the publication Forward Look (Cm 5877). [133942]

Mr. Bradshaw: The figure of £131 million stated in Press Release 133/03 correctly reflects the Department's baseline for R&D expenditure in 2002–03. This is funding that the Department spends directly on R&D services to support its policies. The R&D figure provided in the Government's Forward Look of Science, Engineering and Technology includes the DEFRA R&D baseline of £131 million, but also incorporates indirect expenditure by DEFRA Agencies and NDPBs (Royal Botanic Gardens, Kew; English Nature; Environment Agency; and Countryside Agency) leading to the higher overall figure for DEFRA.

Smog

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what her estimate is of the contribution of conventionally powered vehicles to *(a)* summer smog and *(b)* winter smog. [133280]

Mr. Bradshaw: The most important component of summer smog is ground level ozone. Ozone is not emitted directly by vehicles. It is a secondary pollutant formed from precursor gases. Due to the complexities of the chemistry of ozone formation it is not possible to provide a quantitative estimate of the contribution of conventionally powered vehicles to summer smog.

The major chemical precursors for ground level ozone in industrialised nations are oxides of nitrogen and hydrocarbons produced mainly by conventionally powered motor vehicles and industry. Ozone and its precursors can be transported over hundreds of kilometres making ozone a transboundary pollutant. Local emissions of precursors do not generally make a significant contribution to local ozone concentrations in the UK.

The most important components of winter smog are particulate matter (PM_{10}) and nitrogen dioxide (NO_2). PM_{10} is a complex mixture of local primary combustion particles, mechanically generated particles and secondary particles formed in the atmosphere from oxides of nitrogen and sulphur dioxide and transported over hundreds of kilometres. 18 per cent. of UK PM_{10} emissions are from road traffic sources and 42 per cent. of NO_X emissions are from road traffic sources. The contribution from road traffic sources to ambient concentrations in cities during winter smog episodes is likely to be higher than implied by national emission totals. Studies suggest that between 25 per cent. and 40 per cent. of PM_{10} concentrations and 50–70 per cent. of oxides of nitrogen concentrations are likely to be derived from road traffic in urban areas.

TRADE AND INDUSTRY

Call Centres

Mr. Connarty: To ask the Secretary of State for Trade and Industry whether her Department plans to outsource call centre work to premises outside the United Kingdom. [132109]

Ms Hewitt: There are no plans to outsource overseas the call centres operated by my Department, ACAS, the Small Business Service or British Trade International (which brings together the work of my Department and the Foreign and Commonwealth Office in support of British trade and investment overseas).

The Chief Executives of my Department's other Agencies will reply direct to my hon. Friend.

Combined Heat and Power

Norman Baker: To ask the Secretary of State for Trade and Industry whether the allocation of allowances under the EU Emissions Trading Scheme will benefit low carbon technologies such as combined heat and power. [133115]

Mr. Bradshaw: I have been asked to reply.

The Government are aware of concerns that the EU Emissions Trading Scheme may act as a disincentive for the installation of combined heat and power (CHP) technologies. For this reason we are considering options for the treatment of CHP plants in the process of developing the National Allocation Plan.

The CHP industry believe that supplying operators in this situation with allowances for free from a limited CHP set-aside may act as an incentive. In this case operators installing new CHP plants would be provided with allowances equal to the difference in emissions between their existing or proposed traditional boiler and the proposed CHP plant. We are considering this and other options in the draft National Allocation Plan which we intend to publish for consultation in early December, giving industry an opportunity to comment on the various options.

Construction Industry

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry if she will commission research into the impact of the practice of retentions in the construction industry on the continuing viability of companies and individual traders; and what plans she has to promote legislation on this subject. [134238]

Nigel Griffiths: The DTI reviews all key research on retentions and has no plans to incur expenditure on duplicating independent research. The Government agree with the Trade and Industry Select Committee's views on legislation on retentions in that there is:

> "no attraction in the prospect of engineering their abolition through legislation".

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry what assessment she has made of the number of employers in the construction industry who pay *(a)* less than the agreed national rate and *(b)* less than the national minimum wage; and what steps she is taking to prosecute employers who pay less than the legal minimum. [134240]

Nigel Griffiths: The Government does not have information on the number of employers paying less than the nationally agreed rate or the national minimum wage in the construction industry.

We are not being complacent on the enforcement of the national minimum wage. The Inland Revenue completed over 6,200 investigations in 2002–03, identifying more than £3.5 million in minimum wage arrears on behalf of underpaid employees in the economy as a whole. The National Minimum Wage (Enforcement Notices) Act 2003 also came into force on 8 July 2003. The Act makes it absolutely clear that Revenue officers can issue enforcement notices (an instruction to employers requiring them to start paying the minimum wage to workers and make good any arrears of pay) on behalf of former workers as well as current ones thus closing an enforcement loophole.

Consumer Direct

Mr. Chope: To ask the Secretary of State for Trade and Industry what the cost has been of the Consumer Direct initiative. [134413]

Mr. Sutcliffe: The cost of the Consumer Direct initiative to date is £1,150,000.

Mr. Chope: To ask the Secretary of State for Trade and Industry if she will make a statement on the purpose of *(a)* Consumer Direct and *(b)* the Consumer Gateway. [134481]

Mr. Sutcliffe *[holding answer 27 October 2003]:* The purpose of Consumer Direct is to increase the provision, quality and consistency of consumer advice across England, Scotland and Wales. Current unmet demand for consumer advice is estimated at up to 1.5m calls per annum ("DTI Consumer Helplines Study", February 2002).

The Consumer Direct approach is to empower consumers to make the right choices and to resolve problems themselves, so placing more effective pressure on companies to improve. Consumer Direct will also increase the quality and coverage of information for those enforcing consumer legislation.

The Consumer Gateway acts as a portal to consumer information available online. It provides links to a variety of relevant information sources. Consumer Gateway will be subsumed by Consumer Direct Online when it goes live next summer.

Mr. Chope: To ask the Secretary of State for Trade and Industry whether it is the policy of the Government to provide advice on individual consumer *(a)* problems and *(b)* complaints; and if she will make a statement. [134482]

Mr. Sutcliffe *[holding answer 27 October 2003]:* It is Government policy to increase people's access to quality consumer advice and information through Consumer Direct. Local Authorities, working in partnership within the English Government Office regions, Scotland and Wales, will be responsible for running Consumer Direct contact centres. These centres will provide advice on individual consumer problems and complaints via telephone or e-mail, or will refer consumers to local Consumer Support Network members if further help is required, or to other organisations who are better placed to assist. Consumer Direct will allow existing advice services to focus their skills and resources where they can add most value, in particular helping vulnerable consumers, providing face-to-face advice, implementing education programmes and clamping down on rogue traders and scams.

Departmental Staff

Mr. Jenkins: To ask the Secretary of State for Trade and Industry how many staff of her Department were redeployed out of London and the South East in the last five years. [125358]

Ms Hewitt: There have been no major redeployments of DTI staff out of London and the South East in the past five years. We are unable to provide figures for individual members of staff who have moved to the Department's numerous offices outside London and the South East in the same period without incurring disproportionate cost. Support work on Finance and Human Resources has, however, been moved to Billingham and Cardiff over the past two years.

Mr. Flight: To ask the Secretary of State for Trade and Industry how many *(a)* special advisers, *(b)* press officers, *(c)* civil servants, *(d)* advisers to civil servants and *(e)* permanent staff were working for her Department in each year since 1996. [126475]

Ms Hewitt: I refer the hon. Member to Table C of the annual publication, "Civil Service Statistics", which covers Permanent Staff Numbers in each Department and agency from 1995 to 2002. Copies of the publication are held in the Libraries of the House. The latest edition was published on 24 July 2003. These figures include press officers.

Information is also available at the following address on the Cabinet Office Statistics website: http//www.civil-service.gov.uk/statistics/css.htm My special advisers are currently Jim Godfrey, Kitty Usher, Deborah Lincoln and Roger Sharp. Roger Sharp is part-time.

Exports

Mr. Wray: To ask the Secretary of State for Trade and Industry what the value is at current prices of United Kingdom *(a)* exports to and *(b)* imports from (i) Europe, (ii) Africa, (iii) Australasia, (iv) North America, (v) South America, (vi) the Middle East and (vii) Asia in each year since 1973; and what percentage of (A) UK and (B) world trade UK trade with these regions constituted in each of these years. [132936]

Mr. Mike O'Brien: An answer to the question could be provided only at disproportionate cost.

Information on UK trade, published by HM Customs and Excise, gives figures for selected regions of the world but these do not correspond to the regions required. It would, therefore, be necessary to use data for UK trade with individual countries and aggregate them to arrive at the totals for the required regions. UK trade data prior to 1988 are not available electronically so compiling this part of the answer would require manual entry of 6,000 numbers. Another 6,000 items of data would have to be downloaded from the trade database for more recent information on UK trade. Downloading recent data is complicated by various political changes that have taken place over the period in question, such as the break up of the Soviet Union, Yugoslavia and Czechoslovakia, as well as the German unification. As a result of these changes, several countries did not exist in the earlier years but do now, while some that did exist earlier no longer do so. Finally, the combined set would have to be aggregated to provide trade statistics for the specified regions.

The second part of the question requires a comparison of trade by the UK and the World. Information on world trade is available from the International Monetary Fund (Direction of Trade Statistics), but again, their regions do not correspond to those required to answer the question. For example, the IMF grouped centrally planned economies together, as a separate "region", although geographically they were in (Eastern) Europe, Asia and Central America. It would be necessary to calculate regional totals from those for individual countries. The IMF data are not available in electronic form so this procedure would entail manually compiling a database consisting of 30 years' worth of data for around 200 countries for two trade flows (imports and exports).

For strict comparability, it would be advisable to use the IMF source for UK trade rather than Customs' figures. In all, this would entail manually compiling a data set of around 24,000 figures, which would then need to be processed to arrive at the information required.

Fireworks

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry (1) what efforts are being made to reduce the risks that are present when consumers purchase fireworks from illegitimate outlets; [134335]

(2) what guidance she gives to the public on ensuring that the fireworks that they buy are from legitimate sources. [134336]

Mr. Sutcliffe: Under the Explosives Act 1875, which is the responsibility of the Health and Safety Executive, retail premises are required to be registered with the local authority in order to store and display fireworks for sale. The 1875 Act also makes it illegal to sell fireworks in the street. Trading standards departments are responsible for enforcing these measures giving them particular priority during the firework season.

The Department, through the annual fireworks safety campaign, urges the public to take care when using fireworks and make sure when buying fireworks they are marked as complying with British Standard 7114, the British safety standard for consumer fireworks.

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry (1) what action her Department is taking with the Home Office to keep fireworks from being a nuisance; [134337]

(2) what plans her Department has to enable authorities to keep track of fireworks once they have left the port of entry. [134338]

Mr. Sutcliffe: The Fireworks Act 2003, which received the Royal Assent on 18 September, will allow the Department to make regulations covering a range of firework issues which we are currently unable to regulate under the Consumer Protection Act 1987. These include restricting firework sales and use, licensing of retailers, controlling noise and nuisance and the importation of fireworks.

We hope to implement the part of the Act concerning the creating an offence for possession of fireworks by those under 18 years of age by Christmas. The Department is currently having discussions with the Home Office.

We will start implementation of the part of the Act in relation to the importation of fireworks in the New Year. This relates to the giving of information on firework imports to help keep track of fireworks once they have left the point of entry.

Ross Cranston: To ask the Secretary of State for Trade and Industry when she will lay regulations under the Fireworks Act 2003. [131661]

Mr. Sutcliffe: The majority of regulations to be made under the Fireworks Act 2003 are expected to be laid in the summer of 2004.

The Department is also looking into the possibility of implementing certain parts of the Act that deal with the anti-social use of fireworks—possibly before Christmas, in which case regulations could be laid in December.

Mr. Truswell: To ask the Secretary of State for Trade and Industry what consultations will take place on regulations to be introduced under the Fireworks Bill; with whom consultations will be held; and over what period. [131405]

Mr. Sutcliffe *[holding answer 14 October 2003]:* The Department has begun preliminary consultations with key stakeholders on the form that Fireworks Regulations will take. Draft Regulations will be published, along with a Regulatory Impact Assessment, in spring 2004. Therefore, we expect Regulations to become law in Summer 2004?in good time for next year's fireworks season.

In the immediate term, the Department is also looking into the possibility of implementing those parts of the Act identified as dealing with the anti-social use of fireworks, which, if judged suitable, will be implemented before the end of the year. We have already had preliminary consultations on this and, if Regulations are to be made, we will consult on these shortly.

Our stakeholders include other Government Departments; the Police Service; trading standards; religious groups; the industry and retailer representatives; and, interested groups such as the RSPCA and the Guide Dog for the Blind Association.

Mr. Truswell: To ask the Secretary of State for Trade and Industry whether she was consulted about the statement made by a Department official to the Yorkshire Evening Post and published on 15 September 2003, concerning Regulations under the Fireworks Bill and the absence of limitations on the period of sale of fireworks; and if she will make a statement. [131407]

Mr. Sutcliffe *[holding answer 14 October 2003]:* The statement made is fully in line with the Department's current thinking on the form that Fireworks Regulations may take.

The question of limitations on periods of sale requires careful consideration given the culturally diverse celebrations involving the use of fireworks. The Department is still formulating Regulations with regard to specific sections of the Act and will be consulting widely.

Government Regulations

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has conducted on the average number of man hours each business spends on dealing with Government regulations. [133411]

Nigel Griffiths: The DTI has never conducted research on the number of 'man' hours devoted to this.

Industrial Participation Programmes (South Africa)

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many officials from her Department assisted in the negotiations with the *(a)* National Industrial Participation and *(b)* Defence Industrial Participation programmes with South Africa; what their role was in these negotiations; and what posts they held in her Department at the time of the negotiations. [134540]

Ms Hewitt: I refer the hon. Member to the answer given to him on 20 October 2003, *Official Report*, column 448W.

Late Payment

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry what assessment she has made of the effectiveness of the Housing Grants, Construction and Regeneration Act 1996 on reducing late payment; and if she will make a statement. [134235]

Nigel Griffiths: The Government continue to monitor the effectiveness of Part II of the Housing Grants, Construction and Regeneration Act, in partnership with the construction industry umbrella bodies. The Act provides clearer payment terms and a statutory right to adjudication in construction contracts to reduce late and non-payment and resolve payment disputes.

The Government have supported the work of the Construction Umbrella Bodies Adjudication Task Group to produce guidance on the Adjudication process for users and adjudicators.

Miners' Compensation

Jeff Ennis: To ask the Secretary of State for Trade and Industry how much has been spent on the coal health compensation schemes; and what percentage of the total has gone to *(a)* claimants, *(b)* solicitors and *(c)* other organisations. [134398]

Nigel Griffiths: To date, the total amount spent in respect of the respiratory disease and vibration white finger (VWF) schemes is £2.2 billion. 77 per cent. of the total spent has been paid as compensation to the claimants, 10 per cent. has been paid in solicitors' costs and 13 per cent. to contractors.

Respiratory disease and vibration white finger

Percentage	*£ million*
77	1.694
10	220
13	286

Jeff Ennis: To ask the Secretary of State for Trade and Industry how many former miners have received a final settlement of less than £200 in compensation for *(a)* chronic bronchitis emphysema and *(b)* vibration white finger; and what the average fees paid (i) to solicitors and (ii) for medical examinations have been for processing these claims. [134399]

Nigel Griffiths: The figures are as follows:

	COPD	*VWF*
Settlements of less than £200	3,162	10
Average fee to solicitors	£2,143	£465

Medical assessments: £865 Live respiratory including record collection and lung function testing.
£571 deceased including record collection.
Vibration white finger: £190 (Live only).

National Minimum Wage

Mr. Hoyle: To ask the Secretary of State for Trade and Industry how many people will benefit from the latest rise in the national minimum wage in *(a)* the North West and *(b)* the UK. [134439]

Mr. Sutcliffe: Based on the Office for National Statistic's Low Pay data for 2002, the DTI estimates that between 180,000 and 220,000 people in the North West can expect to benefit from the increase in minimum wage rates in October 2003; DTI estimates that between 1.3 and 1.6 million people can expect to benefit in the UK as a whole.

Staff Numbers

Mr. Yeo: To ask the Secretary of State for Trade and Industry how many staff the Department and each agency and non-departmental public body for which the Department is responsible had in each year since 1997; and what the cost of those staff was in each of those years. [122264]

Ms Hewitt: Data on staffing levels in the Civil Service is collected from departments and agencies twice-yearly, in April and-October. Headline figures are published under National Statistics guidelines via a press notice. Those for October 2002 were published on 27 February 2003.

A copy of the press notice, accompanying media brief and supporting tables is available on the world wide web at www.civil-service.gov.uk/statistics. Copies of these documents are also placed in the Libraries of House.

More detailed information on the Civil Service is published annually in 'Civil Service Statistics', copies of which are laid in the Libraries of the House. The last edition, based on April 2002 data, was published on 24 July 2003.

The Cabinet Office publishes information on non-departmental public bodies in its annual publication 'Public Bodies'. The information includes details of the number of staff employed by each NDPB at 31 March each year. 'Public Bodies 2002' was published in January 2003. Copies of 'Public Bodies' published each year since 1997 are available in the Libraries of House.

Information on costs cannot be provided without incurring disproportionate cost.

Unqualified Mechanics

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has conducted into the effect on the motor industry of the number of unqualified mechanics operating within it; and what plans she has to take steps to improve the situation. [133409]

Mr. Sutcliffe: In 2002 the Department carried out a mystery shopping exercise into the car servicing and repair sector following a study of the sector carried out by the OFT in 2000. Both studies showed high consumer detriment and shortfalls in delivering acceptable levels of customer service.

A number of DTI-led and joint DTI/DfES skills related initiatives are underway to reduce skills gaps and shortages for the automotive industry as a whole. Sector Skills Councils are being set up to achieve four key goals: reducing skills gaps and shortages; improving productivity, business and public service performance; increasing opportunities to boost the skills and productivity of everyone in the sector's workforce; and improving learning supply, including apprenticeships, HE and national occupational standards. For the automotive industry, SEMTA (for the science, engineering and manufacturing technologies sectors including automotive) and Automotive Skills Ltd. for the automotive retail, servicing and repair sectors will be looking to achieve these goals.

One of the first tasks of these new bodies will be to undertake a detailed skills audit, which will bring into focus the issue of qualified mechanics within the industry.Linked with SEMTA will be the recently launched Automotive Academy, which will provide a comprehensive range of support to enhance process improvement activities in the automotive manufacturing sector. DTI has committed £15 million over 5 years to support the establishment of the Academy which will kitemark existing courses where these meet the needs of industry and will commission new material where necessary to fill gaps in provision.

In addition to these initiatives the DTI and industry has developed a new Motor Code for which the main retail trade associations in the UK are seeking Office of Fair Trading approval. This focuses on customer service and provides an opportunity for the industry to show collective responsibility for enhancing its reputation with its customers.

HOUSE OF COMMONS COMMISSION

Visitors Centre

36. **Mr. Luff:** To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if he will make a statement on the progress of plans for the establishment of a parliamentary visitors' centre. [134532]

Sir Archy Kirkwood: Following two feasibility studies, and wide consultation in both Houses, the Commission is, with the authorities in the House of Lords, now looking at ways of taking forward the development of new visitor facilities.

Palace of Westminster Art Collection

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many works of art from the Palace of Westminster Collection are *(a)* on public display in the House, *(b)* on display in the House in areas to which the public do not have regular access, *(c)* on loan and *(d)* in storage. [135094]

Sir Archy Kirkwood: The House of Commons Commission is responsible only for matters affecting this House. However, I understand that there are 6,708 works of art in the permanent collections of the House of Commons and the House of Lords, of which

approximately 10 per cent. is in storage at any one time. One work is currently on loan from the House of Commons collection.

There are 417 works of art on display on the route taken by visitor tours, in the committee rooms and committee corridor in the Palace, and in the committee rooms and surrounding areas in Portcullis House. These areas may be visited by unaccompanied members of the public or by members of the public on organised tours. Many works of art are on display in catering facilities or other areas to which the public may have access if accompanied by a passholder. If any member of the public wishes to view a specific work of art from either of the collections, efforts are made to arrange this.

Norman Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how much has been spent by the Speaker's Advisory Committee on Works of Art on the acquisition of works of art in each year from 1997 to date; and how much has been realised through sales of works of art. [135095]

Sir Archy Kirkwood: Expenditure from the House of Commons Administration Estimate since 1997 on acquisitions for the House of Commons collection is shown in the following table:

	£
1997–98	50,126.16
1998–99	50,138.28
1999–2000	49,792.62
2000–01	50,001.65
2001–02	50,000.00
2002–03	86,697.91

Expenditure from the House of Commons Administration Estimate since 1997 for works of art for Portcullis House is shown in the following table:

	£
1997–98	3,778.05
1998–99	18,500.00
1999–2000	90,711.30
2000–01	99,823.80
2001–02	96,497.16
2002–03	500.00

There have been no sales of works of art since 1997.

MINISTER FOR WOMEN

Pregnancy Discrimination

Mrs. Spelman: To ask the Minister for Women what measures are in place to prevent pregnancy discrimination at work. [133470]

Ms Hewitt: Discrimination on the ground of pregnancy or maternity is a form of direct discrimination on the ground of sex. The courts have interpreted the Sex Discrimination Act as meaning that discrimination on the ground that a woman is, or might become, pregnant is unlawful. This is reinforced by the amended Equal Treatment Directive published on 5 October 2002, which says that less favourable treatment on the grounds of pregnancy and maternity within the meaning of the Pregnant Workers Directive constitutes sex discrimination.

In 1999, the Government introduced specific protections to prevent women from suffering detriment and from being unfairly dismissed or selected for redundancy for reasons connected with their pregnancy, childbirth or maternity leave. We have also ensured a women has a clear right to return to her job after maternity leave, on the same terms and conditions as if she had not been away.

CULTURE, MEDIA AND SPORT

Licensing Act

Mr. Steen: To ask the Secretary of State for Culture, Media and Sport what estimate has been made of the additional cost to local authorities of implementing the Licensing Act 2003; and how much this will add to the average council tax bill. [134850]

Mr. Caborn: There will be no additional cost to local authorities resulting from the implementation of the Licensing Act 2003. Fees will be set by the Secretary of State at a level that will allow the full recovery of all costs relating to their duties under the Act. There will therefore be no additional cost to council-tax payers as a result of the new regime.

HOME DEPARTMENT

OSIRIS II

Patrick Mercer: To ask the Secretary of State for the Home Department what plans he has to carry out exercises similar to OSIRIS II in other cities. [134115]

Mr. Blunkett: I refer the hon. Member to the reply given to the hon. Member for Southwark, North and Bermondsey (Simon Hughes) on 16 October 2003, *Official Report*, column 314W.

Airguns

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what recent discussions he has had with gun trade associations on the *(a)* sale and *(b)* criminal use of airguns; and if he will make a statement. [134596]

Caroline Flint *[holding answer 27 October 2003]:* We have discussions with the gun trade associations on a range of issues. Most recently we have been discussing the problems which have arisen as a result of criminals converting air weapons which use the self-contained gas cartridge system to fire conventional ammunition. It was not possible to modify these guns to prevent conversion and we have therefore made provision in the current Anti-Social Behaviour Bill for future manufacture, importation, transfer or sale to be prohibited. Existing owners will be able to retain their guns provided they obtain a firearms certificate.

Car Insurance (Fines)

Sir Sydney Chapman: To ask the Secretary of State for the Home Department how many times in each of the last 10 years the maximum fine for driving without insurance has been imposed by the courts; and in how many cases the fine was paid in full. [133018]

Paul Goggins *[holding answer 21 October 2003]:* Information collected centrally in the Home Office Court Proceedings Database shows that for the offence of using a motor vehicle uninsured against third party risks, the maximum fine of £5,000 (Level 5) has been imposed in England and Wales on seven occasions from 1992 to 2001. Five times in 1996 and twice in 1997.

An amendment to the Road Traffic Offenders Act 1988, s.143 has now made using a motor vehicle while uninsured against third party risks a fixed penalty offence from 1 June 2003. Initially, offenders will be subjected to a £200 fixed penalty, which can be increased to a maximum fine of £5,000 if the matter goes to court. Information is not collected centrally on the amount of fines paid by the type of offence.

Correspondence

Mr. Steen: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the hon. Member for Totnes of 14 October 2002, concerning Mr.David Copeland of Brixham; and if he will make a statement on the reasons for the delay. [93883]

Beverley Hughes *[holding answer 27 January 2003]:* I replied to the hon. Member on 8 July 2003

Data Protection

Llew Smith: To ask the Secretary of State for the Home Department what redress is available to private citizens *(a)* whose private activities have been monitored and on *(b)* whom private data has been collected without their permission by individuals acting on behalf of corporate entities. [133401]

Mr. Blunkett: Private individuals whose activities are monitored, or their personal data collected, without their consent by another private individual (whether acting alone or on behalf of a private enterprise) may seek assistance from the police if the conduct of that monitoring has involved, or is suspected of having involved, the commission of a criminal offence.

Where personal data has been, or is suspected of having been, processed contrary to the provisions of the Data Protection Act 1998, any directly affected person may ask the Information Commissioner to make an assessment. It is open to the Commissioner to take enforcement action if he concludes that the Act has been breached and for individuals to claim compensation through the Courts if damage has been caused as a result of any breach of the Act.

Where the monitoring has been undertaken by a broadcast organisation the individual may seek redress from the Broadcasting Standards Commission or from the Press Complaints Commission where a member of the press has undertaken the monitoring.

Domestic Violence

Julie Morgan: To ask the Secretary of State for the Home Department what nationally accredited programmes are available in prison to address issues related to domestic violence. [134848]

Paul Goggins *[holding answer 27 October 2003]*: The Prison Service has developed a programme for domestic violence offenders, which it has been piloting in two establishments, and which was accredited by the Correctional Services Accreditation Panel in October 2003.

Drug-related Offences

Mr. Oaten: To ask the Secretary of State for the Home Department how many people have been imprisoned in each of the last 15 years for offences related to *(a)* dealing in cannabis and *(b)* using cannabis; and if he will make a statement. [133902]

Caroline Flint: The table shows the number of people sentenced to custody in England and Wales for drugs offences involving cannabis, from 1993 to 2001. Before 1993 offences relating to cannabis were not separately identified.

Number of offenders sentenced to immediate custody at all courts for drug offences involving cannabis[1,2]
England and Wales 1993 to 2001

Offence description	*Statute*	*1993*	*1994*	*1995*	*1996*	*1997*
Supplying or offering (or being concerned in) to supply a controlled drug (cannabis)	Misuse of Drugs Act 1971, Sec 4(3)	315	362	457	628	650
Having possession of a controlled drug (cannabis) with intent to supply	Misuse of Drugs Act 1971, Sec 5(3)	516	678	925	983	1,129
Production or being concerned in production of a controlled drug (cannabis)	Misuse of Drugs Act 1971, Secs 4(2), 6(2)	20	66	125	178	233
Having possession of a controlled drug (cannabis)	Misuse of Drugs Act 1971, Sec 5(2), as amended by Criminal Justice & Public Order Act 1994, Sec 157, Sch 8, part II	155	167	194	204	268
Permitting premises to be used for unlawful purposes (cannabis)	Misuse of Drugs Act 1971, Sec 8	9	7	21	17	18
	Total	1,015	1,280	1,722	2,010	2,298

Offence description	*Statute*	*1998*	*1999*	*2000*	*2001*
Supplying or offering (or being concerned in) to supply a controlled drug (cannabis)	Misuse of Drugs Act 1971, Sec 4(3)	656	573	405	265
Having possession of a controlled drug (cannabis) with intent to supply	Misuse of Drugs Act 1971, Sec 5(3)	1,284	1,112	808	618
Production or being concerned in production of a controlled drug (cannabis)	Misuse of Drugs Act 1971, Secs 4(2), 6(2)	216	206	156	126
Having possession of a controlled drug (cannabis)	Misuse of Drugs Act 1971, Sec 5(2), as amended by Criminal Justice & Public Order Act 1994, Sec 157, Sch 8, part II	410	451	361	290
Permitting premises to be used for unlawful purposes (cannabis)	Misuse of Drugs Act 1971, Sec 8	27	25	9	10
	Total	2,593	2,367	1,739	1,309

[1] These data are on the principal offence basis.
[2] This relates to drug offences where cannabis can be separately identified.

Mr. Oaten: To ask the Secretary of State for the Home Department how many arrests of cannabis users were made in each of the last 15 years; what he estimates the cost to police resources was of making these arrests; and if he will make a statement. [133904]

Caroline Flint: The data available centrally on arrests for drug offences do not give details of the type of drug for which an individual was arrested, so information on the number of arrests for cannabis offences, together with costs, is not currently available.

We do have data on the number of persons dealt with for possession of cannabis. This is the closest approximation to the number of arrests. The figures appear in the table.

The figures are taken from the annual Home Office Statistical Bulletin. They are available on the RDS website http://www.homeoffice.gov.uk/rds/pdfs2/hosb402.pdf and in the Library.

Persons found guilty, cautioned, given a fiscal fine or dealt with by compounding for possession of cannabis by year, 1986 to 2000.

	Number
1986	16,640
1987	18,800
1988	23,230
1989	30,030
1990	36,090
1991	38,460
1992	37,440
1993	50,710
1994	65,100
1995	68,600
1996	65,100
1997	79,090
1998	91,150
1999	82,130
2000	70,310

Source:

Home Office Drug Seizure and Offender Statistics, United Kingdom—Supplementary Tables and Findings 202

Gun Crime

Ms Abbott: To ask the Secretary of State for the Home Department what steps the Government is taking to tackle gun crime. [132676]

Caroline Flint: The Government are taking a wide range of action to tackle gun crime.

This includes:

Proposing a mandatory, minimum five-year sentence for those convicted, on indictment, of possessing prohibited firearms;

Proposing to ban the carrying of replicas or air weapons in a public place without reasonable excuse;

Proposing to raise the age limit for owning an air weapon from 14 to 17 and restricting their use without adult supervision as 77 per cent. of airgun crimes are criminal damage;

Proposing a ban on the sale, manufacture and import of tandem air cartridge systems, and the licensing of those already held as they can be readily converted into lethal firearms;

Publishing a new strategy for witnesses to increase the numbers of people who come forward when they witness a crime;

The national firearms amnesty, held during April, in which over 43,000 weapons and 1 million rounds of ammunition were handed in.

Legislation and law enforcement alone cannot solve the problem and it is vital that community groups, local authorities and those involved in service provision, including education, engage with us in taking action to deal with this problem. Community groups have therefore been involved in the two national meetings my right hon. Friend the Home Secretary has chaired, with a third meeting due to be held on 25 November. We are planning a community engagement event in January, to bring together community activists, representatives of voluntary organisation, law enforcement and policy officials to take forward this dialogue and support community involvement in tackling gun crime. The Government have also made available £1.5 million of recorded assets receipts to support community involvement.

We are also working with the Disarm Trust which will support the victims of, and communities working against gun crime.

The police have established dedicated teams, such as Operation Trident in London and Operation Stealth in Nottingham, working against particular groups of criminals involved in armed violence. Many of these Operations have forged good links with the communities they serve by establishing Independent Advisory Groups, made up of members of the local community.

Home Detention Curfews

Mr. Oaten: To ask the Secretary of State for the Home Department how many prisoners released on home detention curfew in the last 12 months have been *(a)* prosecuted and *(b)* convicted for breaching the conditions of their licence, broken down by each police force area in England and Wales; and how many of those who were convicted received a custodial sentence. [134382]

Paul Goggins *[holding answer 27 October 2003]*: The table shows the number of people recalled from home detention curfew, by reason for recall, in the 12-month period January 2002 to December 2002. This information is not available by police force area.

Recalls from home detention curfew: January to December 2002

	Number
Cases not involving new charges—total	1,247
Breach of (HDC) conditions	795
Installation failure	2
Monitoring failure	9
Change of circumstances	383
Risk of serious harm	1
Breach of non-HDC licence conditions	57
Cases involving new charges—total	231
Breach of HDC conditions	1
Inability to monitor	1
Risk of serious harm	0
Charge with a new offence	229
Total	1,478

Mr. Oaten: To ask the Secretary of State for the Home Department how many offenders sentenced to a curfew order in the last 12 months have been *(a)* prosecuted and *(b)* convicted for breaching the conditions of the order, broken down by each police force area in England and Wales; and how many of those who were convicted received a custodial sentence. [134383]

Paul Goggins *[holding answer 27 October 2003]*: The attached table gives the number of persons who were proceeded against at magistrates' courts, found guilty and sentenced to immediate custody at all courts for breach of a curfew order (with or without electronic monitoring), for each police force area in England and Wales 2001.

Number of persons proceeded against at magistrates' courts, found guilty at all courts and sentenced to immediate custody for breach of a curfew order, by police force area, England and Wales 2001

Police Force Area	*Persons proceeded against at magistrates' courts*	*Persons found guilty[1] at all courts*	*Of which: Sentenced to immediate custody*
Avon and Somerset	48	50	11
Bedfordshire	—	3	1
Cambridgeshire	5	6	2
Cheshire	13	10	3
Cleveland	5	6	4
Cumbria	5	5	2
Derbyshire	16	16	6
Devon and Cornwall	3	5	1
Dorset	2	2	—
Durham	—	—	—
Essex	1	1	1
Gloucestershire	1	1	1
Greater Manchester	207	208	43
Hampshire	11	11	4
Hertfordshire	9	9	3
Humberside	7	8	2
Kent	10	10	1
Lancashire	21	21	4
Leicestershire	14	14	—
Lincolnshire	—	—	—
Merseyside	2	2	—
Metropolitan Police	81	84	17
Norfolk	89	92	21

Number of persons proceeded against at magistrates' courts, found guilty at all courts and sentenced to immediate custody for breach of a curfew order, by police force area, England and Wales 2001

Police Force Area	Persons proceeded against at magistrates' courts	Persons found guilty[1] at all courts	Of which: Sentenced to immediate custody
Northamptonshire	4	4	1
Northumbria	5	5	3
North Yorkshire	1	1	—
Nottinghamshire	6	6	—
South Yorkshire	24	25	4
Staffordshire	7	8	6
Suffolk	—	—	—
Surrey	2	2	—
Sussex	1	2	1
Thames Valley	32	32	8
Warwickshire	3	3	2
West Mercia	—	1	1
West Midlands	19	19	7
West Yorkshire	38	41	11
Wiltshire	9	9	1
Dyfed Powys	—	—	—
Gwent	—	—	—
North Wales	21	21	6
South Wales	14	18	7
England and Wales	736	761	185

[1] Number of persons found guilty may exceed number proceeded against because magistrates' court proceedings for breaches dealt with at the Crown Court are not collected centrally and are not therefore included in the figures of persons proceeded against at magistrates' courts.

Inquests

Norman Baker: To ask the Secretary of State for the Home Department how many inquests due to be held have been outstanding for over five years; and if he will make a statement. [134489]

Paul Goggins *[holding answer 27 October 2003]*: This information is not held centrally.

Norman Baker: To ask the Secretary of State for the Home Department if he will make it a requirement on coroners to conduct inquests required of them within two years of a person's death. [134490]

Paul Goggins *[holding answer 27 October 2003]*: No. While we encourage coroners to hold inquests as quickly as possible, there will always be some circumstances where it may not be sensible for the inquest to be held within a prescribed period, for example where other relevant legal proceedings are outstanding.

Prisoners (Revocation of Licence)

Keith Vaz: To ask the Secretary of State for the Home Department how many prisoners were returned to custody owing to a revocation of licence in the last year for which figures are available. [134184]

Paul Goggins: The number of prisoners returned to custody due to a revocation of licence for the period 1 April 2002 to 30 March 2003 was 7,849.

Terrorism

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his answer to the hon. Member for Burnley (Mr. Pike) of 15 October 2003, *Official Report*, column 260W, on terrorism, when section 44 powers were first used in London; on how many occasions and on what dates the powers have been confirmed since the Terrorism Act 2000 came into force; and whether the use of section 44 powers relates to specific areas of London or to the whole of the Metropolitan police area. [133966]

Mr. Blunkett: The Metropolitan police and City of London have authorised the use of stop and search powers under the Terrorism Act since it came into force on 19 February 2001. The powers have been authorised in respect of the whole of each force area since that time in accordance with the statutory procedures.

The decision to authorise use of the powers is made against the background of the current threat level and the assessment of the risk to any designated or whole force area. Authorisations are only confirmed on a monthly basis if the Secretary of State is satisfied that their use is necessary to prevent acts of terrorism.

Young Offenders (North Wales)

Ian Lucas: To ask the Secretary of State for the Home Department what secure accommodation provision is in place for young offenders from North Wales. [133980]

Paul Goggins: In general, young people from North Wales who have been placed in custody by the courts are accommodated in secure facilities in North West England, although they may sometimes be placed elsewhere depending on the availability of places and other factors.

Young Offenders from North Wales aged 18–20 are normally allocated to the following Young Offender Institutions: Stoke Heath in Shropshire (sentenced males), Altcourse in Merseyside (remanded males), and Styal in Cheshire (sentenced and remanded females).

Responsibility for the commissioning and purchasing of all secure accommodation for juvenile offenders (i.e. for those below the age of 18), and for the placement of juveniles sentenced to a detention and training order, rests with the Youth Justice Board for England and Wales. The Board's policy in relation to the placement of juvenile offenders from North Wales is as follows:

Remanded and sentenced males aged 15 to 17 will normally be placed in Stoke Heath Young Offender's Institute or, if this establishment is full, in Werrington Young Offender's Institute (Stoke-on-Trent) or Hindley Young Offender's Institute (Wigan). Thorn Cross Young Offender's Institute, an open establishment near Warrington, is also available, subject to a proper risk assessment of the individual.

Males below the age of 15 or those assessed as vulnerable will normally be placed in one of two Secure Training Centres, Rainsbrook in Warwickshire or Hassockfield in Durham, or in a local authority secure community home. The closest of these to North Wales are Barton Moss (Greater Manchester), Dales House (Lancashire), Dyson Hall (Merseyside), Red Bank (Merseyside), Redsands (Cheshire) and Hillside (West Glamorgan).

Females aged 17 are normally placed in New Hall Young Offender's Institute, near Wakefield. Those aged under 17 are normally placed in either Rainsbrook or Hassockfield Secure Training Centre or one of the local

authority secure community homes that accommodate females. Those nearest to North Wales are St. Catherines (Merseyside), Redsands and Hillside.

FOREIGN AND COMMONWEALTH AFFAIRS

Bribery

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs how many allegations of bribery of a foreign public official have been received from diplomatic posts overseas since 14 February 2002. [132369]

Mr. MacShane: Reports on bribery and corruption overseas are received from time-to-time from diplomatic posts and after validation these are passed on to the appropriate authorities in the UK. Four such reports, specifically related to guidance on the Anti-Terrorism, Crime and Security Act, have been received since 14 February 2002.

British Missions (USA)

Mr. Chope: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many locally-engaged staff working in British missions in the United States pay cuts have been imposed; what the largest percentage pay cut is; what the average cut is; and what negotiations have taken place on the matter. [135031]

Mr. MacShane: No pay cuts have been imposed.

Burundi

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the peace accord signed in October 2003 by the President of Burundi and Pierre Nkurunziza of the Forces for the Defence of Democracy; what assessment has been made of the viability of the accord; and if he will make a statement. [134432]

Mr. Mullin: The UK welcomes the signing of the Pretoria protocol on 8 October between the Force pour la Defense de la Democratic (FDD) (Nkurunziza) and the Government of Burundi. This is a positive step towards implementation of the 2 December 2002 ceasefire agreement between the two parties. Further talks to resolve outstanding issues including an implementation timetable, immunity, army integration and registering the FDD as a political party, are due to take place soon. The UK is working with the Government of Burundi and our international partners to ensure momentum is not lost.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he, *(b)* members of his Department and *(c)* representatives of the UK Government have had with the (i) Government of Rwanda, (ii) Government of Tanzania, (iii) Government of Uganda, (iv) Government of France, (v) governments of other European Union member states, (vi) governments of EU candidate countries and (vii) Government of the United States of America concerning the (A) security situation in and (B) political stability of Burundi; what issues were raised; what actions were agreed on during these meetings; and if he will make a statement. [134433]

Mr. Mullin: The UK remains active in the Burundi peace process in a range of international fora. The UK maintains a dialogue on Burundi with our EU partners, the Regional Initiative chaired by Ugandan President Museveni, the South African led Facilitation and our key international partners in Burundi.

Key issues of concern include bringing the Forces Nationales de Liberation (FNL) into the peace negotiations, ensuring the Forces pour la Defense de la Democratic (FDD) and the Government of Burundi honour their ceasefire commitments, supporting the AU peacekeeping force (AMIB), laying the foundations for a sustainable democracy and providing vital humanitarian assistance.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he, *(b)* members of his Department and *(c)* representatives of the UK Government have had with (i) representatives of the United Nations, (ii) representatives of the European Commission, (iii) representatives of African multilateral organisations and (iv) European and African non-governmental organisations concerning the human rights situation in Burundi; what issues were highlighted during these discussions; what concerns were voiced; what action was (A) formulated and (B) implemented directly addressing those issues and concerns; and if he will make a statement. [134434]

Mr. Mullin: The UK is in contact with a range of partners on the human rights situation in Burundi including the EU, AU and UN. The UK also maintains a dialogue with national and international human rights NGOs. We are concerned at the impact of the war on the human rights of the civilian population, particularly women and children. The UK is actively working with our international partners in promoting peace in Burundi as the key to protecting their human rights.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the impact of the Forces for the National Liberation's absence from the peace talks leading up to the October peace accord in Burundi on the long-term viability of the peace accord; what discussions *(a)* he, *(b)* members of his Department and *(c)* representatives of the UK Government have had with the Government of Burundi on the inclusion of the Forces for National Liberation in the peace process; and if he will make a statement. [134444]

Mr. Mullin: An all-inclusive cease-fire in Burundi is vital for the long-term stability of Burundi. UK officials remain in regular contact with the Government of Burundi on the need to engage the Forces Nationales de Liberation (FNL) in peace negotiations. Most recently, our Ambassador in Kigali raised this issue on 23–24 October with the President and Foreign Minister of Burundi.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the impact of the internal conflict in Burundi on the *(a)* security and *(b)* stability

of border regions in (i) Tanzania, (ii) Rwanda and (iii) the Democratic Republic of Congo since 1997; and if he will make a statement. [134445]

Mr. Mullin: The 10-year civil war has had a destabilising effect on neighbouring countries. There are nearly 500,000 Burundi refugees in Tanzania. Some Burundi rebel forces remain in the Democratic Republic of Congo.

The UK is committed to supporting implementation of the Arusha agreement of 2000 and the transitional government institutions in Burundi as an integral part of achieving security and stability in the Great Lakes Region.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the developments in the security situation in *(a)* Burundi and *(b)* Rwanda since 1997; and if he will make a statement. [134446]

Mr. Mullin: We continually monitor the security situation in Rwanda and Burundi. The Government of Rwanda has made a concerted effort to bring security to the country. In this they have been broadly successful. However, the conflicts in the Democratic Republic of the Congo and Burundi make the border areas potentially dangerous. The security situation in Burundi is unstable. But, there has been a positive development recently in Burundi with the signing of the Pretoria Protocol on 8 October on power sharing between the Force pour la Defence de la Democratie (FDD) (Nkurunziza) and the government of Burundi. Only the Forces Nationales de Liberation (FNL) (Rwasa) lies outside the peace process.

Convention on the Future of Europe

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Secretary of State has had about the impact on UK constitutional arrangements of the work of the Convention on the Future of Europe. [134522]

Mr. MacShane: The Government believes that there is a strong case for a single, coherent constitution for the European Union. In effect, the existing treaties already make up a constitutional structure. However, they are overly complex and unclear. For this reason, the Government supports redrafting, restructuring and consolidating the treaties.

The draft Constitution as it stands is not perfect. It contains points which we want to examine in more detail. And we could only accept a final text that made it clear that issues like tax, defence and foreign policy remained the province of the nation State. Provided there is clarity on these points, the reforms proposed by the Convention should be welcomed. They do not alter the fundamental constitutional relationship between the UK and the Union.

The Government published in September Command Paper 5934, setting out its views on the draft Treaty prepared by the Convention, and its implications. This followed detailed discussion and consideration of the draft, both within Government and, for example, in Parliament itself. Members of Parliament took part in the Convention, and committees of Parliament have issued so far this year over a dozen reports on the Convention text.

Cyprus

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 16 October 2003, *Official Report*, column 336W, on Cyprus, what concerns over the Cyprus settlement negotiations were raised during the most recent EU Working Group on south-east Europe; what decisions were taken to address these concerns; and if he will make a statement. [134428]

Mr. MacShane: Member states agreed at the 8 October Working Group that the EU should continue to do all in its power to bring about the conditions necessary for a resumption of talks on the basis of the UN Secretary-General's comprehensive proposals. We continue to share the Secretary-General's judgment about what those conditions are, including the clear demonstration of sufficient political commitment by the parties concerned. The EU has already made a key contribution to the settlement process by signalling its willingness to accommodate the terms of a Cyprus settlement arrived at under UN auspices.

Democratic Republic of the Congo

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports *(a)* he, *(b)* his Department and *(c)* representatives of the United Kingdom Government have received of incursions of Rwandan troops into the Democratic Republic of the Congo; what discussions he has had with representatives of the Government of Rwanda concerning these reports; what assurances were (i) requested and (ii) offered during these discussions; and if he will make a statement. [134469]

Mr. Mullin: We are aware of continuing reports of incursions of Rwandan troops into the Democratic Republic of Congo (DRC). These reports have been investigated by the UN Mission in the DRC (MONUC) and found to be unsubstantiated. We discuss such reports with the Government of Rwanda, at both Ministerial and official level. They have assured us their armed forces withdrew from DRC in October 2002, as provided for in the Pretoria Agreement of 30 July 2002, and have not re-entered.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports *(a)* he, *(b)* his Department and *(c)* representatives of the United Kingdom Government have received on the regrouping of Interahamwe militia groups in the Democratic Republic of the Congo; what assessment his Department has made of the impact on security in the region; and if he will make a statement. [134470]

Mr. Mullin: We are aware of reports that Interahamwe militia and ex-Forces Armees Rwandaises (ex-FAR/I) in the Democratic Republic of Congo (DRC) are regrouping. While these reports are difficult to verify, the ex-FAR/I pose a real threat to the security of Rwanda and the stability of the region as a whole. Their disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) is crucial to

long-term stability. The UN mission in the DRC (MONUC) is mandated to undertake voluntary demobilisation of the ex-FAR/I and other foreign armed groups in DRC and we fully support their efforts. We are encouraged by the recent statement of the Transitional National Government (TNG) in Kinshasa, that the TNG would no longer tolerate the presence on its national territory of the ex-FAR/I. The recent visit to Kinshasa by a high-level Rwandan delegation to discuss how the two countries can work together to help resolve this problem is a further positive sign.

EU External Action Service

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what budget, and how many staff, are planned for the EU External Action Service, as defined in the Declaration attached to the Draft Constitution. [134310]

Mr. MacShane: The Inter Governmental Conference has not yet discussed the issue of the proposed European External Action Service. Firm decisions on the budget and staff numbers will depend on the outcome of the Inter Governmental Conference.

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution in *(a)* money and *(b)* personnel the UK plans to make to the European External Action Service under the Declaration to the Draft EU Constitution. [134311]

Mr. MacShane: I refer the right hon. Member to the answer I gave to him today (UIN 134310). The United Kingdom contribution to the European External Action Service will depend on the decisions taken on the service's budget and staff.

EU Working Group on South East Europe

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs when the EU Working Group on South East Europe last met; where it met; what issues were on the agenda; and if he will make a statement. [134427]

Mr. MacShane: The Working Group last met in Brussels on 8 October. Topics discussed included the state of the Cyprus settlement process, political developments in the north of Cyprus, the EU's trade and aid package for the north of Cyprus, education for Greek Cypriots in the north of Cyprus, Turkey's internal situation, Turkey's EU accession course and the Loizidou case.

The Government are determined to do all they can to achieve peace, prosperity and security in south-east Europe. We believe that a Cyprus settlement on the basis of the Annan plan and Turkey's fulfilment of the requirements for EU membership, followed by Turkish accession to the EU, are fundamental to that goal.

European Agencies

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 16 October 2003, *Official Report*, column 332W, on European Agencies, which other countries have bid for the location of European Maritime Safety Agency (EMSA); and if he will make a statement. [134424]

Mr. MacShane: Four other countries have bid to host the European Maritime Safety Agency (EMSA): Portugal, Greece, Italy and France. No agreement on the location of the EMSA is yet in sight.

Iraq

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs how long the search in Iraq for weapons of mass destruction will continue. [132313]

Mr. MacShane: No time limit has been set for completion of the search. It will continue for as long as it is necessary to satisfy ourselves that no weapons or associated programmes remain in Iraq.

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by the Consular Assistance Group in recovering a constituent, Mr. Raeid Jewad's, camcorder that was confiscated by US soldiers in Iraq; and what progress has been made to secure Mr. Jewad compensation for the loss of his possession. [132994]

Mr. Mullin: We have made inquiries with US military authorities. They have assured us that they are looking into the matter. We shall continue to press them for a formal response.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British personnel are part of the Iraq Survey Group (ISG); who commissioned the ISG report; and if he will make a statement. [133779]

Mr. Straw: As at 20 October there were 65 UK personnel under the control of the Iraq Survey Group. The Iraq Survey Group's interim report presented on 2 October was produced on the basis of an understanding by Dr. Kay that a progress report should be produced. There is no formal requirement on the ISG to report according to a particular timetable.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department has received the full version of the Iraq Survey Group report; and if he will make a statement. [133780]

Mr. Straw: A full copy of the interim report of the Iraq Survey Group was passed to the Foreign and Commonwealth Office at the time of its presentation.

My right hon. Friend the Prime Minister and I have both publicly stated the Government's position with regard to the report and the continuing search for Iraqi weapons of mass destruction.

Malaysian Prime Minister

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the speech by the Malaysian Prime Minister at the opening of the Organisation of the Islamic Conference Summit in Kuala Lumpur on 16 October; what discussions *(a)* he *(b)* members of his Department and *(c)* representatives of the United Kingdom Government have had with (i) members and (ii) representatives of the government of Malaysia regarding this speech; and if he will make a statement. [134431]

Mr. Stephen O'Brien: Dr. Mahathir's comments about Jews in his speech to the Organisation of the Islamic Conference Summit on 16 October were totally unacceptable. I summoned the Malaysian high commissioner on 17 October, and made our position clear. I said it was particularly regrettable that some welcome messages in Dr. Mahathir's speech—such as negotiation as the path to peace, and the futility of terrorism—had been overshadowed by his outburst about Jews.

On 20 October the British high commissioner in Kuala Lumpur repeated our position to the Secretary General of the Malaysian Ministry of Foreign Affairs. The Secretary General argued that Dr. Mahathir had made clear repeatedly that he was not anti-Semitic, and that the speech showed his unequivocal opposition to terrorism and the use of violence in Palestine, including suicide bombings.

The EU Presidency issued a statement on 16 October condemning Dr. Mahathir's remarks on behalf of all member states.

Pamplona Bull Run

Norman Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Spanish Government in respect of the welfare implications of the running of the bulls in Pamplona. [135093]

Mr. MacShane: The Government takes seriously reports of cruelty to animals. Where appropriate, our Embassies overseas, including our Embassy in Madrid, bring such issues to the attention of the government concerned, and encourages them to adopt acceptable standards of animal welfare. They also convey the strength of public opposition in the UK to the exploitation of animals overseas.

Passport Renewal (Harare)

Mr. Chope: To ask the Secretary of State for Foreign and Commonwealth Affairs what the cost is for renewal of a British passport at the British High Commission in Harare; and what the cost was on *(a)* 1 January 1997, *(b)* 1 January 2000 and *(c)* 1 January 2003. [135030]

Mr. Mullin: The fee charged by any British Diplomatic Mission to issue a standard adult passport is currently £56.50. The fee has previously been set at:

(a) 1 January 1997—£18.00
(b) 1 January 2000—£49.00
(c) 1 January 2003—£54.40

The fee recovered would have been the local currency equivalent of the above sterling amounts.

Proliferation Security Initiative Group

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* matters were discussed, and *(b)* decisions were taken, at the meeting of the Proliferation Security Initiative Group of States in early October; what resources are committed in support of this initiative; when future meetings will be held; and if he will make a statement. [133311]

Mr. MacShane: The Chairman's conclusions from the meeting were published on 10 October, and can be found on the Foreign and Commonwealth Office website at www.fco.gov.uk/internationalsecurity. I refer my hon. Friend also to the written statement that I made to this House on 22 October.

For the present, work on the initiative is being funded from within existing resources. Any decisions regarding the commitment of additional resources to the initiative will be taken on a case-by-case basis dependent upon future operational requirements. The next meeting of the Proliferation Security Initiative will be held in Portugal early in 2004.

Rebel Groups (Kenya)

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the progress of the discussions between the Sudanese Government and rebel groups in the Kenyan town of Naivasha; what assessment he has made of the likelihood of significant progress in 2003; and if he will make a statement. [134718]

Mr. Mullin: We are optimistic about the prospects for peace between the Government of Sudan (GoS) and the Sudanese People's Liberation Movement (SPLM). We assess that there is a good chance of agreement this year or early next year. The latest round of talks adjourned on 26 October for the month of Ramadan. There are outstanding problems which need to be resolved, on power and wealth sharing, the three conflict areas (of Southern Blue Nile, the Nuba Mountains and Abyei) and ceasefire and security issues. Discussion of these issues is expected to resume on 1 December. We are confident that, with the continued commitment of both parties, there will be no barriers to signing a peace deal. On 25 September, the parties signed a Framework Agreement on Security Arrangements during the Interim Period.

We continue to offer the parties and mediators our full support and advice and remain actively involved in helping them reach a comprehensive peace agreement.

NORTHERN IRELAND

Access to Work Programme

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many people with disabilities enrolled in the Access to Work Programme in Northern Ireland in each of the last three years. [133875]

Jane Kennedy: The number of people with disabilities on the Access to Work programme in each of the last three years is as follows:

2000–01—495
2001–02—540
2002–03—620

Energy Industry

Lembit Öpik: To ask the Secretary of State for Northern Ireland, pursuant to the Answer of 11 June 2003, *Official Report*, column 957W, on the energy

industry, what mechanisms for reducing energy costs in Northern Ireland are planned to enable a more efficient means of financing energy assets and contracts; and if he will make a statement. [122807]

Mr. Pearson: A working group of economists is examining a range of mechanisms, including a legislative low cost borrowing option, for reducing energy costs in Northern Ireland and is due to report shortly. The outcomes of discussions on the consultation papers "Competition and Customer Empowerment" published by the Regulator on 4 March 2003 and "Towards a New Energy Strategy for Northern Ireland", published by the Department of Enterprise, Trade and Investment on 17 April 2003, will also shape future announcements in this area.

Lembit Öpik: To ask the Secretary of State for Northern Ireland what targets he has set for the working group set up to examine practical options for reducing energy costs in Northern Ireland; when the working group is due to report; and if he will make a statement. [122808]

Mr. Pearson: I refer the hon. Gentleman to my reply to PQ Written No 122807. No targets have been set for the working group which is expected to report shortly.

Lembit Öpik: To ask the Secretary of State for Northern Ireland when the Government will make a decision on the introduction of legislation to reduce the cost of borrowing in the Northern Ireland energy market sector; and if he will make a statement. [122809]

Mr. Pearson: I refer the hon. Member to my reply to PQ Written No 122807. A legislative low cost borrowing mechanism is one of the options being examined by the working group of economists which will report to me shortly.

Saville Inquiry

Mr. Gerald Howarth: To ask the Secretary of State for Northern Ireland if he will estimate the costs of the Saville Inquiry, broken down by the cost of *(a)* instructing solicitors, *(b)* instructing counsel, *(c)* inquiry accommodation, *(d)* travel and accommodation for (i) relatives of the victims and (ii) other witnesses and *(e)* other costs. [129905]

Mr. Spellar: Up to end August 2003 the cost of the Bloody Sunday Inquiry was £119.7 million. The cash spend by the Northern Ireland Office on the Inquiry was a total of £94.6 million. My right hon. Friend the Secretary of State for Defence advises me that his Department has spent £25.1 million. Breaking these down in the categories requested gives the following figures:

£000

	NIO	*MOD*
(a) Instructing Solicitors	24,160	7,300
(b) Instructing counsel	15,630	15,400
(c) Inquiry Accommodation	13,517	330
(d) Travel and Accommodation for		
(i) relatives of the victims	467	
(ii) other witnesses	32	44
(e) Other costs	[1]40,801	[2]2,100

[1] Figure includes salary costs of Tribunal members (except Lord Saville) and Inquiry staff, IT equipment, expert witnesses, office services and security, telecommunications and other miscellaneous office expenditure.
[2] For the MOD the figure includes Inquiry related staff and support costs, an MOD Police Investigation and other miscellaneous fees and expenses.
Totals may not be exact due to rounding.

Vocational Courses

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many further education students enrolled in vocational courses in Northern Ireland in each of the last five years. [133874]

Jane Kennedy: The following table provides information relating to vocational enrolments in Northern Ireland Further Education Colleges from 1998/99 to 2001/02. The data details all enrolments on vocational courses at levels of study 1–5, over the entire academic year. Full year data has only been collected since 1998/99, and 2001/02 is the most recent year for which this information is available.

	Enrolments
2001/02	121,930
2000/01	130,744
1999/2000	124,219
1998/99	117,376

Note:
The drop in enrolments for 2001/02 can be attributed to: (i) the reduction in the number of Further Education Colleges from 17 to 16 (following the merger of NIHCC with the University of Ulster) and (ii) changes regarding the re-alignment of vocational/non-vocational computing courses.

EDUCATION AND SKILLS

Executive Agencies

Mr. Steen: To ask the Secretary of State for Education and Skills if he will list the executive agencies that have been established by his Department since 1997; and how much has been spent on *(a)* staffing and *(b)* resourcing these agencies. [134851]

Mr. Charles Clarke: None.

Fairtrade Products

Helen Jones: To ask the Secretary of State for Education and Skills (1) if he will take steps to encourage more schools to establish Fairtrade tuckshops; and if he will make a statement; [132985]

(2) what steps he will take to encourage the use of Fairtrade products in school meals. [132986]

Mr. Stephen Twigg: Nutritional standards prescribe the types of food that should be available from the four main food groups, but the content of the school meal and what is sold in tuck shops is decided by the LEA or the governing body of a school. However, in the Sustainable Development Action Plan that my right hon. Friend the Secretary of State launched on 23 September, we have made clear the importance we

attach to all forms of sustainable food procurement, including fair trade products, and are committed to disseminating good practice.

Homebuy Scheme

Mr. Brady: To ask the Secretary of State for Education and Skills whether eligibility for Key Teacher Homebuy loans will be affected by total family income. [134603]

Mr. Miliband: The package of assistance announced by the Secretary of State on 21 October is designed to help retain good teachers within London with the potential to rise to leadership positions within the profession, by enabling them to purchase the types of homes that suit their needs but which may have been beyond their means until now. Although we are still in the process of finalising full details, it is very likely that teachers will only be eligible if their total family income is below a certain level.

Mr. Brady: To ask the Secretary of State for Education and Skills whether the Key Teacher Homebuy scheme will be available to teachers in all subjects. [134604]

Mr. Miliband: The package of assistance announced by the Secretary of State on 21 October is designed to help retain good teachers within London with the potential to rise to leadership positions within the profession, by enabling them to purchase the types of homes that suit their needs but which may have been beyond their means until now. Although we are still in the process of finalising full details, it is very likely that teachers in any subject will be eligible to apply.

Mr. Brady: To ask the Secretary of State for Education and Skills whether Key Teacher Homebuy loans will be repayable in the event of teachers *(a)* taking a sabbatical, *(b)* taking a period of secondment and *(c)* moving to employment in (i) an independent school and (ii) an academy in London. [134605]

Mr. Miliband: The package of assistance announced by the Secretary of State on 21 October is designed to help retain good teachers within London with the potential to rise to leadership positions within the profession, by enabling them to purchase the types of homes that suit their needs but which may have been beyond their means until now. Eligible teachers will be required to demonstrate an ongoing commitment to working within maintained sector schools (as well as Academies) within London. However, in the case of sabbaticals, secondments and work in the independent sector, periods of up to two years will be permitted before loans become repayable.

Mr. Brady: To ask the Secretary of State for Education and Skills whether teachers will have to repay equity loans under the Key Teacher Homebuy scheme *(a)* on retirement, *(b)* on retiring on grounds of ill-health and *(c)* when made redundant. [134612]

Mr. Miliband: The package of assistance announced by the Secretary of State on 21 October is designed to help retain good teachers within London with the potential to rise to leadership positions within the profession, by enabling them to purchase the types of homes that suit their needs but which may have been beyond their means until now. Although details are still to be finalised, we would normally only expect loans to be repaid when a property is sold or if a teacher is no longing teaching in London for more than two years, or if a teacher wishes to own the property outright and chooses to repay the loan.

Mr. Brady: To ask the Secretary of State for Education and Skills what criteria he will use to assess a teacher's suitability for an equity loan under his Department's Key Teacher Homebuy Scheme. [134613]

Mr. Miliband: The package of assistance announced by the Secretary of State on 21 October is designed to help retain good teachers within London with the potential to rise to leadership positions within the profession, by enabling them to purchase the types of homes that suit their needs but which may have been beyond their means until now. We are currently working with the Office of the Deputy Prime Minister to develop a system that will enable us to be able to identify and prioritise those teachers who might be eligible. We expect to be able to publicise this information before the end of the year.

Modern Apprenticeships

Mr. Damian Green: To ask the Secretary of State for Education and Skills what plans he has to encourage the creation of modern apprenticeships in the photographic sector; and if he will make a statement. [133703]

Mr. Ivan Lewis: The Government are firmly committed to their Modern Apprenticeships (MA) programme across all sectors, including the photographic sector in England. We have demonstrated that by first commissioning and then, jointly with the Learning and Skills Council, implementing the recommendations of the Modern Apprenticeship Advisory Committee. Photography featured in the Modern Apprenticeships TV advertisements last year aimed at young people. Under Sir Roy Gardner a business-led Modern Apprenticeship Task Force is taking a key role in promoting MA to employers and thereby contributing to increased take-up. In doing so we are able to raise both the quality and expand the number of opportunities available. This action supports the Government's broader aims announced in our Skills Strategy White Paper "21st Century Skills" published recently.

The Learning and Skills Council in England determines the allocation of MA places for each sector based on local labour market needs. It is working closely with the Connexions Service, the new Sector Skills Councils (SSC) and others to increase demand for places from both young people and employers. While the number of MAs in the photographic industry is currently small, it is planned that Skillset the Trailblazer SSC for the Audio Visual Industries will shortly include Photo-Imaging, offering an exciting opportunity to further develop effective training for the sector. The number of MAs in learning are at the highest level since they were introduced in 1994—at 234,100. Over 750,000 have started since 1997.

Mr. Frank Field: To ask the Secretary of State for Education and Skills how many young people in *(a)* Birkenhead and *(b)* Wirral have entered (i) an advanced modern apprenticeship and (ii) a foundation modern apprenticeship since the schemes' inception. [134343]

Mr. Ivan Lewis: The information is not available for the areas requested by my right hon. Friend. However, information is available for old Training and Enterprise Council (TEC) areas and new Learning and Skills Council (LSC) areas. The table below shows the number of starts on modern apprenticeships in Greater Merseyside Learning and Skills Council (LSC) between the 26 March 2001 and the end of July 2003, as well as the number of starts from the inception of the programmes until 25 March 2001 in the four TEC areas that became part of Greater Merseyside LSC area.

Time period	*TEC/LSC*	*Advanced MA*	*Foundation MA*
Inception to March 01	CEWTEC[1]	5,500	2,500
	Merseyside	11,900	8,800
	St. Helens CCTE	1,800	1,000
	North & Mid Cheshire[1]	5,300	1,636
March 01 to July 03	Greater Merseyside LSC	4,600	11,000

[1] Some of the old TEC area became part of Greater Merseyside LSC, but some of the old TEC area also became part of Cheshire and Warrington LSC.

Parliamentary Questions

Mr. Frank Field: To ask the Secretary of State for Education and Skills (1) when he will reply to the question tabled by the right hon. Member for Birkenhead on 8 September, reference 129229; [133832]

(2) when he will reply to the question tabled by the right hon. Member for Birkenhead on 8 September, reference 129168; [133833]

(3) when he will reply to the question tabled by the right hon. Member for Birkenhead on 8 September, reference 129169. [133834]

Margaret Hodge: I refer my right hon. Friend to the answer given on 20 October.

School Budgets (Lincolnshire)

Shona McIsaac: To ask the Secretary of State for Education and Skills if he will list the schools in *(a)* North Lincolnshire and *(b)* North East Lincolnshire which ran a deficit budget in the year ending 31 March; and how much each deficit was. [132650]

Mr. Miliband: Information on those schools with deficits in the financial year 2002–03 will be contained in the outturn statement which all local education authorities are required to publish under section 52 of the School Standards Framework Act 1998. Figures for the year ending 31 March 2003 are not yet available for North Lincolnshire and North East Lincolnshire: I will write to my hon. Friend as soon as they are.

School Exclusions

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many *(a)* temporary and *(b)* permanent exclusions were made by (i) primary, (ii) secondary schools and (iii) all schools in each year since 1997, broken down by local education authority. [133690]

Mr. Ivan Lewis: Information on fixed term exclusions is not yet available centrally. The Department has recently started to collect information from local education authorities on both fixed term and permanent exclusions on a termly basis. However, reliable findings from this data collection exercise are not expected to be available until next year.

A table showing information requested on permanent exclusions has been placed in the House of Commons Library.

School Setting (West Sussex)

Mr. Gibb: To ask the Secretary of State for Education and Skills pursuant to his Answer of 6 October 2003, *Official Report,* column 1142W, on school setting, what percentage of maintained schools in West Sussex LEA inspected by Ofsted between 1995 and 2002 in *(a)* year 7, *(b)* year 8, *(c)* year 9, *(d)* year 10 and *(e)* year 11 were recorded as set by ability in (i) maths, (ii) English, (iii) science and (iv) modern foreign languages. [135026]

Mr. Miliband: This is a matter for Ofsted. HM Chief Inspector, David Bell, will write to the hon. Member and place a copy of his letter in the Library.

School Funding

Mr. Fallon: To ask the Secretary of State for Education and Skills how many Kent schools have made recent representations to him about school funding; and what response he has made. [134730]

Mr. Miliband: We have received a number of recent representations from Kent schools about education funding issues. In response, we have referred to the Secretary of State's statement on 17 July when he announced the changes we propose to make to restore stability to school funding in 2004–05 and 2005–06. We have been working with national partners on the detail of his proposals and the Secretary of State will be announcing the outcome shortly.

Mr. Damian Green: To ask the Secretary of State for Education and Skills what the salary costs for each local education authority of *(a)* all staff, *(b)* all school staff, *(c)* school teaching staff and *(d)* school non-teaching staff were in each year since 1997. [133697]

Mr. Miliband: I refer the hon. Member to his previous question on 30 April 2003, *Official Report,* column 419W, for the reply. Figures for the year ending 31 March 2003 are not yet available: I will write to the hon. Member as soon as they are.

Mr. Hunter: To ask the Secretary of State for Education and Skills what further measures he proposes to take to protect school budgets from the effects of the changes to the grant formula. [134673]

Mr. Miliband: My right hon. Friend the Secretary of State announced, in his statement to the House on 17 July, that in each of the next two years, every local authority will receive an increase in its Formula Grant from the Office of the Deputy Prime Minister which is at least as large as the increase in its Schools Formula Spending Share (SPSS). He expects to make a further announcement on schools funding in 2004–05 and 2005–06 shortly.

Each local authority's provisional Formula Grant and SPSS increases for 2004–05 will be announced as part of the provisional Local Government Finance Settlement in mid-November.

Standard Attainment Tests

Mr. Gibb: To ask the Secretary of State for Education and Skills when he will publish the findings of the Qualifications and Curriculum Authority investigation into the Standard Attainment Test at 7, 11 and 14 submitted to the QCA in January 2002. [135020]

Mr. Stephen Twigg: The Qualifications and Curriculum Authority (QCA) will make the report available before the end of the year and I have asked the Chief Executive of the QCA to write to the hon. Member about this matter.

Student Loans

Mr. Boswell: To ask the Secretary of State for Education and Skills what the income starting point for repayment of student loans by new graduates was in each of the last 10 calendar years. [134505]

Alan Johnson: There are two types of student loan. Borrowers who started their courses before the 1998/99 Academic Year are liable to repay fixed-term (mortgage-style) loans. Income contingent loans apply to the vast majority of borrowers who entered higher education from the 1998/99 Academic Year.

Under the mortgage-style loans scheme, a student can apply to defer their loan repayments for a year at a time if their income is not more than 85 per cent. of national average earnings. This deferment threshold is recalculated annually in line with figures published by National Statistics, and is currently £21,364 for the year starting 1 September 2003. Any change to the 85 per cent. threshold would require primary legislation and we have no plans to make such a change.

The threshold for repaying income contingent loans is an annual income of £10,000. Borrowers over this threshold are liable to repay 9 per cent. of their income over £10,000. The repayment scheme came into effect in April 2000. The level of the threshold will rise to £15,000 from April 2005.

The information requested is provided in the table for both mortgage style and income contingent loans:

£

Academic years	*1993/94*	*1994/95*	*1995/96*	*1996/97*	*1997/98*	*1998/99*	*1999/2000*	*2000/01*	*2001/02*	*2002/03*
Mortgage style loans deferment threshold	13,980	14,592	15,204	15,792	16,488	17,784	18,192	19,104	19,728	21,022
Income contingent loans repayment threshold	n/a	n/a	n/a	n/a	n/a	n/a	n/a	10,000	10,000	10,000

Teachers' Income Tax

Mr. Brady: To ask the Secretary of State for Education and Skills what estimate he has made of the *(a)* number and *(b)* percentage of teachers who pay income tax at the higher rate. [134342]

Mr. Miliband: The amount of income needed for a teacher to become a higher rate tax payer will depend on their own and their family's circumstances. As we do not collect information on teachers' financial and family circumstances we are unable to make a reliable assessment of the number or percentage of teachers paying income tax at the higher rate.

DEPUTY PRIME MINISTER

Bond Security Scheme

Mr. Gardiner: To ask the Deputy Prime Minister what research his Department has carried out to assess the feasibility of launching a bond security scheme for tenants in rented property; and what studies he has received of bond security schemes for tenants in rented property in Australia. [135039]

Keith Hill: Cost-benefit assessments of intervention measures were carried out for the consultation on protection of tenancy monies, based on research by the University of York and data from the pilot Tenancy Deposit Scheme. In 1998, a review of deposit schemes operating in Canada, New Zealand and Australian states was carried out.

Correspondence

Sir Michael Spicer: To ask the Deputy Prime Minister when he will reply to the letters from the hon. Member for West Worcestershire of 4 June and 22 August. [134511]

Yvette Cooper: I replied to the hon. Member on 27 October 2003.

Council Housing

Mr. Steen: To ask the Deputy Prime Minister if he will take steps to enable elected members of district councils to view the names of those on the councils' housing waiting lists; and if he will make a statement. [134832]

Mr. Raynsford: There are no plans to enable elected members of district councils to view the names of those on the councils' housing waiting lists. There is no legislative provision for such access, and it is difficult to see how it is compatible with the provisions of the Data Protection Act.

Mr. Purchase: To ask the Deputy Prime Minister if he will estimate the impact of an additional £50 million per annum investment on housing rents of a local authority owning 25,000 properties, managed by *(a)* the local authority and *(b)* an arm's length management organisation. [135198]

Keith Hill: There should be no impact on rents on properties managed by either a local authority or an arm's length management organisation provided that the managing organisation is implementing the Office of the Deputy Prime Minister's proposals on rent restructuring.

Council Housing Stock

Mr. Skinner: To ask the Deputy Prime Minister whether Government grants to local councils are affected by whether they have retained control of council housing stock. [133770]

Keith Hill: Housing Revenue Account (HRA) subsidy is payable to all housing authorities who retain control of their housing stock, including those who have set up an Arms Length Management Organisation (ALMO) or entered into a Private Finance Initiative (PFI) contract. HRA subsidy entitlement is calculated on the basis of assumed need. An authority that has no housing stock, and has closed its HRA, will not therefore be entitled to HRA subsidy.

Funding provided to support housing investment by local authorities is based on indices which reflect a range of housing needs including the renovation backlog in the council housing stock. Again, these indices will be adjusted when stock is transferred to a registered social landlord.

Council Tax

John Mann: To ask the Deputy Prime Minister how much the Band D council tax is for each constituency in England. [134997]

Mr. Raynsford: Figures for the average Band D council tax for each parliamentary constituency in England are not held centrally and could be provided only at disproportionate cost. This is because the boundaries of most constituencies do not coincide with those of local authorities, and figures are not collected in such a way as to allow reliable estimates for constituency areas to be produced.

It is possible, however, to provide figures for the average Band D area council tax for 2003–04 for each of the billing authority areas lying partly or wholly within each English parliamentary constituency. A table giving this information is available in the Library of the House.

Councillors (Tenure)

Mr. Hoban: To ask the Deputy Prime Minister pursuant to the answer of 20 October 2003, *Official Report*, column 403W, on councillors (tenure), when he expects to bring forward legislation to extend the tenure of those councillors affected. [134937]

Mr. Raynsford: The Government will shortly be launching a consultation paper on drafts of the relevant Statutory Instruments. It hopes to be able to lay a final draft before the House by the end of this year, and subject to parliamentary approval, make the order by the end of January 2004.

Family Houses

Bob Russell: To ask the Deputy Prime Minister (1) how many family houses for rent he estimates will be built in the Colchester constituency in the next two years from the funds he has provided for the east of England; [135089]

(2) how many family houses for rent he estimates will be built in the east of England over the next two years from funds he has allocated. [135090]

Keith Hill: It will be for Regional Housing Board to prioritise the use of resources the Office of the Deputy Prime Minister has provided to the east of England amounting to £3[illegible] million over two years (2004–05 to 2005–06). Where funding is being provided by the Housing Corporation, registered social landlords (RSLs) will be expected to bid for funds in line with both regional and local priorities, the latter being set by the local authorities.

At this stage we expect that funding over this period will provide around 5,500 completions of homes in the east of England. These homes will be for rent or for low cost home ownership.

The Housing Corporation launched their bidding round on 24 October under which they will be allocating the resources for 2004–05 and 2005–06 to RSLs

Figures at constituency level are not held centrally and could be provided only at disproportionate cost.

Bob Russell: To ask the Deputy Prime Minister how many families in the east of England he estimates are living in accommodation of a size below recommended standards. [135091]

Keith Hill: There are no recommended standards for occupancy but the "bedroom standard" has been used as a statistical measure of under-occupancy/overcrowding since the 1970's. Using data from the Survey of English Housing, averaged over the years 2000–01, 2001–02 and 2002–03 in order to provide a sufficiently large sample, the estimated number of households in overcrowded accommodation (i.e. one or more bedrooms below the standard) in the east of England was 35,000 households or 1.6 per cent. of all households in the region. For the whole of England there were estimated to be 501,000 households i.e. 2.4 per cent.

Green Belt

Mr. McWalter: To ask the Deputy Prime Minister if he will take steps *(a)* to conserve the green belt in Hertfordshire and *(b)* to ensure that towns to the north of the M25 retain their distinctive character and are not joined together by ribbon development. [134544]

Keith Hill: Hertfordshire is an area with strong housing pressures and very high house prices. Much of the county is covered by green belt. Through the Communities Plan the Government are committed to addressing the housing shortage in the greater south east by ensuring house building rates in existing plans are met and, where appropriate—with a strong emphasis on the growth areas—such rates are increased.

Government policy is that the essential characteristic of green belts is their permanence, that established boundaries should only be reviewed in exceptional circumstances, and that at the regional level the extent of green belt should at least be retained.

Notwithstanding the presumption that capacity within urban areas should be used first and the exemplary approach of Hertfordshire county council towards developing urban capacity, we accept that in the Hertfordshire context some limited local releases of green belt are likely to be required. The location of these will be defined through the regional planning and local

planning processes. This will not lead to changing the distinctive character of individual towns and will ensure they are not joined by ribbon development.

Local Elections

Dr. Pugh: To ask the Deputy Prime Minister what percentage of councils, excluding parish and town councils, are under Labour majority control in England, broken down by region. [134344]

Mr. Raynsford: The information requested is not held centrally and could be provided only at disproportionate cost.

Local Government Formula

Mrs. Calton: To ask the Deputy Prime Minister what the real terms percentage change in *(a)* local government formula and *(b)* one-off grant funding was, broken down by (i) spending area and (ii) council, in each year since 1997–98. [133608]

Mr. Raynsford: Figures for English local authorities are available in the Library of the House.

London Bridge Tower

Simon Hughes: To ask the Deputy Prime Minister when he will make a final decision on the planning application for the London Bridge Tower. [135159]

Keith Hill: The Inspector's report is currently under consideration and a decision will be issued as soon as possible.

Millennium Dome

Mr. Dhanda: To ask the Deputy Prime Minister what public money has been used to support the Millennium Dome since its closure. [133542]

Keith Hill: The New Millennium Experience Company (NMEC) was responsible for maintaining the Dome, and decommissioning its contents, from its closure on 31 December 2000 to end of June 2001. During this period, NMEC incurred expenditure of £8.2 million funded by the Lottery, although partially offset by net income of £3.9 million from the sale of assets following closure.

English Partnerships (EP) took over responsibility in July 2001, since when it has incurred expenditure of £6.3 million on maintaining the Dome, up to the end of August 2003. EP has also incurred expenditure of £6.7 million on decommissioning the Dome's contents and site preparation for its long-term use, and £7.4 million in connection with the current sale process, from February 2001 to the end of August 2003. £6.7 million was spent by EP on the earlier competition to find a long-term use for the Dome, which began in March 1999 and ended in February 2001. EP has received income, net of VAT, of £0.9 million for events held at the Dome since it became available for such use at the end of 2001, thereby reducing the amount of public money used to support the Dome. The remaining EP expenditure, and their future costs, will be recovered from eventual sale proceeds.

Mobile Phone Masts

Bob Russell: To ask the Deputy Prime Minister if he will grant local authorities more powers to refuse applications by mobile telephone companies to erect telephone masts; and if he will make a statement. [132819]

Keith Hill: On 22 August 2001, the Government significantly strengthened the planning arrangements for telecommunications development. There are no plans to change these arrangements at present.

Park Homes

Mr. Laurence Robertson: To ask the Deputy Prime Minister if he will introduce a separate band of council tax for people who live in park homes; and if he will make a statement. [135004]

Mr. Raynsford: The Office of the Deputy Prime Minister is aware of the concerns about the current width of band A from people who live in lower value dwellings like park homes. The Office of the Deputy Prime Minister has announced that it will have a council tax revaluation in England in 2007 based on 1 April 2005 values and ahead of that will listen to the views of local government and taxpayers about council tax bands. The Office of the Deputy Prime Minister will decide on any changes to the banding structure nearer to the time of the revaluation.

Mr. Laurence Robertson: To ask the Deputy Prime Minister what plans he has to introduce legislation to regulate park home sites, with particular reference to the purchasing and selling of homes; and if he will make a statement. [135005]

Keith Hill: The Select Committee's report on the draft Housing Bill recommended that the Government should commit to introducing new legislation on park homes within the next two years. I cannot pre-empt the Government's response to the Select Committee's report, which will be published next month, nor the contents of the Queen's Speech.

Planning

Tim Loughton: To ask the Deputy Prime Minister what plans he has to amend the Town and Country Planning General Permitted Development Order 1995 to include an additional condition to prevent development on grounds of intrusion; and if he will make a statement. [134796]

Keith Hill: As part of the planning reform agenda, the Office of the Deputy Prime Minister is undertaking a review of the permitted development rights granted by the Town and Country Planning (Permitted Development Rights) Order 1995. A research report commissioned from Nathaniel Lichfield and Partners Ltd. (available on the Office of the Deputy Prime Minister website) makes a number of recommendations to address concerns about privacy and overlooking. The Office of the Deputy Prime Minister will be seeking views on these recommendations as part of a wider consultation on possible changes to the Order.

Planning Legislation (Northern Ireland)

Lembit Öpik: To ask the Deputy Prime Minister if he will make a statement on the role of the planning system in delivering sustainable development in Northern Ireland. [100175]

Angela Smith: I have been asked to reply.

The Regional Development Strategy for Northern Ireland 2025, which was formulated by the Northern Ireland Assembly on 20 September 2001, sets new directions to achieve a more sustainable pattern of development in the interests of future generations. The Department of Environment in Northern Ireland has a programme to provide a full suite of Planning Policy Statements by the end of 2005 and complete up-to-date Area Plan coverage by the end of 2006.

The Planning (Amendment) (Northern Ireland) Order 2003 requires all Planning Policy Statements and Area Plans to be in general conformity with the Regional Development Strategy.

In Northern Ireland, statutory provisions therefore ensure that the promotion of more sustainable forms of development is embedded in all emerging Planning Policy Statements and Area Plans.

Lembit Öpik: To ask the Deputy Prime Minister what plans he has to introduce a statutory Purpose for Planning requirement into Northern Ireland planning legislation based on principles of sustainable development; and if he will make a statement. [100176]

Angela Smith: I have been asked to reply.

The Planning and Compulsory Purchase Bill imposes a statutory duty on persons and bodies responsible for preparing Regional Spatial Strategies and Local Development Documents in England and Wales to contribute to the achievement of sustainable development.

In Northern Ireland, statutory provisions already require Planning Policy Statements and Area Plans to be in general conformity with the Regional Development Strategy 2025, which was formulated by the Northern Ireland Assembly in September 2001 and sets new directions to achieve a more sustainable pattern of development.

I can assure you, however, that consideration will be given to the need to include further provision in future planning legislation for Northern Ireland.

Regional Assemblies

Mr. Gordon Prentice: To ask the Deputy Prime Minister on which dates he intends to hold the referenda on the proposed regional assemblies in *(a)* the North West, *(b)* the North East and *(c)* Yorkshire and Humberside; and if he will make a statement. [134403]

Mr. Raynsford: No dates have been decided for the referendums on whether to establish elected regional assemblies in the North West, North East and Yorkshire and Humberside regions.

My right hon. Friend the Deputy Prime Minister cannot order referendums until six weeks after he receives the Boundary Committee for England's recommendations on options for restructuring two-tier local government in the regions, planned for 25 May 2004.

Mr. Gordon Prentice: To ask the Deputy Prime Minister what the expected cost *(a)* by region and *(b)* in Pendle is of the postal ballot in the referendums on regional assemblies. [134611]

Mr. Raynsford: Information in the Electoral Commission's report "The shape of elections to come" suggests that the direct cost of postal referendums on elected assemblies would be around £1.10 per elector.

On this basis the cost by region of the elected assembly referendum would be £5.7 million in the north west, £4.1 million in Yorkshire and Humberside and £2.1 million in the north east. These figures assume that everyone eligible to vote returns a ballot paper. In practice costs will depend upon turnout, as this will affect postal and processing costs. There will be some additional costs in those parts of the region which also have a local referendum.

It is too soon to estimate the costs in Pendle.

Geraldine Smith: To ask the Deputy Prime Minister what his latest estimate is of the cost of holding a referendum on regional government in *(a)* the north west region and *(b)* the three northern regions, including the costs of postal ballots. [134661]

Mr. Raynsford: Information in the Electoral Commission's report "The shape of elections to come" suggests that the direct cost of postal referendums on elected assemblies would be around £1.10 per elector

On this basis the cost by region of the elected assembly referendum would be £5.7 million in the north west and £11.9 million in the three northern regions.

These figures assume that everyone eligible to vote returns a ballot paper. In practice costs will depend upon turnout, as this will affect postal and processing costs. There will be some additional costs in those parts of the region which also have a local referendum.

Regional Housing Boards

Laura Moffatt: To ask the Deputy Prime Minister what role the regional housing boards will play in ensuring that housing development takes place throughout the South East region. [135006]

Keith Hill: The South East Regional Housing Board will encourage local landowners, developers, registered social landlords and local authorities to work even more closely together to ensure that the region delivers the right type of housing development, in the right location, to meet the strategic needs of the region and maximise the level of public funding.

Starter Homes

Tim Loughton: To ask the Deputy Prime Minister how many social workers, broken down by local authority area, have benefited from the Starter Home Initiative. [134812]

Keith Hill: The priority groups for assistance under the Starter Home Initiative (SHI) are teachers, police, nurses and other essential health workers. A small

number of other key workers are being helped, including social workers in some areas. Funding was allocated in 2001 and 2002 based on the bids received, the recruitment and retention difficulties being experienced across different areas and the relative cost of housing. As at 30 September 2003, 45 social workers have been helped to purchase homes under the SHI.

The following table sets out the breakdown by local authority.

Local Authority	*Number of social workers assisted*
Barnet	1
Basingstoke and Deane	5
Bexley	1
Brighton and Hove	4
Bristol	3
Broxbourne	1
Cambridge	5
Chichester	2
Ealing	3
Eastbourne	1
Guildford	1
Hackney	1
Hammersmith and Fulham	2
Harrow	1
Hastings	2
Kensington and Chelsea	1
Lewes	1
Oxford	1
Reading	2
Reigate and Banstead	1
St. Albans	1
Southampton	1
Watford	1
Woking	1
Wokingham	2
Total	45

Tim Loughton: To ask the Deputy Prime Minister how many public service workers have been assisted by the Starter Home Initiative, broken down by profession. [134813]

Keith Hill: As at 30 September 2003, over 4,500 key workers have been helped to purchase homes under the Starter Home Initiative. The following table sets out the breakdown by key worker group.

	Number of key workers helped to purchase homes
Health workers	1,961
Teachers	1,896
Police	571
Other[1]	99
Total	4,527

[1] Other key workers being helped under the Starter Home Initiative are social workers, care workers, fire fighters, transport workers, occupational therapists and (from July 2003) prison and probation service staff.

TREASURY

Bond Payment Schemes

Mr. Gardiner: To ask the Chancellor of the Exchequer pursuant to his answer of 6 October 2003, *Official Report*, column 1097W, on bond payment schemes, if he will make such an assessment. [135105]

John Healey: There are no plans to make such an assessment on bond payment schemes.

Efficiency Review

Mr. Flight: To ask the Chancellor of the Exchequer when he will publish the findings of the Efficiency Review consultation; and what recent discussions he has had with Mr. Peter Gershon, Head of the Office Government Commerce, regarding the progress of the Efficiency Review. [135009]

Mr. Boateng: The Review of Efficiency in Public Services is being independently led by Peter Gershon and it is for him to decide when to publish the results of the consultation.

Discussions with Peter Gershon and his team are held on an ongoing basis as required.

Football Clubs

Mr. Betts: To ask the Chancellor of the Exchequer which premier league and football league clubs have reached agreement with Customs and Excise over the last five years to pay off debts of less than their full value; and what the nature was of the agreement in each case. [135085]

John Healey: HM Customs and Excise are statutorily debarred from disclosing information relating to the tax affairs of individuals and of public and private sector bodies. Exemption 15 of the Code of Practice on Access to Government Information applies.

Homebuy Scheme (Teachers)

Mr. Brady: To ask the Chancellor of the Exchequer in what circumstances equity loans under the Key Teacher Homebuy Scheme will be treated as a taxable benefit. [134602]

Dawn Primarolo: A loan to a teacher, as to any employee, will be a taxable benefit if it is on beneficial terms and made, or arranged, guaranteed or facilitated in any way, by the employer.

Ports of Entry (Controls)

Patrick Mercer: To ask the Chancellor of the Exchequer what plans he has to introduce container and goods vehicles scanning to detect illegal entry of *(a)* persons and *(b)* goods at ports of entry. [134117]

John Healey: Mobile freight scanners were introduced by HM Customs and Excise in a phased roll-out between November 2000 and April 2003 for the detection of smuggled goods. There are currently 13 Customs scanners deployed at ports around the country.

The UK Immigration Service (UKIS) currently operates a Gamma Scanner at the port of Dover for the detection of clandestine entrants. The scanner is deployed jointly with Customs and is capable of finding clandestine entrants and goods.

A second gamma scanner, owned by UKIS, was loaned to the Belgian Federal Maritime Police in August 2003. It is operated jointly by the Belgian Federal Police and the UK Immigration Service at Zeebrugge and Ostende, and on the approach routes to both ports.

Royal Forest of Dean College

Diana Organ: To ask the Chancellor of the Exchequer whether the Speedwell building at the Royal Forest of Dean College is classified as a charity annex in respect of VAT; and whether its usage qualifies it for zero-rating for VAT. [134200]

John Healey: Annexes to buildings constructed by charities for non-business use can be zero-rated in certain circumstances.

I understand that Customs and Excise are currently discussing the VAT treatment of the Speedwell building with the Royal Forest of Dean College.

Second World War Debt

Tim Loughton: To ask the Chancellor of the Exchequer how much debt has yet to be repaid to the US by the UK Government in settlement of military equipment provision during World War II. [134817]

Ruth Kelly: The Supplementary Statements to the Consolidated Fund and National Loans Fund Accounts for 2001–02, presented to Parliament on 19 December 2002, provides the latest published data on these loans. As at 31 March 2002 principal of $289,985,203 (£203,641,294 at the exchange rate on that day) was outstanding on the loans provided by the United Sates Government in 1945. A further repayment of principal, amounting to US$66,381,002.61, was made at the end of December 2002, which reduced this figure. The new figure for the principal amount outstanding as at 31 March 2003 will be published in the 2002–03 Accounts in December 2003.

Taxes

Mr. Laws: To ask the Chancellor of the Exchequer what his estimate is of the proportion of *(a)* income tax and *(b)* taxes paid by each income decile in 2002–03; and if he will make a statement. [134277]

Ruth Kelly: The information requested falls within the responsibility National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Laws, dated 28 October 2003:

As National Statistician, I have been asked to reply to your recent question asking for an estimate of the proportion of *(a)* income tax and *(b)* taxes paid by each income decile in 2002–03. (134277)

Estimates for 2002–03 are not yet available but the attached table is based on the analysis "The effects of taxes and benefits on household income 2001–02" produced by the ONS and published on the National Statistics website on October 21st 2003. The analysis can be obtained from the House of Commons library or from the National Statistics website at http://www.statistics.gov.uk/taxesbenefits. It includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey.

The table shows estimates of the proportion of total tax paid by households in each income decile group where households are ranked by equivalised disposable income. Tax is defined as direct and indirect taxes. Equivalisation is a standard methodology that takes into account the size and composition of households and adjusts their incomes to recognise differing demands on resources.

The table also shows the equivalised disposable income decile points, which have been calculated separately for each year. For example, the 1st decile point is the income below which one tenth of all households are estimated to lie.

Proportion of taxes paid by decile groups of ALL households, 2001–02

	Decile groups of all households ranked by equivalised disposable income									
	Bottom	*2nd*	*3rd*	*4th*	*5th*	*6th*	*7th*	*8th*	*9th*	*Top*
Decile points (equivalised £)		8,214	10,356	12,361	14,670	17,179	19,910	23,691	28,469	37,095
Proportions of taxes (Percentage)										
Income tax	1	1	2	3	5	7	10	13	18	40
All taxes (direct and indirect)	4	4	4	6	7	9	11	13	16	26

Source:
Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income 2001–02'.

VAT

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer whether he plans to raise rates of value added tax. [134417]

John Healey: I refer the hon. Member to the answer my right hon. Friend the Paymaster General gave on 15 September 2003, *Official Report*, column 595W, to my hon. Friend the Member for Hamilton, South (Mr. Tynan)

WORK AND PENSIONS

Hospital-acquired Infections

Chris Grayling: To ask the Secretary of State for Work and Pensions how many investigations by the Health and Safety Executive there have been into infections in NHS hospitals in each of the past five years. [132307]

Mr. Browne: The Health and Safety Executive (HSE) has investigated the following numbers of reportable infections to staff in NHS hospitals over the last five years:

1998–99—8

1999–2000—10

2000–01—10

2001–02—3

2002–03—7.

With very few exceptions, infections to patients do not have to be reported to HSE. HSE has investigated some such cases, for example as a result of complaints or outbreaks affecting both staff and patients. The number of these investigations is not readily obtainable, but is likely to be fewer than the above figures.

National Insurance

Mr. Chope: To ask the Secretary of State for Work and Pensions what the cost to the Exchequer is of the granting of automatic national insurance contribution credits to those aged between 60 and 65 years. [133534]

Mr. Pond: These credits were introduced in 1983 to remove the need for many men in the 60 to 65 age-group, whose occupational retirement age was 60, to register as unemployed solely in order to obtain unemployment credits. These automatic credits effectively replaced unemployment credits for the majority of these men. We are unable to estimate the cost because not all people who are awarded these credits need them for benefit purposes.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Work and Pensions if he will list contracts for consultancy or work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133897]

Mr. Browne *[holding answer 27 October 2003]*: The Department for Work and Pensions was formed in June 2001 and has had no contracts with Bechtel.

Benefit Payments

Malcolm Bruce: To ask the Secretary of State for Work and Pensions (1) what percentage of *(a)* child benefit recipients and *(b)* pensioners have chosen to receive their payments into (i) a normal bank or building society account, (ii) a basic bank account and (iii) a Post Office card account; [134953]

(2) how many *(a)* pensioners and *(b)* child benefit recipients have been contacted regarding the new direct payment arrangements; how many are yet to be contacted; and what deadline the Government have set for contacting these recipients. [135000]

Mr. Pond: Key figures on the progress of conversion to Direct Payment are available in the House of Commons Library, updated every four weeks. It should be noted that for statistical purposes, we cannot differentiate between a current bank account and a basic bank account.

The huge number of customers involved in the conversion process, some 13 million, means that the changes are being phased in over a two-year period.

Carers

Paul Farrelly: To ask the Secretary of State for Work and Pensions what plans he has to grant *(a)* the carers' allowance and *(b)* other financial assistance to carers over 65 years irrespective of other benefit entitlements. [133956]

Maria Eagle: The upper age limit for carer's allowance was abolished with effect from 28 October 2002. The allowance for those over 65 years is subject to the same rules as those which apply when a person below the state pension age is entitled to more than one Social Security benefit.

Only one benefit at a time can be paid in full for income maintenance. Both state pension and carer's allowance provide a measure of income replacement for individuals who have reached pension age. In these circumstances one benefit has to be adjusted by reference to the other.

As to other financial assistance, even if carer's allowance is not payable under these rules, a carer entitled to state pension credit will receive the carer premium worth £25.10 a week. There are no plans to change these arrangements.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Work and Pensions when he will reply to the letter from the hon. Member for West Worcestershire of 20 August 2003. [134512]

Maria Eagle: I regret we have no record of the hon. Member's letter. If he would like to send a further copy, I will arrange for it to be considered urgently.

Disability Living Allowance

Mr. Blizzard: To ask the Secretary of State for Work and Pensions what the arrangements are for piloting new disability living allowance claim forms. [132677]

Maria Eagle: On 22 September 2003, we began testing a new, shorter and simpler, postal Disability Living Allowance claim form at Wembley Disability Benefit Centre. We plan to run the test until the end of the calendar year and the findings will be evaluated in the New Year. Before starting the test at Wembley, we communicated widely with local groups representing customers with disabilities, to encourage them to cooperate in the use of the test form and to provide feedback, which will form a valuable part of the evaluation process. No decisions will be taken on further use of the new form until after the test results have been evaluated.

Job Grant

Mr. Wray: To ask the Secretary of State for Work and Pensions who will be able to apply for the job grant; how much it is worth; for how long the grant will be available; and if he will make a statement. [132949]

Mr. Browne: The Job Grant is intended to help people manage until they receive their wages when moving from benefits into work and was introduced in April 2001. It is a flat rate one-off payment of 100 payable to people aged 25 and over who have been in receipt of Income Support, Jobseeker's Allowance, Incapacity Benefit or Severe Disablement Allowance continuously for the last 52 weeks and who are moving into work of at least 16 hours a week.

From 25 October 2004, the Job Grant will be available to people receiving Job Seekers Allowance aged 25 and over, lone parents, and people of any age receiving Income Support, Incapacity Benefit or Severe Disablement Allowance. The amount payable to lone parents and couples with children will be increased to 250. In addition, the qualifying period of benefit receipt will be reduced from the current 52 weeks to 26 weeks. Access has also been extended to partners of eligible benefit recipients who take up work of 24 hours a week or more, which takes the household off benefit. Full details of Job Grant eligibility conditions have been placed in the Library.

There are no plans to discontinue the Job Grant and we regularly review our package of work incentives, of which Job Grant is an integral part, to ensure that it works effectively to help people moving from benefits into employment.

Jobcentre Plus

Mr. Francois: To ask the Secretary of State for Work and Pensions how many full-time workers were employed by Jobcentre Plus in Essex on 1 September. [132633]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Mark Francois, dated 28 October 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning the number of Jobcentre Plus staff employed in Essex. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

In answer to your question, a total of 1,080 full time and 433 part time staff were employed by Jobcentre Plus in Essex on 1 September 2003. This equates to 1,371 full time staff.

I hope this is helpful.

Jobseeker's Allowance

Mr. Pope: To ask the Secretary of State for Work and Pensions if he will change jobseeker's allowance from a means-tested benefit to one based solely on contributions. [133525]

Mr. Pond: Both contribution-based and income-based jobseeker's allowance provide support to people while they are looking for work. We have no plans to change this.

Pensions

Mr. Webb: To ask the Secretary of State for Work and Pensions how many staff *(a)* from his Department and *(b)* not from his Department work in each local pension advice surgery. [128743]

Malcolm Wicks: Information surgeries have been set up in partnership with various organisations to provide a service in locations where customers are most comfortable conducting their business with our staff. We do not have this information in the format requested as the staffing varies from area to area, but the usual arrangement is that one member of local service staff from The Pension Service and one person from the partnering organisation run each surgery session. The latest data available shows that there are currently 2,650 weekly surgeries in place with an average session time of 1.5 hours per week. Currently, there are 2,795 (whole time equivalent) field staff employed in The Pension Service local service nationally.

Mr. Peter Duncan: To ask the Secretary of State for Work and Pensions what percentage of pension credit applications to date have elected to pay into *(a)* post office card accounts, *(b)* bank accounts and *(c)* benefit books. [132322]

Malcolm Wicks: The information is not available in the format requested. From November, it will be possible to provide some information on the number of pension credit awards by method of payment. I will write to the hon. Member when the information requested becomes available and place a copy of my letter in the Library. Key figures on the progress of conversion to direct payment (payment into accounts) are placed in the Library and updated every four weeks.

Mr. Kaufman: To ask the Secretary of State for Work and Pensions what *(a)* his estimate of the number of residents in the Manchester, Gorton constituency who qualify for pension credit and *(b)* the number in that constituency who have so far applied for that credit is. [134222]

Malcolm Wicks: The information is not available in the format requested. As at May 2003, the number of Minimum Income Guarantee recipients in Manchester Gorton was around 4,400. These are the latest figures available.

We intend from November to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of applications.

Notes:

1. Figures have been rounded to the nearest hundred and are expressed in thousands.
2. Figures are based on a 5 per cent. sample, and are therefore subject to a degree of sampling variation.
3. Government Office Region/Parliamentary Constituency is assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as Income Support benefit units where the claimant, and/or partner is aged 60 or over.

Source:

IAD Information Centre, 5 per cent. sample

Mr. Willetts: To ask the Secretary of State for Work and Pensions whether, when submitting a pension credit claim form, an individual has to provide details of a capital sum expected to be received in future. [134411]

Malcolm Wicks: On applying for Pension Credit from age 65, pensioners are asked about any changes they expect to their pension income, annuities and capital over the next 12 months. If they expect to receive a lump sum payment during this period, for example, but the amount is not yet known, their award may be fixed for reassessment at the date of the expected change. If a change is expected in more than 12 months, their assessment will be fixed for the full five-year period allowed, during which time any increases in capital will be ignored.

Pensioners aged 60 and over but under 65 will not have an assessed income period set. This means that changes in circumstances will need to be declared as and when they occur in the same way as was the case under the Minimum Income Guarantee.

Mr. Hoyle: To ask the Secretary of State for Work and Pensions how many pensioners are receiving pension credit in *(a)* Chorley, *(b)* the North West and *(c)* the UK. [134441]

Malcolm Wicks: The information is not available in the format requested. As at May 2003, the number of Minimum Income Guarantee recipients in Chorley was around 2700, in the North West was 248,600 and in Great Britain was 1,778,100. These are the latest figures available.

We intend from November to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of applications.

Notes:
1. Figures have been rounded to the nearest hundred and are expressed in thousands.
2. Figures are based on a 5 per cent sample, and are therefore subject to a degree of sampling variation.
3. Government Office Region/Parliamentary Constituency is assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as Income Support benefit units where the claimant, and/or partner is aged 60 or over.

Source:
IAD Information Centre, 5 per cent. sample

Mr. Horam: To ask the Secretary of State for Work and Pensions what representations the Government has received about the collection of a pension by a third party under the direct payment arrangements; and if he will make a statement. [133355]

Mr. Pond *[holding answer 27 October 2003]:* The Department regularly consults with a range of Specific Interest Groups, including Age Concern, Citizens Advice and Help the Aged to discuss issues surrounding Direct Payment.

We are committed to ensuring that all people have reasonable access to their benefits and pensions, including the collection of benefits and pensions by a third party.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions pursuant to his answer of 18 September 2003, *Official Report*, column 915W, on pension investment, what public education campaigns the Department has undertaken aimed at those aged 25 to 34 about the benefits of property vis-a-vis other savings products. [135037]

Malcolm Wicks: None.

Pulling Together

Paul Holmes: To ask the Secretary of State for Work and Pensions how much money has been spent on the Pulling Together programme within the Department, broken down by region; and if he will make a statement. [133498]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Paul Holmes, dated 28 October 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning the amount of money spent on the Pulling Together programme. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

The Pulling Together programme is a highly successful initiative, unique to Jobcentre Plus within the Department. It was launched in April 2002 with the formation of Jobcentre Plus which combined two distinct businesses; the Employment Service and the working age parts of the Benefits Agency. This involved bringing together around 80,000 staff, almost 1,000 Jobcentres, over 400 social security offices and many different jobs and roles whilst simultaneously introducing an entirely new way of doing business.

We introduced Pulling Together to support all our staff through this period of great business change, cementing the new organisation together through harnessing the ideas and energy of our staff. The response was enthusiastic and activities spanned a broad range from estates work to improve offices for both customers and staff, to putting active labour market information points in social security offices, to instigating a new recognition award and many, many more.

The amount spent on the Pulling Together programme, broken down by region, including the amount allocated for this year is shown in the table:

Region/country	*Total*
North West	2,240,000
North East	1,040,000
Yorkshire & Humberside	1,540,000
East Midlands	1,040,000
East of England	1,040,000
West Midlands	1,390,000
South East	1,240,000
South West	1,090,000
London	2,290,000
Wales	1,140,000
Scotland	1,890,000
PullingTogether central team	860,000
Total	16,800,000

Source:
Jobcentre Plus Financial Management and Control Division

The largest portion of this spend was incurred last year in the setting up of new processes and different ways of working that had to happen in order for us to deliver our new business in the most customer focused and joined-up way possible.

I hope this is helpful.

HEALTH

Audiology

Tim Loughton: To ask the Secretary of State for Health what action the Government is taking to ensure that deaf people are not discriminated against in accessing mainstream primary and secondary health care. [134940]

Dr. Ladyman: Action the Government are taking to help eliminate discrimination in all its forms from health services, which includes discrimination against deaf people, includes:

The NHS Plan, which commits the Department to ensuring that public services are equitable and accessible for disabled people.

The Department of Health and the Department for Work and Pensions are co-operating on the draft Disability Bill, which will mean a significant extension of rights for disabled people in the United Kingdom.

The Department is working on a partnership framework for action on disability with the Disability Rights Commission. This will help ensure that the national health service and social care are ready to meet the requirements of the Disability Discrimination Act physical access duties from 2004.

Tim Loughton: To ask the Secretary of State for Health what incentives he is giving to health trusts to ensure that deaf people are able to *(a)* express their consent to treatment and *(b)* make meaningful treatment choices. [134944]

Dr. Ladyman: Health trusts are expected to make suitable provision to ensure that all patients who cannot easily access spoken English, including those who are deaf, are enabled to make informed consent to treatment and to make meaningful choices.

It is not considered that trusts need incentives to do this but, to encourage services to become more equitable and responsive, the Department is currently undertaking a national consultation, called 'Choice, Responsiveness and Equity', which will improve patient and user experience and build new partnerships between those who use health and social care and those who work in them.

Children's Trusts

Tim Loughton: To ask the Secretary of State for Health if he will list those authorities taking part in pilot schemes for children's trusts; when the pilots *(a)* start and *(b)* finish; and what the procedure for (i) reporting on the pilots and (ii) influencing future legislation is. [134778]

Dr. Ladyman: The following authorities are children's trust pathfinders: Barnsley, Bexley, Blackburn with Darwen, Bolton, Brighton and Hove, Calderdale, Cambridgeshire, City of York, Croydon, Darlington, Devon, Ealing, East Yorkshire, Essex, Gateshead, Greenwich, Hammersmith and Fulham, Hampshire, Hertfordshire, Leicester, Newcastle, North Lincolnshire, Nottinghamshire, Portsmouth, Redbridge, Sandwell, Sheffield, Solihull, South Tyneside, Sutton, Telford and Wrekin, Tower Hamlets, Trafford, West Sussex and Wokingham.

The children's trust pathfinders were announced on 10 July 2003 and will run for three years as pathfinders. They will be independently evaluated over the three years and reports will be made during that period. Information from the pathfinders, including evaluation reports and the work of the national network will identify issues for any future legislation.

General Practitioners

Mr. Steen: To ask the Secretary of State for Health what estimate he has made of the number of GP practices in the United Kingdom that have registered children as temporary rather than permanent patients to avoid losing funding if they have a certain percentage of children registered who are not immunised. [134853]

Mr. Hutton: Everyone, including children, has the right to be registered with a general practitioner for free national health service treatment. We have no estimate of the numbers of GPs who de-register children from their patient lists in order to exclude them from the calculation of target payments for childhood immunisations. The General Medical Council and the profession itself opposes such actions and the Government expects primary care trusts to investigate any such cases.

Housing Benefit

Mr. Truswell: To ask the Secretary of State for Health pursuant to his answer of 20 October 2003, *Official Report*, column 463W, on housing benefit, whether *(a)* his Department has responsibility for the implementation of the Care Standards Act 2000, *(b)* his Department has responsibility for the National Care Standards Commission that inspects and registers accommodation under the Care Standards Act 2000, *(c)* the form of registration applied under the Act has a direct bearing on whether residents are eligible for housing benefit and *(d)* his Department will liaise with the Department for Work and Pensions to ensure that people with learning disabilities capable of holding individual tenancies do not lose their entitlement to housing benefit as a result of the registration process. [135098]

Dr. Ladyman: The Department has responsibility for the implementation of the Care Standards Act 2000.

There was no intention through the Care Standards Act 2000 to widen the scope of regulation to new types of accommodation that had not previously been required to register as care homes under the Registered Homes Act 1984. Supported housing type establishments which did not need to register as care homes under the previous regulatory arrangements should not, therefore, need to register now.

The National Care Standards Commission (NCSC) was established under the Act as part of the Government's reforms to modernise the regulatory system for care services and independent healthcare. The NCSC is an independent, non-departmental public body, acting at arm's length from the Department. It regulates statutory and independent sector care services in accordance with the regulations and national minimum standards that flow from the Care Standards Act, to ensure consistency and improve the quality of life and level of protection of some of the most vulnerable people in society.

The interpretation and implementation of the regulations and standards is a matter for the NCSC, as the independent regulator, based on appropriate legal advice. It is for the NCSC, as the regulator, to satisfy itself that care home providers have complied with the regulations to ensure that care home residents' health, welfare and well-being are being protected. Providers have a right of appeal to the independent Care Standards Tribunal against the decisions of the regulator.

It is, therefore, for the NCSC to decide whether a particular establishment needs to register as a care home. Statutory guidance was issued to the NCSC in

August 2002, explaining in broad terms where registration as a care home is required and how to distinguish care homes from supported housing of various kinds. Providers have a right of appeal to the Care Standards Tribunal against the decisions of the NCSC.

The Department of Work and Pensions has overall responsibility for the scope and structure of the housing benefit scheme. I refer my hon. Friend to the reply that my hon. Friend the Parliamentary Under-Secretary of State for Work and Pensions (Mr. Pond), gave to him on 21 October 2003, *Official Report*, column 512W. We are aware that, in some cases, problems have arisen at a local level. The Department is liaising with the Department of Work and Pensions about these cases.

Nursing Homes

Bob Spink: To ask the Secretary of State for Health if he will make a statement on the powers used by the Government on which it bases the system for the payment of the nursing element of a patient's nursing home fees. [134218]

Dr. Ladyman: The National Health Service has a general duty under section 3 of the National Health Service Act 1977 to provide nursing services to such extent as it considers necessary to meet all reasonable requirements. This duty has been delegated by the Secretary of State to primary care trusts (PCTs) pursuant to section 16B of the 1977 Act and section 17 of the same Act gives the Secretary of State the power to direct a PCT about the exercise of those functions. The National Health Service (Nursing Care in Residential Accommodation) (England) Directions 2001 directed the NHS to provide nursing care for all care home residents, where nursing care had the same meaning as in section 49(2) of the Health and Social Care Act 2001. PCTs are required to follow these Directions and guidance has been issued to PCTs about the practical operation of the system

Bob Spink: To ask the Secretary of State for Health if he will issue guidance on the funding of nursing care in residential and nursing homes following the Coughlan case. [134219]

Dr. Ladyman: Guidance on the provision of National Health Service-funded nursing care in nursing homes, Guidance on NHS funded nursing care, was published on 12 March 2003. Guidance on the issues raised by the Coughlan judgement, Continuing care: NHS and Local Councils' responsibilities, was issued on 28 June 2001. There are no current plans to issue new guidance.

Radiotherapy

Mrs. Brooke: To ask the Secretary of State for Health (1) what recent representations he has received about average waiting times for radiotherapy treatment; [134640]

(2) what recent representations he has received about shortages of *(a)* radiographers and *(b)* radiologists; and if he will make a statement. [134641]

Mr. Hutton: The Department has received representations from the Royal College of Radiologists, the Society of Radiographers and others about waiting times and staff shortages in radiotherapy. We are working with the Society of Radiographers and the Royal College of Radiologists to look at all ways of increasing the radiotherapy work force. We have increased the number of therapy radiographers by 10 per cent. since 1997 and to ensure future growth, we have more than doubled, by 111 per cent., the number of training places at universities. We are also extending the careers of radiotherapy staff through new ways of working, which will allow staff to develop and extend their roles in the profession. We have also increased the number of clinical oncologists by 28 per cent., with numbers set to rise further.

We are also making improvements in radiotherapy services by investment in replacement and additional radiotherapy equipment and streamlining and re-designing care processes through the cancer services collaborative.

Speech and Language Therapy

Tim Loughton: To ask the Secretary of State for Health how many NHS speech and language therapy staff have been employed in each of the last seven years. [135167]

Mr. Hutton: The information requested is shown in the table. Between September 1997 and 2002, the number of qualified speech and language therapists employed in the national health service has increased by 1,089, or 22 per cent.

NHS hospital and community health services: Qualified speech and language therapy staff in England as at 30 September each specified year

	Headcount	*Whole-time equivalents*
1996	4,705	3,585
1997	4,871	3,742
1998	5,031	3,831
1999	5,185	3,939
2000	5,430	4,066
2001	5,685	4,207
2002	5,960	4,365

Note:
Figures are rounded to the nearest whole number.
Source:
Department of Health Non-medical Workforce Census.

Tim Loughton: To ask the Secretary of State for Health if he will list the vacancy rates for speech and language staff, broken down by primary care trust area. [135168]

Mr. Hutton: Information on the rate of vacancies lasting three months or more for speech and language therapists for each primary care trust organisation has been placed in the Library. As at March 2003, the three-month vacancy rate in England was 3.2 per cent., a fall from 5.2 per cent. in the previous year.

Tim Loughton: To ask the Secretary of State for Health how many hours per child subject is spent on average a year by speech and language therapists. [135169]

Dr. Ladyman: Information is not collected centrally which would enable an estimate to be made. Time spent will vary widely between different children, depending on their clinical needs.

Tim Loughton: To ask the Secretary of State for Health how many children in England are receiving therapy from NHS speech and language professionals in England, broken down by primary care trust area. [135170]

Dr. Ladyman: Information on the numbers of children receiving therapy is not collected centrally. Information on initial contacts, to new episodes of care, is available for the age group 0–15 years, but is broken down by provider, not by primary care trust area.

Chris Grayling: To ask the Secretary of State for Health how many speech and language therapy sessions there were on average per week for each NHS patient receiving such treatment in each of the past five years. [134855]

Dr. Ladyman: This information is not collected centrally.

Written Answers to Questions

Wednesday 29 October 2003

DEFENCE

Armed Forces Pensions

Mr. Keetch: To ask the Secretary of State for Defence what pension entitlements are available for members of *(a)* the reserve forces and *(b)* the regular forces; and if he will make a statement. [134916]

Mr. Caplin: Pension entitlement for reservists is determined by the type of Reserve Service undertaken. Members entering Full-Time Reserve Service (FTRS), and those undertaking part-time reserve service on an Additional Duties Commitment (ADC), may be entitled to pension benefits under the reservists' section of the Armed Forces Pension Scheme. Members of the Volunteer Reserve Forces are not entitled to membership of the Armed Forces Pension Scheme, except when they are called-out or mobilised for permanent service; in these circumstances, the Department will alternatively, if they so wish, pay the employer contribution to their civilian pension arrangement. Members of the regular forces are entitled to membership of the Armed Forces Pension Scheme. All members of the armed forces, whether regular, FTRS, ADC or volunteer reserve, may be entitled to benefits for an injury, illness or death that is due to military service; in these circumstances, arrangements are designed to provide that there is, at least, a broadly comparable level of benefit.

Breast Implants

Mr. Swayne: To ask the Secretary of State for Defence what the cost to his Department of providing female soldiers with breast implants was in each of the last five years. [131913]

Mr. Caplin: The numbers of breast implant operations undertaken on female Service personnel, in Ministry of Defence Hospital Units, in each of the last five calendar years is detailed in the table.

	Number of operations undertaken
1999	7
2000	7
2001	6
2002	16
2003	4

The costs of providing each operation was not recorded separately. Such operations would be carried out for clinical reasons, such as breast reconstruction following accident or cancer treatment, and not for purely cosmetic reasons.

The numbers and costs of female Service personnel receiving breast implants in the NHS but outside of MOD Hospital Unit arrangements are not held centrally.

Cadet Forces

Mr. Keetch: To ask the Secretary of State for Defence how much his Department will spend in 2003–04 on cadet forces; and what percentage of the overall budget of his Department that represents. [133752]

Mr. Caplin: The funding for the financial year 2003–04 is £80.5 million. This is less than one per cent. of the overall defence budget.

Mr. Keetch: To ask the Secretary of State for Defence how much his Department will spend in 2003–04 in wages for those that help out with the cadet forces; and what percentage of the overall budget of his Department that represented. [133753]

Mr. Caplin: The funding for financial year 2003–04 is £36 million. This is less than one per cent. of the overall budget.

Mr. Keetch: To ask the Secretary of State for Defence whether his Department has ever ceased to offer payment to those that assist in running the cadet forces. [133755]

Mr. Caplin: This information is not held centrally, but indications are that any cases for ceasing to offer payment are few and would have been sanctioned for sound reasons in accordance with appropriate regulations.

Call Centres

Mr. Connarty: To ask the Secretary of State for Defence whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132110]

Mr. Caplin: The Defence Communication Services Agency manages the provision of a substantial portion of call-centre type services across the Ministry of Defence and has no plans to outsource call centre premises outside the United Kingdom.

There are some small helpdesk facilities operated within Ministry of Defence establishments in Cyprus, Germany and the Falkland Islands; these are all managed from the UK.

Defence White Paper

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to publish the Defence White Paper. [134956]

Mr. Hoon: As I said in the Defence Policy Debate on 16 October 2003, *Official Report*, column 275, I intend to publish a Defence White Paper later this year.

Ministry of Defence Police

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his answer of 11 September 2003, *Official Report*, column 375W, on military police, when the last formal inspection by HM Inspectorate of Constabulary into the MOD police investigation branch

and CID was carried out; and if he will give a copy of the report to the hon. Member for Portsmouth, South. [132489]

Mr. Caplin: The last formal inspection of the Ministry of Defence Police (MDP) by Her Majesty's Inspectorate of Constabulary (HMIC) took place in late 2001-early 2002. The inspection process included the work of the MDP Criminal Investigation Department. The report was published in April 2002.

I will send the hon. Member a copy of the HMIC Report and place a copy in the Library of the House.

Overseas Facilities

Mr. Keetch: To ask the Secretary of State for Defence if he will list his Department's permanent facilities overseas, what the cost was in each of the last five years, of maintaining each of them, to what use each facility is put; what the estimated value of each facility is; and if he will make a statement. [134648]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Parliamentary Questions

Adam Price: To ask the Secretary of State for Defence when he will answer the question tabled by the hon. Member for East Carmarthen and Dinefwr, on 15 September 2003, reference 129531. [135217]

Mr. Hoon: I replied to the hon. Member on 27 October 2003, *Official Report*, column 6W.

Recruitment

Angus Robertson: To ask the Secretary of State for Defence pursuant to his answer of 10 September 2003, *Official Report*, column 754W, on recruitment, if he will list the monthly recruitment numbers from January 1997 to January 2003 for *(a)* each of the recruitment posts in Scotland, *(b)* England as a whole, *(c)* Wales as a whole and *(d)* Northern Ireland as a whole; and if he will make a statement. [133654]

Mr. Caplin: The numbers of other rank enlistments for all three Services in each month from April 1997 to December 2002 are detailed in the following tables. Figures prior to April 1997 are not held centrally. Statistics for officer recruitment are not broken down by region.

1997

	Jan	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
RN/RM												
Scotland:												
Aberdeen	n/a	n/a	n/a	5	2	1	6	0	7	1	5	2
Dundee	n/a	n/a	n/a	4	1	3	6	0	7	4	6	5
Edinburgh	n/a	n/a	n/a	10	2	6	4	0	12	9	4	3
Glasgow	n/a	n/a	n/a	14	4	8	16	0	21	21	24	10
Inverness	n/a	n/a	n/a	5	1	5	11	0	10	4	2	1
England	n/a	n/a	n/a	281	188	258	300	4	596	421	355	124
Wales	n/a	n/a	n/a	21	11	18	19	0	40	25	30	8
N Ireland	n/a	n/a	n/a	3	2	6	4	0	7	2	5	3
ARMY												
Scotland:												
Aberdeen	n/a	n/a	n/a	10	6	15	4	9	10	7	3	3
Dundee	n/a	n/a	n/a	15	23	22	15	23	47	30	21	17
Edinburgh	n/a	n/a	n/a	33	28	21	9	22	16	20	18	16
Glasgow	n/a	n/a	n/a	67	82	49	44	79	76	74	80	35
Inverness	n/a	n/a	n/a	2	13	9	7	8	14	10	14	5
England	n/a	n/a	n/a	715	938	834	606	1,054	970	1,056	1,007	649
Wales	n/a	n/a	n/a	109	71	86	62	83	60	113	76	26
N Ireland	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
RAF												
Scotland:												
Aberdeen	n/a	n/a	n/a	6	5	1	1	2	3	2	3	1
Dundee	n/a	n/a	n/a	9	3	2	11	4	4	4	10	2
Edinburgh	n/a	n/a	n/a	4	4	2	8	5	4	4	7	3
Glasgow	n/a	n/a	n/a	7	8	7	6	3	22	8	9	5
Inverness	n/a	n/a	n/a	8	4	6	2	1	4	1	6	1
England	n/a	n/a	n/a	231	239	131	232	167	266	164	290	89
Wales	n/a	n/a	n/a	27	28	15	31	20	27	21	18	9
N Ireland	n/a	n/a	n/a	7	7	3	9	3	9	5	9	3

1998

	Jan	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
RN/RM												
Scotland:												
Aberdeen	4	3	4	3	2	4	1	2	3	3	10	0
Dundee	4	0	2	7	1	4	3	2	2	3	1	2
Edinburgh	14	19	10	3	15	15	5	2	15	16	15	0
Glasgow	20	15	13	9	18	29	12	4	19	15	23	1
Inverness	5	5	6	1	2	6	3	2	2	4	8	0

1998

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
England	445	394	459	173	310	366	290	182	419	432	520	18
Wales	39	21	36	13	24	18	26	8	25	25	50	1
N Ireland	8	9	7	1	21	9	8	5	8	12	6	0
Army												
Scotland:												
Aberdeen	15	7	6	3	16	9	9	6	15	2	7	1
Dundee	50	36	25	17	32	26	14	38	44	26	34	8
Edinburgh	42	17	21	19	40	14	24	38	59	17	25	18
Glasgow	139	69	102	46	103	46	74	82	151	66	116	22
Inverness	20	9	11	8	17	8	6	10	26	9	7	2
England	1,213	1,084	828	754	1,146	759	900	1,118	1,795	985	1,214	353
Wales	118	80	62	79	103	53	90	87	86	100	101	31
N Ireland	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
RAF												
Scotland:												
Aberdeen	8	5	10	2	2	4	6	1	1	4	1	6
Dundee	5	8	10	5	7	2	11	1	4	3	5	2
Edinburgh	3	3	3	3	6	2	8	5	4	6	3	2
Glasgow	15	9	16	12	12	13	21	6	4	19	12	9
Inverness	4	5	4	3	7	2	4	5	5	7	8	4
England	289	180	256	246	269	176	289	106	275	321	283	172
Wales	22	9	21	19	20	23	88	18	36	20	36	14
N Ireland	2	9	5	15	9	6	6	2	3	8	5	9

1999

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RN/RM												
Scotland:												
Aberdeen	3	5	5	1	3	4	3	1	5	4	9	0
Dundee	5	5	5	3	3	4	3	2	6	0	8	0
Edinburgh	21	14	12	4	20	15	9	5	17	12	20	2
Glasgow	30	19	20	29	18	17	11	6	20	21	23	2
Inverness	4	6	5	0	4	2	7	0	8	6	4	0
England	434	361	320	282	430	328	337	125	462	364	526	56
Wales	26	30	30	20	24	19	28	15	23	31	25	8
N Ireland	9	2	6	13	5	1	9	1	8	8	9	0
Army												
Scotland:												
Aberdeen	15	10	7	6	16	6	3	13	25	9	6	3
Dundee	57	20	25	38	46	26	19	27	35	22	25	14
Edinburgh	36	13	26	17	28	25	20	39	45	10	11	13
Glasgow	122	61	76	84	118	63	40	73	91	56	58	50
Inverness	14	5	12	8	15	7	3	4	25	10	5	4
England	1,607	887	783	741	1,168	723	689	884	1,610	778	1,262	443
Wales	122	62	61	54	100	68	89	117	115	74	108	43
N Ireland	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	1
RAF												
Scotland:												
Aberdeen	6	6	0	1	7	7	5	0	6	3	3	2
Dundee	5	6	6	8	5	5	6	2	5	6	6	6
Edinburgh	1	3	13	6	3	10	9	2	8	15	7	4
Glasgow	11	16	13	10	10	16	15	5	19	14	10	12
Inverness	3	7	1	3	5	4	5	1	7	7	4	8
England	235	246	238	205	168	280	263	151	250	303	197	167
Wales	22	21	20	15	13	16	31	9	25	32	15	23
N Ireland	13	16	6	5	11	12	14	2	11	13	10	8

2000

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RN/RM												
Scotland:												
Aberdeen	2	6	3	1	4	4	4	0	3	5	8	2
Dundee	3	6	6	1	6	5	4	1	3	8	3	1
Edinburgh	4	18	12	4	17	17	12	3	14	18	24	4
Glasgow	15	17	18	5	15	14	14	1	14	13	22	6
Inverness	3	2	2	2	3	1	8	0	2	5	3	1
England	331	352	391	65	417	313	354	1	385	481	346	126
Wales	27	18	34	3	20	21	25	0	26	32	28	9
N Ireland	6	5	9	0	16	5	8	0	5	10	6	2

2000

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Army												
Scotland:												
Aberdeen	23	11	2	3	12	2	13	7	22	9	6	2
Dundee	40	36	19	9	23	19	19	10	51	30	22	9
Edinburgh	39	23	14	5	9	5	22	3	55	25	10	1
Glasgow	120	73	42	35	70	34	51	45	130	58	45	16
Inverness	17	16	5	6	4	3	11	6	30	11	8	3
England	1,626	933	810	387	886	533	834	685	1,814	1,115	763	429
Wales	128	106	74	30	79	76	58	78	128	106	49	56
N Ireland	2	1	6	16	9	14	11	31	54	18	6	29
RAF												
Scotland:												
Aberdeen	7	3	1	7	5	3	4	2	5	4	5	1
Dundee	6	4	7	3	6	7	3	3	12	7	14	4
Edinburgh	11	6	9	7	3	2	3	9	6	0	14	1
Glasgow	19	7	25	13	11	10	13	9	22	3	15	3
Inverness	3	3	4	3	5	2	5	4	5	3	2	1
England	316	114	321	166	234	166	210	156	328	105	344	71
Wales	50	18	35	13	26	27	21	26	23	12	40	22
N Ireland	9	8	22	9	3	9	6	6	12	5	16	2

2001

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RN/RM												
Scotland:												
Aberdeen	7	3	7	0	4	6	6	0	6	11	9	0
Dundee	2	0	3	0	0	0	8	0	2	6	5	2
Edinburgh	11	11	28	3	13	16	15	0	16	25	23	6
Glasgow	16	16	24	7	8	14	16	0	18	20	16	8
Inverness	6	2	4	0	2	3	4	0	2	5	5	0
England	335	349	333	95	362	322	433	3	416	541	403	139
Wales	28	29	38	6	22	28	27	0	38	39	25	7
N Ireland	7	8	7	2	11	2	3	0	4	12	7	4
Army												
Scotland:												
Aberdeen	12	6	8	1	5	3	3	2	11	7	11	2
Dundee	59	10	21	12	17	10	23	14	42	29	14	8
Edinburgh	47	7	21	10	21	12	11	14	42	28	8	19
Glasgow	175	25	44	29	67	31	55	55	123	83	61	23
Inverness	30	5	8	1	12	0	6	3	21	16	7	3
England	1,600	751	847	587	783	570	765	706	2,061	913	752	428
Wales	133	84	84	77	75	54	85	73	155	87	66	25
N Ireland	14	18	20	15	9	10	14	13	42	10	1	24
RAF												
Scotland:												
Aberdeen	5	2	0	2	3	3	1	4	1	7	2	2
Dundee	10	0	6	1	7	7	2	5	6	8	2	12
Edinburgh	14	4	5	5	5	3	7	4	7	5	5	3
Glasgow	1	13	2	2	16	13	13	7	17	5	12	14
Inverness	6	4	3	3	7	4	6	6	4	1	6	3
England	335	161	138	242	208	185	221	205	211	350	239	159
Wales	41	22	11	30	27	27	34	29	21	30	27	22
N Ireland	11	4	5	8	4	3	7	10	12	3	8	5

2002

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
RN/RM												
Scotland:												
Aberdeen	8	12	3	2	7	4	1	1	1	0	6	3
Dundee	4	5	3	2	7	6	8	2	5	0	4	4
Edinburgh	14	8	7	13	14	16	12	5	21	0	11	4
Glasgow	8	18	7	7	11	7	10	0	11	0	15	11
Inverness	9	6	3	1	1	6	5	0	3	0	5	1
England	404	367	287	252	316	341	363	45	477	181	350	217
Wales	44	28	15	24	21	26	23	3	32	15	23	6
N Ireland	3	8	10	3	3	4	2	1	13	0	7	8

	2002											
	Jan	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
Army												
Scotland:												
Aberdeen	11	5	6	3	4	2	9	12	24	4	5	3
Dundee	42	14	31	8	13	8	20	18	61	9	14	8
Edinburgh	63	17	24	21	30	17	20	29	75	16	15	4
Glasgow	130	53	67	58	49	61	93	91	130	40	53	15
Inverness	17	1	4	3	5	4	5	11	23	4	4	4
England	1,648	753	831	679	662	633	875	1,004	2,460	668	820	414
Wales	164	65	98	47	54	43	66	60	143	49	44	22
N Ireland	12	8	25	8	5	8	21	35	16	48	10	53
RAF												
Scotland:												
Aberdeen	8	2	2	2	4	2	6	3	6	6	2	0
Dundee	6	1	5	5	8	5	6	8	5	11	11	7
Edinburgh	5	6	5	5	3	3	11	4	10	10	6	1
Glasgow	6	13	0	12	17	9	30	6	12	26	14	6
Inverness	2	2	4	2	6	0	9	8	6	10	5	6
England	270	147	175	157	240	158	344	248	215	358	268	142
Wales	35	26	24	17	37	25	36	34	22	51	21	12
N Ireland	7	8	8	5	5	3	9	3	1	7	4	1

Service Accommodation

Mr. Keith Simpson: To ask the Secretary of State for Defence how many properties were contained in his Department's married quarters estate on 1 October; and how many are held by his Department in *(a)* England, *(b)* Scotland, *(c)* Wales, *(d)* Northern Ireland and *(e)* overseas. [133370]

Mr. Caplin: Figures for Service Family Accommodation (SFA) in mainland United Kingdom are currently only available as at 30 September 2003 and are shown as follows.

	Number
England	45,207
Scotland	4,238
Wales	1,118
Total	50,563

Figures for SFA elsewhere are currently only available as at 1 April 2003, as shown in the following table.

	Number
HQNI	3,180
Germany	14,479
Cyprus	2,330
Falkland Islands	55
Gibraltar	576
PTC[1]	1,040
Total	21,660

[1] PTC (Personnel Training Command): includes Ramstein, Brunssum, Izmir, Naples, Lisbon and Stavanger.

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) how many units within the married quarters estate are in *(a)* Standard 1 condition, *(b)* Standard 2 condition, *(c)* Standard 3 condition and *(d)* Standard 4 condition; [133371]

(2) how many service personnel are housed in *(a)* Standard 3 and *(b)* Standard 4 properties within his Department's married quarters estate; and what plans he has to reduce this number. [133375]

Mr. Caplin: The total number of houses in mainland United Kingdom that have been assessed for condition (more than 98 per cent. of stock) at the four standards for condition were categorised as below as at 17 October 2003.

Standard	*Total number*
1	23,413
2	22,692
3	3,502
4	179

Properties currently at the lower two standards will be the first to be targeted for disposals as demand falls over the next few years.

Figures for the number of houses from within the Standards 3 and 4 that are currently occupied are not readily available and could be provided only at disproportionate cost.

Mr. Keith Simpson: To ask the Secretary of State for Defence how many units within his Department's married quarters estate have been upgraded in each of the last five years; and what proportion of these were upgrades to the entire estate. [133373]

Mr. Caplin: The number of houses brought up to Standard 1 for Condition in mainland United Kingdom in each of the past five financial years was:

	Number
1998–99	[1]
1999–2000	1,308
2000–01	2,733
2001–02	3,340
2002–03	1,440

[1] Figures not collected at that time

None of these years includes an instance where the entirety of any one estate was brought up to Standard 1. A number of estates are now fully at Standard 1 but these have been addressed in phases, over a number of years, to minimise disruption to both occupants and

Service operational requirements. Currently, just over 50 per cent. of the core stock is at Standard 1 and over 90 per cent. of families are in properties at either Standard 1 or 2.

Mr. Keith Simpson: To ask the Secretary of State for Defence when he intends to publish the conclusions of his Department's Business Process Review of the Management and Delivery of Defence Housing; and if he will list those consulted in this review. [133374]

Mr. Caplin: I expect the Business Process Review of the Management and Delivery of Defence Housing to be published in the spring of 2004. A copy of the report will be placed in the Library of the House. To date, a wide range of stakeholders have been consulted including those involved in the delivery of Defence housing, their customers, other Government Departments, the trade unions and relevant bodies in the private sector. The final report will contain a full list of those consulted.

Mr. Keith Simpson: To ask the Secretary of State for Defence how many of his Department's married quarters were empty as at 30 September; and what proportion of this represents his Department's management margin required for managing change. [133378]

Mr. Caplin: At the end of September there were some 8,500 empty married properties in mainland UK. Of these:

Over 1,500 are held for future deployments

Some 900 are in the course of disposal during 2003–04 with additional properties identified as non-core and for disposal in 2004–05

Some 550 are empty undergoing or awaiting modernisation

The remainder are available to let or are already allocated or under offer to incoming families.

The Defence Housing Executive's management margin for managing change requires an on-going continuous review to ensure delivery of homes to Service families. As at 31 March 2003, the management margin (i.e. the proportion of working stock vacant) was 13.6 per cent. The DHE's long term target is to reduce this to no more than 10 per cent. by financial year 2005–06.

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) what his Department's disposal targets are for married quarters estate stock in each of the next five years; [133382]

(2) what his Department's targets are for reducing the void rate levels in the married quarters estate; and if he will make a statement. [133380]

Mr. Caplin: Targets set for the Defence Housing Executive (DHE) are not expressed in terms of numbers of houses for disposal but as the progressive reduction of void rates in order to achieve, by 2005–06, a management margin of 10 per cent. (the management margin is the proportion of vacant working stock required to manage change).

Some 12,000 properties have been released by DHE for disposal since January 2000. In addition, over 900 properties are expected to be released during 2003–04. To maintain progress towards the long term target of 10 per cent., a greater number of disposals is likely to be needed during 2004–05, and in subsequent years, depending on demand.

Reserve Forces

Mr. Gray: To ask the Secretary of State for Defence when he will bring forward revisions to the Reserve Forces Call-out and Recall (Financial Assistance) Regulations 1997, S.I., 1997, No. 309. [133080]

Mr. Caplin: Work on revising SI 1997/309 (The Reserve Forces (Call-out and Recall) (Financial Assistance) Regulations is ongoing, and when it is concluded, I will make an announcement in the House. A consultation paper with proposals for revising the financial assistance available to reservists under SI 309/97 when called out into permanent service will be available at the earliest opportunity.

Vaccines

Mr. Hancock: To ask the Secretary of State for Defence what advice the Deputy Chief Medical Officer gave on administering pertussis vaccine together with anthrax vaccine to service personnel prior to the 1991 Gulf War. [134574]

Mr. Caplin: I refer the hon. Member to the Ministry of Defence paper: "Background to the use of Medical Countermeasures to Protect British Forces During the Gulf War (Operation GRANBY)" dated October 1997, a copy of which is in the Library of the House and available on the Internet at: http://www.mod.uk/issues/gulfwar/info/medical/mcm.htm, and to my noble Friend the Minister for Defence Procurement's written answer of 9 October 2003, *Official Report, House of Lords*, c. WA70.

Mr. Hancock: To ask the Secretary of State for Defence which vaccines administered to Service personnel prior to the 1991 Gulf War were not licensed for use in the United Kingdom; and what reports he has received that vaccines were not given in accordance with the manufacturer's instructions. [134575]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Hancock: To ask the Secretary of State for Defence if he will make it his policy to have a public inquiry into the use of vaccines by the Department prior to the 1991 Gulf war; and if he will make a statement. [134621]

Mr. Caplin: The Government are not convinced that such a public inquiry would help answer the basic question of why some Gulf veterans are ill. We have not ruled out the possibility that we may look at this again if circumstances were to change, but in the present circumstances, it is only through the programme of independent scientific and medical research initiated by the Government that we are ever likely to be able to establish the causes of Gulf veterans' illnesses.

HEALTH

Local Government Finance

Ms Buck: To ask the Secretary of State for Health if he will list the transfers into and out of formula spending share for 2004–05, and grants which are due to cease at the end of 2003–04; and whether his Department plans consequently to adjust the baseline calculation for floors and ceilings. [127165]

Mr. Raynsford: I have been asked to reply.

The Secretary of State for Health intends to end three special grants in 2003–04: Deferred Payments (£40 million), Performance Fund (£96 million) and Care Direct (£2.2 million). No other transfers are planned at this stage, although the situation will not be finalised until the provisional local government financial settlement. In each case, the Government are considering whether to adjust authorities' baselines for Formula Grant and for Formula Spending Shares.

Social Care

Mr. Evans: To ask the Secretary of State for Health what the budget for social services in Lancashire was in each year since 1992. [134902]

Miss Melanie Johnson: The table shows the personal social services (PSS) budget figures for Lancashire county council, for each year since 1992–93. The figures include children's services.

Social services budgets—Lancashire county council—1992–93 to 2003–04

£ million

	PSS budget
1992–93	132,406
1993–94	156,288
1994–95	182,308
1995–96	200,193
1996–97	216,873
1997–98	231,046
1998–99	191,062
1999–2000	199,798
2000–01	216,811
2001–02	231,741
2002–03	262,069
2003–04	289,932

Acetylcysteine

Mr. David Atkinson: To ask the Secretary of State for Health if he will make a statement on the availability of Acetylcysteine on the NHS. [133094]

Miss Melanie Johnson: Acetylcysteine is available on the national health service as a prescription only medicine.

Cancer Services

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps are being taken to improve waiting times from referral by a GP to treatment for cancer services. [133892]

Miss Melanie Johnson *[holding answer 27 October 2003]:* The NHS Cancer Plan sets out our strategy to reduce waiting times for cancer patients. A two-week outpatient waiting time standard was introduced in 2000 for all urgent general practitioner referrals of suspected cancer. In the last quarter—April to June 2003—98.5 per cent. of urgent GP referrals for suspected cancer were seen by a specialist within two weeks. By 2005, there will be targets of a maximum one month wait from diagnosis to treatment and a maximum two month wait from urgent GP referral to treatment for all cancers. Progress towards these targets is being achieved through increased investment, additional staffing levels, installing new radiotherapy and diagnostic facilities and streamlining care processes through the cancer services collaborative.

Cannabis

Mr. Brady: To ask the Secretary of State for Health what assessment he has made of the relationship between the incidence of psychosis and cannabis use. [134347]

Miss Melanie Johnson: The Department monitors research into the effects cannabis has on mental health on a continuous basis. The Advisory Council on the Misuse of Drugs (ACMD) published a report in March 2002—"The classification of cannabis under the Misuse of Drugs Act 1971"—in which it described the range of harms caused by cannabis, including its known effects on mental health. There has been a lot of debate about the use of cannabis and whether it can lead to mental illness, especially schizophrenia. No clear causal link has been proven for the latter, although recent epidemiological research has shown a stronger association than previously evident. Cannabis use can unquestionably worsen existing schizophrenia (and other mental illnesses) and lead to relapse in some patients.

In addition, on 29 September 2003, the Department published "Dangerousness of Drugs—a Guide to the Risks and Harms associated with Substance Misuse", which outlines the chronic and acute problems associated with a range of licit and illicit substances commonly used in the United Kingdom, including cannabis.

Chronic Diseases

Mr. Burstow: To ask the Secretary of State for Health what research his Department has commissioned into the proportion of health spending which will be needed for chronic diseases over the next 50 years. [133724]

Dr. Ladyman: The Department has not commissioned its own research into this. There is a growing body of research and evidence that highlights the increasing significance of chronic illness. The Department has work in progress looking at the future burden of diseases, including chronic illness, and exploring the implications for services and patients.

Community Health Councils

Mr. Colman: To ask the Secretary of State for Health what his most recent estimate is of the number of staff

employed in community health councils in England at risk of redundancy; and what the potential liability for redundancy costs is. [134582]

Ms Rosie Winterton: We estimate that 380 staff of community health councils will be made redundant. The cost of redundancy is estimated at £12 million.

Dentistry

Mr. Drew: To ask the Secretary of State for Health (1) how many dentists were accepting national health service patients in *(a)* Stroud, *(b)* Gloucestershire and *(c)* England in (i) 1990, (ii) 1997 and (iii) the last year for which figures are available; [131495]

(2) how many dentists in *(a)* Stroud and *(b)* Gloucestershire accept (i) national health service patients and (ii) only children as NHS patients; and how many are registered as private practices. [131496]

Ms Rosie Winterton: The table shows the number of practices providing general dental services (GDS) in England, Gloucestershire and Cotswold and Vale Primary Care Trust, which covers Stroud, at August 1990, August 1997 and August 2003.

These figures exclude salaried dentists working in the general dental service, dentists working in community dental services, personal dental services and hospital dental services and dentists who do no national health service work. Information is not collected centrally on the number of dentists who practice solely privately but it is thought that the number of such dentists is around 2 per cent.

General dental service: number of dental practices at 31 August each year

Area	*1990*	*[1] 1997*	*[2] 2003*
England	8,547	8,303	8,623
	—	—	—
Family Health Service Authority	—	—	—
Gloucestershire	97	—	—
	—	—	—
Health Authority	—	—	—
Gloucestershire	—	109	—
	—	—	—
Primary Care Trust	—	—	—
South Gloucestershire	—	—	30
Cheltenham and Tewkesbury	—	—	34
West Gloucestershire	—	—	31
Cotswold and Vale	—	—	36

[1] Following the move from family health service authority (FHSAs) to health authority (HAs) in 1996, results were published by HA rather than by FHSA.
[2] Following the move from health authority (HAs) to primary care trusts (PCTs) in 2001, results were published by strategic health authority (SHA) and PCT rather than by region and HA
Source:
Dental Practice Board

The number of practices accepting new NHS patients for registration at October 2003 is shown in the following table. The information is obtained from the www.nhs.uk website. This information is not available for earlier years.

Some people choose not to register with a GDS dentist and only visit the dentist when they require treatment on an occasional basis. Patients may also obtain treatment from other NHS dental services, including dental access centres.

NHS dental services: number of general dental service practices and personal dental service pilots accepting new patients for registration, 3 October 2003

Primary care trust	*Registering charge exempt adults for NHS treatment*	*Registering charge paying adults for NHS treatment*	*Registering children aged 0 to 18 years for NHS treatment*
England	471	3,124	4,340
Four Gloucestershire PCTs	12	7	12
Cotswold and Vale PCT	4	1	3

Source:
http://www.nhs.uk

Diabetes

Judy Mallaber: To ask the Secretary of State for Health what steps he is taking to ensure the continuity of supply of animal insulin for those diabetes sufferers who do not wish to use human insulin. [134245]

Ms Rosie Winterton: The Department is in regular contact with the companies supplying animal insulin in the United Kingdom. Both companies have confirmed that they will continue to supply animal insulin for the foreseeable future.

Long-term Care

Mr. Horam: To ask the Secretary of State for Health if he will make a statement about financing for care places in London in the next financial year. [134071]

Dr. Ladyman: There have been substantial increases in the level of funding provided for social services in London and across England in recent years which local councils can use to increase local provision or to rebalance the care home market and increase fee levels if that is what is needed. Independent researchers, Laing & Buisson recently published research on fees paid to independent sector providers, which shows that fees in the care home sector have increased nationally by an estimated 8 per cent. in 2002–03—well ahead of wages. This is clear independent evidence that care home fees are being increased.

The revenue support grant for London boroughs reflects the higher costs of care in the capital, and this allows these boroughs to pay higher care home fees than local authorities in popular locations in the rest of the South East, especially on the border with London.

Care homes face special challenges, such as high capital overheads, in London and this impacts on cost and availability. In order to meet these challenges London boroughs have developed a range of services to enable greater choice for older people. This is demonstrated by the fact that in London more people are receiving intensive home care packages than in any other region of the country.

Lung Disease

Ann Taylor: To ask the Secretary of State for Health what plans he has for the introduction of a national service framework on lung disease. [135180]

Miss Melanie Johnson: There are no plans for a national service framework (NSF) on lung disease. We are, however, taking steps to improve services for people with lung disease. The children's NSF will include

childhood asthma as an exemplar condition. The NSF for chronic heart disease already has a reduction in cigarette smoking as one of its major targets. We have also banned tobacco advertising and made smoking reduction aids available on national health service prescription.

Additionally we have asked the National Institute for Clinical Excellence to prepare guidelines for the management and diagnosis of chronic obstructive pulmonary disease. We expect this guidance to be produced in 2004.

Ministerial Travel

Mr. Burns: To ask the Secretary of State for Health how many times since 2001 he has taken flights on departmental duties in the UK; how many of these were *(a)* charter flights, *(b)* first or club class and *(c)* by helicopter; and who accompanied him on each trip. [95389]

Mr. Hutton *[pursuant to the answer, 12 February 2003, Official Report, c. 820W]:* I regret that the previous response the hon. Member received was incorrect. The response should have read as follows:

"According to available information Ministers in the Department of Health made the following flights within the UK between 2001 and February 2003.

My right hon. Friend, the then Secretary of State (Mr Milburn) made one business class return flight, three single business class flights and one single premium economy flight. He was accompanied by one private secretary and one special adviser on four occasions.

I made four business class return flights and two single business class flights. I was accompanied by one private secretary on three occasions.

My noble Friend, the then Parliamentary Under-Secretary of State (Lord Hunt of Kings Heath) made two return business class flights.

In her capacity as Parliamentary Under-Secretary of State, my hon. Friend, the Member for Salford (Ms Blears) made one business class return flight and six single business class flights. She was accompanied by one private secretary on three occasions.

In her capacity as Parliamentary Under-Secretary of State for Public Health, my hon. Friend, the Member for Salford (Ms Blears) made three business class return flights and six single business class flights. She was accompanied by one private secretary on two occasions.

In his capacity as Parliamentary Under-Secretary of State, my hon. Friend the Member for Tottenham (Mr Lammy) made three business class return flights and two single business class flights. On four occasions he was accompanied by one private secretary and by two private secretaries on one occasion.

In her capacity as Parliamentary Under-Secretary of State for Public Health, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) made one business class return flight and was accompanied by one private secretary.

In his capacity as Minister of State for Health, my right hon. Friend the Member for Southampton Itchen (Mr Denham) made one business class return flight and was accompanied by one private secretary.

In her capacity as Parliamentary Under-Secretary of State for Health, my hon. Friend the Member for Birmingham Edgbaston (Ms Stuart) made one single business class flight.

All travel was undertaken fully in accordance with the rules set out in the *Ministerial Code and Travel by Ministers*, copies of which are available in the Library."

MMR Vaccine

Mr. Arbuthnot: To ask the Secretary of State for Health whether the Government have given to any manufacturer or supplier of *(a)* MMR and *(b)* MR vaccine (i) an indemnity, (ii) an undertaking and (iii) a letter of comfort in respect of claims or potential claims arising out of the use of such vaccines. [134581]

Miss Melanie Johnson *[holding answer 27 October 2003]:* No.

Pacemakers

Mr. Nigel Jones: To ask the Secretary of State for Health how many patients received heart pacemakers in each of the last five years for which figures are available; and if he will make a statement on the reliability of pacemakers. [134242]

Miss Melanie Johnson: Figures published in the National Pacemaker Database Annual Report for 2002 are shown in the table.

For the United Kingdom

	Total	*New*	*Replacement*
1998	23,366	18,674	4,692
1999	23,705	18,912	4,793
2000	24,916	19,439	5,477
2001	27,028	20,643	6,385
2002	25,397	19,154	6,243

The Medicines and Healthcare Products Regulatory Agency considers the overall current reliability of pacemakers to be appropriate.

Pseudoxanthoma Elasticum

Mr. Goodman: To ask the Secretary of State for Health what plans he has to combat PXE; and if he will make a statement. [134999]

Dr. Ladyman *[holding answer 28 October 2003]:* Specialised genetics services may play a role in the diagnosis of Pseudoxanthoma elasticum (PXE), and in giving advice to families about inheritance of the disease. As a result of the genetics White Paper and earlier commitments, the Government are investing substantially in genetics services.

Smog

Mr. Wiggin: To ask the Secretary of State for Health (1) what his latest estimate is of the *(a)* mortality and *(b)* morbidity caused by smog in the UK; [133281]

(2) what research he has commissioned on the effects on human health caused by the emission of oxides of nitrogen from conventionally powered vehicles. [133282]

Miss Melanie Johnson: The Department of Health has commissioned several research projects on the health effects of nitrogen dioxide. These include research on the interaction between nitrogen dioxide and allergens in asthmatic volunteers; research on nitrogen dioxide and exacerbations of chronic obstructive pulmonary disease; research on the impact of the 1991 nitrogen dioxide episode; research on the health effects of exposure to traffic; general air pollution projects which include nitrogen dioxide and some literature review projects. A

full list of the air pollution research projects funded by the Department of Health is given on the air pollution website www.doh.gov.uk/airpollution/index.htm. The Executive Summary of a review of results of the air pollution research programme is available at www.le.ac.uk/ieh/pdf/sr4execsum.pdf.

The Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP) has reported that, in 1995–96, air pollution in Great Britain was associated with deaths brought forward in those already ill and respiratory hospital admissions as shown in the following tables.

Numbers of deaths and hospital admissions for respiratory diseases affected per year by PM_{10} (particulate matter generally less than 10 (m in diameter) and sulphur dioxide in urban areas of Great Britain

Pollutant	*Health outcomes*	*GB urban*
PM_{10}	Deaths brought forward (all cause)	8,100
	Hospital admissions (respiratory) brought forward and additional	10,500
SO_2	Deaths brought forward (all cause)	3,500
	Hospital admissions (respiratory) brought forward and additional	3,500

Numbers of deaths and hospital admissions for respiratory diseases affected per year by ozone in both urban and rural areas of Great Britain during summer only

Pollutant	*Health outcomes*	*GB, threshold = 50 ppb*	*GB, threshold = 0 ppb*
Ozone	Deaths brought forward: all causes	700	12,500
	Hospital admissions (respiratory) brought forward or additional	500	9,900

Source:
COMEAP(1998)

Since that time, pollution levels have reduced but COMEAP has concluded that a wider range of outcomes (such as cardiovascular admissions and loss of life expectancy due to long-term exposure) can be quantified. COMEAP will be producing a report updating the above estimates starting in 2004.

ENVIRONMENT

US Reserve Fleet (Decommissioning)

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions, between which individuals, have taken place between the Government and the US Administration in respect of the ships from the US Reserve Fleet intended for dismantling in the UK. [133364]

Mr. Morley *[holding answer 21 October 2003]:* There have been discussions between officials in the Department, the Department for Transport, the Maritime and Coastguard Agency, the Health and Safety Executive, and the Environment Agency, and their counterparts in the US State Department, the US Marine Administration and the US Environmental Protection Agency. These discussions covered a range of issues including the safe transportation of the vessels across the Atlantic, the environmentally sound management of wastes arising from the dismantling of the vessels, and the authorisations and notifications necessary to undertake these operations.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the potential impact on the marine environment of the Tees estuary of the planned dismantling of ships from the US Reserve Fleet. [133365]

Mr. Morley *[holding answer 21 October 2003]:* An assessment was made, by the Environment Agency in combination with other regulatory bodies, regarding modification of the waste management licence for the facility where the dismantling will take place. The assessment satisfied the Agency that the planned operations at the site would be unlikely to have a significant effect on the Tees estuary or the Teesmouth and Cleveland Special Protection Area. Other applications for permissions and consents relating to this case are subject to appropriate scrutiny by the relevant authorities.

Abandoned Cars

Phil Sawford: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to deal with the problem of abandoned cars. [134348]

Mr. Morley: Defra is working closely with other Government Departments on a range of initiatives to tackle the problem of abandoned vehicles.

Our role in this has included introducing, on 9 April 2002, regulations reducing the statutory notice period after which local authorities can remove abandoned vehicles from the highway. Local authorities can now remove from the highway those vehicles that they consider merit destruction after the expiry of a 24 hour notice placed on them.

We have now consulted on a proposal to reduce the statutory notice period whereby a landowner can object to the removal of a vehicle(s) abandoned on their land. The consultation closed on 24 October. Depending on the outcome of the consultation, we may introduce a regulation in the new year to amend the Removal and Disposal of Vehicles Regulations 1986.

Climate Change

Mr. Denham: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the impact of climate change on low lying coastal areas; and if she will make a statement. [134248]

Mr. Morley: The UK Climate Impacts Programme (UKCIP) was set up in April 1997 and is funded by Defra. In April 2002, a set of scenarios, referred to as the UKCIP02 scenarios, were published. These scenarios cover four potential future UK climates based on a range of emission scenarios: low, medium-low, medium-high and high.

Overall, the report concludes that is is likely that relative sea level will continue to rise around most of the UK's shoreline. The rate of increase will depend on the natural vertical land movements in each region and on

the emissions scenario. By the 2080s, the sea level may be between 26 cm and 86 cm above the current level in south-east England.

The report also concludes that extreme sea levels will be experienced more frequently. For some east coast locations, extreme sea levels could occur between 10 and 20 times more frequently by the 2080s than they do now, under the medium-high emissions scenario.

The Defra publication, "Flood and Coastal Defence Project Appraisal Guidance 3: Economic Appraisal", advises operating authorities to assume an increase in sea level of between 4 mm and 6 mm per year, where the higher level applies to the south and east of England. These allowances have been built into FM measures since the mid 1980s.

EU Shellfish Directive

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what regulatory impact assessment has been carried out to establish the likely costs to *(a)* water companies, *(b)* other companies, *(c)* local authorities and *(d)* the Environment Agency arising from the implementation of the EU Shellfish Directive. [133110]

Mr. Morley: A Regulatory Impact Assessment was prepared for the major review of designated waters under the Shellfish Waters Directive (79/923/EEC) announced in 1999. It showed *(a)* costs to water companies in England estimated at £81 million, *(b)* no costs identified at the time to other companies and *(c)* no costs to local authorities. Costs to the Environment Agency are taken into account in their grant received from Defra and are in the region of £320,000 for 2003–04. Costs to water companies of possible further measures are being assessed as part of the current periodic review of water prices.

Fly-tipping

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the use of fixed penalty notices to deter fly-tipping. [133103]

Mr. Morley: Because fly-tipping is a serious offence, it attracts penalties of up to £20,000 or six months imprisonment if convicted in a Magistrates' Court, or an unlimited fine and up to two years imprisonment if convicted in a Crown Court. Fixed penalty notices for fly-tipping are not being considered as it could give a confusing message as to the seriousness of the offence.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent research she has commissioned into fly-tipping; and if she will make a statement. [133104]

Mr. Morley: Environmental Campaigns (ENCAMS), a Defra sponsored organisation, recently carried out a study to provide information on fly-tipping. The report is available from the ENCAMS website (http://www.encams.org).

The Environment Agency have also conducted some research which has considered the types and volumes of waste illegally deposited on agricultural land. Details of this report will be published soon.

Defra are currently developing an comprehensive research project to collect data on the causes of fly-tipping, an analysis of types and locations of fly-tipped waste, consideration of how fly-tipping might best be prevented and the effect that various waste management policies, both national and local, are having and will have on fly-tipping levels. Results should be available late next year.

GM Organisms

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list National Grid references of trial sites where genetically modified organisms are being released into the environment under directive 2001/18/EC. [134707]

Mr. Morley: There are currently five active consents allowing companies to undertake clinical trials of GM bacteria for the development of vaccines in England. The sites of each release are set out in the following table. There are currently no field trials of genetically modified crops taking place in the UK.

Company	*Type of GMO*	*Site of release*	*Ordnance Survey grid reference*	*Consent reference*
Acambis Research Ltd.	GM bacterium	St. Bartholomew's Hospital and the London School of Medicine and Dentistry, London	TQ 346 816	02/R35/1
Acambis Research Ltd	GM bacterium	Chiltern Clinical Research Unit, Slough, Berkshire	SU 983 793	03/R35/2
Acambis Research Ltd.	GM bacterium	St. Bartholomew's Hospital and the London School of Medicine and Dentistry, London	TQ 346 816	03/R35/3
MicroScience Ltd.	GM bacterium	St. Georges Hospital Medical School, London	TQ 269 712	02/R37/01
MicroScience Ltd.	GM bacterium	BIBRA International Ltd., Carshalton, Surrey	TQ 275 621	02/R37/02

Hazardous Waste

Mrs. May: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the circumstances under which the Environment Agency treats the movement of waste as an unacceptable risk to public health. [134451]

Mr. Morley: Establishments or undertakings which transport waste on a professional basis in England and Wales, are required to be registered with the Environment Agency. Carriers of waste are also subject to the duty of care under section 34 of the Environmental Protection Act 1990. Both these sets of controls are designed to minimise the risk to the environment and human health.

Mrs. May: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Landfill Directive which will come into force in July 2004, with reference to existing potentially toxic landfills awaiting remediation. [134452]

Mr. Morley: Under the Landfill (England and Wales) Regulations 2002, which implement the technical and regulatory components of the Landfill Directive, all hazardous waste as defined in the regulations will require treatment prior to landfill from 16 July 2004. From that date, co-disposal of hazardous and non-hazardous waste will be banned, except in certain specific circumstances. The Environment Agency is undertaking a permitting exercise that will bring all currently operating landfill sites, including hazardous waste sites, within the Pollution Protection and Control permit system. This will make the more stringent controls contained in the Landfill Directive a requirement for operating a landfill site in England and Wales.

Kirby Report

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's response to the Kirby Report on remediation permits. [132664]

Margaret Beckett: The recommendations of the report "Remediation Permit—Towards a single regeneration licence" are being considered, and where appropriate, being taken forward in my Department's review of Waste Permitting. Informal consultation is currently taking place. A formal consultation on draft regulations is expected early next year. A formal response to the report will be prepared following that consultation exercise.

Livestock Support Payments

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the impact on British agriculture of decoupling carried out *(a)* on an historic basis and *(b)* on the basis of regional averages. [132661]

Margaret Beckett: We are currently consulting stakeholders on whether the historic or area model of the new Single Payments Scheme should be operated in England. Responses to that exercise will help develop our understanding of the range of environmental, social and economic impacts of each of the models including the impact on the agriculture industry and its constituent parts. An assessment has been made of the impact of each model on the distribution of CAP direct aid payments. A copy has been placed in the Library of the House.

TREASURY

Company Finance Market

Mr. Prisk: To ask the Chancellor of the Exchequer what recent discussions he has had with representatives of the Institute of Chartered Accountants of England and Wales regarding the effectiveness of the company finance market. [135071]

John Healey: The Government issued a consultation document alongside Budget 2003 called "Bridging the Finance Gap: a Consultation on Improving Access to Growth Capital for Small Businesses". The consultation explored a wide range of issues concerning the ability of firms, and in particular, small and high-growth firms, to raise the finance that they need in the market. The Institute of Chartered Accountants in England and Wales (ICAEW) were one of many interested parties who responded to the consultation. The Government are currently considering the responses that it has received from the consultation and will respond in due course.

Additionally, ICAEW is represented on an advisory group, established in Budget 2003, which is examining the role of accountants and other financial intermediaries in providing advice to firms about the financing options available to them. The group is expected to report to the Government next month.

Company Tax (EU Harmonisation)

Mr. Redwood: To ask the Chancellor of the Exchequer what plans the EU has for the harmonisation of company tax within the EU. [134319]

Dawn Primarolo: The Government's view is that fair tax competition is the way forward for Europe, not proposals for tax harmonisation. The Government will not support any action at European level that will threaten jobs or the competitive position of British business.

Mr. Redwood: To ask the Chancellor of the Exchequer what plans the EU has to combat *(a)* fraud and *(b)* evasion in company taxes. [134318]

Dawn Primarolo: The ED is considering a draft proposal to amend and update the Directive on Mutual Assistance (77/799/EEC), the objective of which is to improve the functioning of procedures so as to enable Member States to deal more effectively with cross-border tax evasion and avoidance. I submitted an Explanatory Memorandum to the European Scrutiny Committee on 10 September 2003.

Mr. Redwood: To ask the Chancellor of the Exchequer, (1) how he defines administrative co-operation in the draft EU constitution Article III-63 on company taxation; [134308]

(2) how he defines combating tax fraud and tax evasion in Article III—63 of the draft EU Constitution. [134320]

Dawn Primarolo: The draft EU Constitutional Treaty proposed by the Convention on the Future of Europe does not contain definitions of these terms. Any changes to the provisions of the existing EU Treaties, including those in Article HI-63 of the draft Treaty, require the unanimous agreement of all Member States. The Government has made it clear in its White Paper "The British Approach to the European Union Intergovernmental Conference 2003" that it will insist that tax matters continue to be decided by unanimity.

Departmental Employees

Dr. Cable: To ask the Chancellor of the Exchequer how many employees of the Treasury there were in each year since 1997; and if he will make a statement. [135303]

Ruth Kelly: I refer the hon. Member to the staffing figures published in the annual publication 'Civil Service Statistics' which covers permanent staff numbers (FTE basis). Copies of the publication are laid in the Libraries of both Houses. The last edition, with updates based on April 2001 data was published in June 2002.

Alternatively, this information is available at the following address on the Cabinet Office website: http://www.civil-service.gov.uk/statistics/css.htm.

EDS

Dr. Cable: To ask the Chancellor of the Exchequer if he will list payments made by *(a)* HM Treasury, *(b)* Customs and Excise and *(c)* the Inland Revenue to EDS in each of the last five financial years; and if he will make a statement. [134225]

Dawn Primarolo: The payments made to EDS in each of the last five financial years were as follows:

(a) HM Treasury

No payments made because HM Treasury has no commercial relationship with EDS.

(b) Customs and Excise

Customs and Excise Customs and Excise only have one contract with EDS through a framework contract signed on 5 July 2002.

The payments made to EDS were:

	£ million
2002–2003	1.00
2003[1]	1.21

[1] To date

Both figures were exclusive of VAT.

(c) Inland Revenue

The Inland Revenue has a contract with EDS to supply IT services to the Department. The payments made during the last five financial years were:

	£ million
1998–1999	208.4
1999–2000	252.3
2000–2001	247.0
2001–2002	299.1
2002–2003	331.9

These figures exclude VAT and payments in respect of capital purchases.

Eileen Tully Ruling

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what discussions he has had with representatives of the Valuation Office Agency regarding the implications of the ruling in favour of Mrs. Eileen Tully against the Inland Revenue. [134501]

Dawn Primarolo: No discussions have taken place because of the very limited circumstances in which the Tully decision will have an effect elsewhere. The case was determined on the specific facts of the particular case.

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what estimate he has made of the loss in potential revenue resulting from the ruling in favour of Mrs.Eileen Tully against the Inland Revenue. [134502]

Dawn Primarolo: No estimate of any potential loss of revenue has been made as a result of Mrs Tully's Lands Tribunal decision.

Energy Useage

Mr. Robertson: To ask the Chancellor of the Exchequer how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135061]

Ruth Kelly: I refer the hon. Member to the reply I gave to the right hon. Member for Suffolk, South (Mr. Yeo) on 30 April 2003, *Official Report*, column 373W. The Chancellor's Departments will continue to ensure that they minimise energy spend/consumption while still meeting business needs. The Departments remain fully committed to meeting the challenging demands of the Government's Framework Targets.

Income Tax

Mr. Milburn: To ask the Chancellor of the Exchequer what the cost would be of reducing the starting rate of tax to *(a)* five per cent.and *(b)* nought per cent.for those earning less per annum that (i) £5,000, (ii) £10,000, (iii) £15,000, (iv) £20,000, (v) £25,000 and (vi) £30,500 assuming that the starting rate continues to apply to the first £1,960 of taxable income. [133177]

Dawn Primarolo *[holding answer 29 November 2003]:* Estimates are given in the table.

Cost of reducing the starting rate of tax[1] *(in £ billion)*	*Starting rate in 2003–04*	
	(a) Five per cent.	*(b) nought per cent.*
Total income per annum less than:		
(i) £5,000	Negligible	Negligible
(ii) £10,000	0.6	1.1
(iii) £15,000	1.2	2.4
(iv) £20,000	1.7	3.3
(v) £23,000	2.0	4.1
(vi) £30,500	2.3	4.6

[1] Excludes dividends income at the starting rate

The estimates are based on the Survey of Personal Incomes 2000–01 and are consistent with the April 2003 Budget.

The figures exclude any estimates of behavioural response to the change.

Pay Statistics

Mr. Moore: To ask the Chancellor of the Exchequer if he will list the average weekly gross pay *(a)* including

and *(b)* excluding overtime for full-time workers in (i) Scotland, (ii) each of the unitary local authority areas in Scotland and (iii) Great Britain for (A) all manual, (B) all non-manual and (C) all workers in the last year for which figures are available. [134578]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Moore, dated 29 October 2003:

As National Statistician, I have been asked to reply to your recent question on the average weekly gross pay *(a)* including and *(b)* excluding overtime for full-time workers in (i) Scotland (ii) each of the unitary local authority areas in Scotland and (iii) Great Britain for all workers. (134578)

The attached tables show the average gross weekly gross pay *(a)* including and *(b)* excluding overtime for full-time workers in (i) Scotland (ii) each of the unitary local authority areas in Scotland and (iii) Great Britain for all workers.

The tables do not include estimates for manual and non-manual employees separately. This is because the data have been coded on the Standard Occupational Classification 2000 which does not differentiate between manual and non-manual employees. An alternative to the manual and non-manual separation can be derived from the New Earnings Survey (NES), based on the National Statistics Socio-Economic Classification (NS-SEC). However, the two classification methods do produce different results and, to avoid misunderstanding, tables based on the NS-SEC will not be used to substitute for manual and non-manual employees in publications. Hence there is no data based on the manual and non-manual separation.

The NES publication criteria state that all estimates with a sample number less than 30 or a relative standard error greater than 5 per cent. must be suppressed. A large number of estimates have been removed from the lists due to the suppression criteria. The information is based on the 2003 NES, the latest survey for which data are available, providing earnings data for April 2003.

Average weekly earnings including overtime, all employees, April 2003

£

Area	*Average earnings*
Great Britain	475.8
Scotland	436.8
Scottish Unitary Authorities	
Aberdeen City	524.7
Aberdeenshire	422.2
Angus	398.3
Argyll and Bute	381.2
Scottish Borders, The	355.6
Clackmannanshire	[1] –
Dumfries and Galloway	381.6
Dundee City	436.8
East Ayrshire	425.7
East Dunbartonshire	[1] –
East Lothian	394.8
East Renfrewshire	[1] –
Edinburgh, City of	467.0
Falkirk	412.9
Fife	409.7
Glasgow City	437.9
Highland	419.6
Inverclyde	379.7
Midlothian	409.1
Moray	[1] –
North Ayrshire	409.3
North Lanarkshire	444.1
Orkney Islands	[1] –
Perth and Kinross	405.5
Renfrewshire	439.7
Shetland Islands	[1] –
South Ayrshire	442.5
South Lanarkshire	421.8
Stirling	429.8
West Dunbartonshire	[1] –
West Lothian	423.0
Western Isles	[1] –

[1] Data have been suppressed due to small sample size or high relative standard error.

Average weekly earnings excluding overtime, all employees, April 2003

£

Area	*Average earnings*
Great Britain	457.4
Scotland	417.3
Scottish Unitary Authorities	
Aberdeen City	502.6
Aberdeenshire	390.8
Angus	371.6
Argyll and Bute	358.2
Scottish Borders, The	340.9
Clackmannanshire	[1] –
Dumfries and Galloway	363.0
Dundee City	420.6
East Ayrshire	402.5
East Dunbartonshire	[1] –
East Lothian	377.4
East Renfrewshire	[1] –
Edinburgh, City of	455.0
Falkirk	388.9
Fife	387.9
Glasgow City	420.3
Highland	401.1
Inverclyde	366.6
Midlothian	394.1
Moray	344.7
North Ayrshire	394.1
North Lanarkshire	416.4
Orkney Islands	[1] –
Perth and Kinross	389.8
Renfrewshire	419.6
Shetland Islands	[1] –
South Ayrshire	419.8
South Lanarkshire	405.0
Stirling	403.9
West Dunbartonshire	[1] –
West Lothian	394.9
Western Isles	[1] –

[1] Data have been suppressed due to small sample size or high relative standard error

Mr. Moore: To ask the Chancellor of the Exchequer what percentage of full-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain earned gross pay less than (i) £287.93 per week, (ii) £215.95 per week and (iii) £159.60 per week for the categories (A) male manual, (B) male non-manual, (C) all male, (D) female manual, (E) female non-manual, (F) all female, (G) all manual, (H) all non-manual and (I) all workers, (1) including and (2) excluding overtime in the last period for which figures are available. [134579]

Ruth Kelly: The information requested falls within the responsibility National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Moore, dated 29 October 2003:

As National Statistician, I have been asked to reply to your recent question on the percentage of full-time workers who earned gross pay beneath various thresholds in Great Britain, Scotland, and the unitary authorities in Scotland. (134579)

I am placing in the House of Commons Library, six tables showing the percentage of full-time workers in *(a)* Scotland *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain who earned gross pay less than (i) £287.93 (ii) £215.95 and (iii) £159.60 per week for (A) male workers (B) female workers and (C) all workers, (1) including and (2) excluding overtime.

The tables do not include estimates for manual and non-manual employees separately. This is because the data have been coded on the Standard Occupational Classification 2000 which does not differentiate between manual and non-manual employees. An alternative to the manual and non-manual separation can be derived from the New Earnings Survey (NES), based on the National Statistics Socio-Economic Classification (NS-SEC). However, the two classification methods do produce different results and, to avoid misunderstanding, tables based on the NS-SEC will not be used to substitute for manual and non-manual employees in publications. Hence there is no data based on the manual and non-manual separation.

There are no data available for each of the unitary local authority areas in Scotland for full-time workers who earned gross pay less than £159.60 per week including and excluding overtime due to our publication criteria.

This is a result of the New Earnings Survey publication criteria, which state that all estimates with a sample number less than 30 or a relative standard error greater than 5 per cent. must be suppressed. A large number of estimates have been removed from the lists due to the suppression criteria. The information is based on the 2003 NES, the latest survey for which data are available, providing earnings data for April 2003.

Performance and Innovation Fund

Dr. Cable: To ask the Chancellor of the Exchequer what the budget of the Performance and Innovation Fund was in each of the last five years; and if he will make a statement. [134226]

John Healey: There is no Performance and Innovation fund. However, the Policy Innovation Fund was established in the 2000 Spending Review and the first year in which allocations were made was 2001–02. The budget for the years 2001–02, 2002–03 and 2003–04 was £50 million per annum.

Stamp Duty

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer whether he plans to increase stamp duty on homes. [134416]

Ruth Kelly: Stamp duty on house purchases will be replaced by stamp duty land tax from 1 December, but the rates for residential property purchases will be the same. Changes to the tax system are announced by the Chancellor as part of the Budget process.

Tax Credits

Mr. Webb: To ask the Chancellor of the Exchequer under what statutory authority he is seeking to recover overpayments of tax credits within the current financial year *(a)* in cases of official error and *(b)* in other cases. [134995]

Dawn Primarolo: Section 28(5) Tax Credits Act 2002 deals with cases where it appears likely that an overpayment of tax credits under an award will arise for a tax year. It enables the Inland Revenue to amend that award, or any other award of tax credit to the claimant(s), with a view to reducing or eliminating the likely overpayment.

Section 28(6) covers cases where a tax credits award is terminated on the grounds that those who had claimed had never, during the period of the award, been entitled to tax credits. In these cases, the amount paid under the award may be recovered as though it were an overpayment of tax credits identified at the year end.

UK Debt

Mr. David Marshall: To ask the Chancellor of the Exchequer what the total amount of debt owed to the UK by other countries was in the last year for which figures are available, broken down by country. [134726]

Ruth Kelly: Most of the debt owed by sovereign Governments to the UK Government arises from defaults on export contracts guaranteed by the Export Credit Guarantee Department (ECGD). Such debts usually become the subject of Bilateral Debt Agreements entered into under the auspices of the Paris Club of official creditors. Table 1 shows the debt owed to the UK Government as at 30 September 2003 under Paris Club Arrangements.

In addition to debt rescheduled in the Paris Club, ECGD holds unrecovered claims on a number of countries, by far the largest of which is Iraq, where ECGD has unrecovered claims of approximately £620 million.

The UK Government has already announced its commitment to providing 100 per cent. irrevocable debt relief for all countries eligible for the Heavily Indebted Poor Countries Initiative (HIPC) upon their reaching Completion Point. In addition, for eligible HIPC countries yet to reach Decision Point, the UK does not ask for, or expect to receive, payments. Any debt payments that are made are held in trust until they can be returned to fund poverty reduction.

The debts of Benin, Bolivia, Burkina Faso, Mali, Mauritania, Mozambique, Tanzania and Uganda were all cancelled when they reached the HIPC Completion Point.

The Department for International Development (DfID) no longer provides aid loans to low income countries. However, Table 2 shows the outstanding debt owed to DFID as of 31 March 2003 from loans made in previous years. In 1978, the Government cancelled nearly all of its aid debts to low-income countries, which were worth £1.2 billion. In September 1997, the Government launched the Commonwealth Debt Initiative (CDI). Under the CDI, the Government announced that it was willing to cancel the remaining aid debts, worth £132 million, of those poorer (lower-middle income) Commonwealth countries who were committed to the Millennium Development Goals, who

were following sound economic policies, who promoted accountable and transparent governance and who were bearing down on corruption. To date, 12 countries have benefited from this initiative.

Table 1—total amounts outstanding on Paris club agreements as at 30 September 2003

£ million

Market	Total owed as at 30/09/03
Algeria	145.093
Angola	130.409
Argentina	35.533
Bosnia and Herzegovina	1.562
Brazil	274.543
Cameroon [1]	64.098
Central African Republic	0.361
Congo	159.842
Cote D'Ivoire	18.898
Croatia	61.524
Cuba	97.110
Democratic Republic of Congo [1]	75.267
Ecuador	65.761
Egypt	151.920
Ethiopia [1]	11.760
Gabon	139.784
Ghana [1]	27.745
Guinea Republic [1]	3.887
Guyana [1]	35.709
Indonesia	785.053
Jamaica	1.497
Jordan	402.510
Kenya	18.856
Liberia	20.594
Macedonia	3.742
Madagascar [1]	27.179
Malawi [1]	0.391
Morocco	25.255
Nicaragua [1]	0.991
Niger [1]	8.232
Nigeria	4.494.293
Pakistan	9.145
Peru	124.814
Philippines	11.146
Poland	789.497
Russia	736.587
Senegal [1]	1.419
Serbia and Montenegro	306.876
Sierra Leone [1]	3.509
Somalia	31.897
Sudan	580.824
Togo	19.359
Vietnam	10.105
Zambia [1]	174.396
Totals	10,008.973

[1] Decision point HIPC

Note:
Total owed includes principal and interest including any arrears.

Table 2—Outstanding debt owed to the Department for International Development as at 31 March 2003

£

Country	Amount
Brazil	954,852.21
Cayman Island	99.70
Columbia	69,067.19
Costa Rica	174,886.14
Cyprus	59,374.00
Ecuador	7,418,148.69
Egypt	1,737,760.81
Ghana	2,736,275.01
Guyana	16,941,962.08
Honduras	746,666.72
Ivory Coast	1,264,777.00
Jordan	14,057,480.78
Malaysia	815,159.31
Mozambique	67,500.00
Nicaragua	398,200.00
Nigeria	4,233,084.04
Paraguay	821,148.00
Peru	4,633,373.96
Philippines	1,006,985.25
Senegal	48,329.67
Seychelles	7,885,673.72
St Kitts	2,734,970.00
Turkey	9,636,553.52
Zambia	23,115,320.27
Zimbabwe	9,229,420.70
Total	110,787,068.77

TRADE AND INDUSTRY

Inward Investment (North-West)

Mr. Evans: To ask the Secretary of State for Trade and Industry how many jobs were created in each year since 1992 in the north-west as a result of inward investment. [134896]

Ms Hewitt: The figures in the table are based on information provided by inward investment companies at the time of the announcement of the decision to invest in the UK. They are based on the companies' best estimate, at that time, of the number of new jobs associated with each investment.

There is no requirement on companies to notify inward investment decisions to Invest UK and so the figures include only those projects where Invest UK and/or North West Development Agency were involved or which have come to their notice.

	Number of new jobs
1992–93	1,012
1993–94	1,927
1994–95	1,986
1995–96	3,622
1996–97	1,556
1997–98	4,944
1998–99	3,224
1999–2000	4,768
2000–01	3,187
2001–02	1,987
2002–03	7,486

Arms Exports

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 6 October 2003, *Official Report*, column 1068W, whether the Government's proposals on transportation of small arms comply with Clause II.14 of the Programme. [135101]

Nigel Griffiths: The new controls that the Government will be introducing on trafficking and brokering are fully consistent with the United Nations Programme on Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

BAE Systems

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry what representations she has received on BAE Systems relocation of its regional aircraft business to Ayrshire; what funding her Department has provided to BAE Systems plant at Prestwick for employment relocation and creation; and if she will make a statement. [134011]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry, has received one representation on BAE Systems' relocation of its new regional aircraft business to Prestwick in Ayrshire.

The Department of Trade and Industry has provided no funding to BAE Systems' plant in Prestwick. However, following the company's decision to cease regional aircraft production, the Scottish Executive, having consulted with DTI, offered BAE Systems £2.4 million in Regional Selective Assistance (RSA) to support the consolidation of their Regional Aircraft Support Centre at Prestwick.

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry what assessment she has made of *(a)* the impact of BAE Systems' decision to relocate regional aircraft production from its Woodford Aerodrome in the North West to Prestwick on employment opportunities in the North West of England and *(b)* the future viability of the aerospace industry in the North West. [134012]

Jacqui Smith: The Department's understanding is that BAE Systems Regional Aircraft has not relocated regional aircraft production from Woodford in the North West to Prestwick in Ayrshire as, with the cancellation of the Avro RJX, the company took the decision in November 2001 to cease all further regional aircraft production activities. A number of different locations were considered before BAE Systems Regional Aircraft decided to place its new Regional Aircraft business, focusing on customer support, engineering and management support, in Prestwick.

As regards the future viability of the aerospace industry in the North West, my right hon. Friend the Secretary of State for Trade and Industry, established the Aerospace Innovation and Growth Team (AeIGT) in May 2002 to produce a 20-year vision for the future of the aerospace industry across the whole of the UK, including the North West of England, and to make recommendations as to how to make that vision a reality. Over 140 senior representatives of aerospace companies, Government Departments and trade unions, as well as universities and research bodies, have been involved. Work is now proceeding on the implementation of the AeIGT's recommendations and a wide range of stakeholders are involved in producing plans to achieve this, both nationally and at local level. The Chairman of the North West Regional Development Agency is a member of the AeIGT and has been, and continues to be, closely involved in its work.

Chemicals

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the European Commission's draft proposals for the registration, evaluation and authorisation of chemicals; and what assessment her Department has made of the likely impact of the proposals on the chemicals industry. [132860]

Jacqui Smith: The UK Government fully support the objectives set out in the Commission's White Paper on the new EU Chemicals Strategy. Following the Commission's consultations on draft legislative proposals in May to July this year, the Commission has indicated its intention of making a number of changes to the proposals. The Government welcome any changes intended to make the proposals more effective and workable, and will be considering the revised proposals in consultation with stakeholders. Once adopted, the Government will carry out a separate UK consultation, and that will be accompanied by a regulatory impact assessment.

Defence Export Licences

Mr. Tynan: To ask the Secretary of State for Trade and Industry in how many cases where a defence export licence was revoked in *(a)* 2000, *(b)* 2001 and *(c)* 2002 a defence export licence was subsequently granted to allow the export of the same items to an alternate destination. [134600]

Nigel Griffiths: This information is not readily available and would require both a computer and manual search of all records for the three years in question to determine whether there are identical matches and could be obtained only at disproportionate cost.

Electricity Supply

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what recent discussions she has had with National Grid Transco about the maintenance of the network, following the power cuts in August; and if she will make a statement. [134044]

Nigel Griffiths *[holding answer 23 October 2003]:* My right hon. Friend the Secretary of State for Trade and Industry has not personally spoken with National Grid Transco on this issue—however she is being kept fully appraised of developments. I have spoken on a number of occasions with the CEO of NGT concerning the August power cuts.

To ensure that all the facts have been assembled about these incidents, and that the appropriate lessons learnt for the future, the Government in conjunction with the Regulator—Ofgem, commissioned a report employing independent consultants. DTI's Engineering Inspectorate is also investigating the circumstances around the power interruptions.

Employment Tribunals

Mr. Hepburn: To ask the Secretary of State for Trade and Industry how many employment tribunal cases there were in *(a)* south Tyneside, *(b)* Tyne and Wear, *(c)* the north-east and *(d)* the UK in each year since 1997. [134858]

Mr. Sutcliffe: The following table shows the number of tribunal applications registered by the Employment Tribunals Service in the UK since 1997. Statistical information for the geographical areas of south Tyneside, Tyne and Wear and the north-east is not readily accessible and could be produced only at disproportionate cost.

	Registered tribunal applications
2002–03	98,617
2001–02	112,227
2000–01	130,408
1999–2000	103,935
1998–99	91,913
1997–98	80,435
1996–97	88,910

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what the average amount of an employment tribunal cost award was in *(a)* south Tyneside, *(b)* Tyne and Wear, *(c)* the north-east and *(d)* the UK in each year since 1997. [134859]

Mr. Sutcliffe: The following table shows the average amount of an employment tribunal cost award in the UK since 1997. We are unable to supply the average amount of an employment tribunal cost award for south Tyneside, Tyne and Wear and the north-east.

£

	Average cost award
2002–03	1,524
2001–02	983
2000–01	295
1999–2000	1,155
1998–99	743
1997–98	546

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what the average award for compensation in employment tribunal cases has been in *(a)* south Tyneside, *(b)* Tyne and Wear, *(c)* the north-east and *(d)* the UK in each year since 1997. [134860]

Mr. Sutcliffe: The Employment Tribunals Service only collects compensation statistics for tribunal cases covering the jurisdictions of unfair dismissal, race discrimination, sex discrimination and disability discrimination. Therefore, the figures quoted in the following table illustrate the average award for compensation in employment tribunal cases for the UK since 1997 in relation to the aforementioned complaints. We are unable to supply separate information for south Tyneside, Tyne and Wear and the north-east.

£

	Average compensation award
2002–03	7,598
2001–02	7,306
2000–01	5,764
1999–2000	5,734
1998–99	4,449
1997–98	4,894

Mr. Hepburn: To ask the Secretary of State for Trade and Industry how many employment tribunal cost awards have been made against *(a)* respondents and *(b)* applicants in (i) south Tyneside, (ii) Tyne and Wear, (iii) the north-east and (iv) the UK in each year since 1997. [134861]

Mr. Sutcliffe: The following table illustrates how many employment tribunal cost awards have been made against respondents and applicants in the UK in the last two financial years. The Employment Tribunals Service did not breakdown the statistics for applicants and respondents prior to 2001–02. We are unable to supply information for south Tyneside, Tyne and Wear and the north-east.

	Costs awards against respondent	*Costs awards against applicant*
2002–03	307	691
2001–02	169	467

Energy Production

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what the average cost of producing electricity through *(a)* nuclear, *(b)* coal, *(c)* gas, *(d)* wind and *(e)* other renewable sources was; and what the average price paid by suppliers for electricity from each of the above generators was in the last year for which figures are available. [135001]

Nigel Griffiths *[holding answer 28 October 2003]:* This information is a commercial matter for the electricity generators and suppliers. Some indicative information on potential future prices for renewable sources, and for electricity produced from nuclear sources is given in "The Energy Review, a Performance and Innovation Unit Report, February 2002" available at www.number-10.gov.uk/su/energy/1.html, and in the "Long-Term Reductions in Greenhouse Gas Emissions in the UK" report prepared by an Inter-departmental Analysts Group, available at www.dti.gov.uk/energy/greenhousegas/index.shtml. Both reports are available in the Libraries of the House.

Export Controls

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 6 October 2003, *Official Report,* column 1068W, on export controls, what her reasons are for concluding that it would be impractical to maintain a register of arms brokers. [135099]

Nigel Griffiths: The Government have already made clear that it proposes to register information on all those applying for licences, both for exports and for arms trafficking and brokering activities, thus creating a

database available to be used for licensing and enforcement purposes, including as appropriate on an international basis. In addition, users of Open General Licences have to register to use the licence.

The Government believe that licence applications should be scrutinised on a case-by-case basis, with regard primarily to the nature of the transaction in question. Scrutiny and approval of individual transactions to areas of concern achieves a greater measure of control than simply a general assessment of companies' or individuals' reputation.

Industrial and Provident Societies

Mr. Gardiner: To ask the Secretary of State for Trade and Industry (1) what consideration was given in the company law review to bringing the audit requirements for industrial and provident societies in line with those of registered companies; [135114]

(2) what consideration was given in the company law review to amending the requirement that obliges industrial and provident societies wanting to publish interim accounts to undertake a full audit. [135131]

Jacqui Smith: The remit of the company law review did not extend to industrial and provident societies.

The Treasury will consider the modernisation of industrial and provident society legislation in the light of the proposed reform of company law.

Insurance Premiums

Mr. Djanogly: To ask the Secretary of State for Trade and Industry if she will make a statement on her assessment of the impact of insurance premium levels on the *(a)* construction, *(b)* manufacturing and *(c)* farming sectors of the economy. [134866]

Nigel Griffiths: Government have encouraged the Association of British Insurers (ABI) and British Insurance Brokers Association (BIBA) to work with business bodies and Trade Associations towards improving the availability of affordable cover. Since the publication of the Government interim report in June 2003, the ABI and BIBA have published a statement of good practice, making a commitment to provide at least 21 days' notice of their renewal terms for all policies, starting from 1 November 2003.

Mr. Ashley Jenkins

Diana Organ: To ask the Secretary of State for Trade and Industry when she expects to hold an investigation into the activity of Mr. Ashley Jenkins whose company assets were frozen on 2 October; what representations she has received about this case; and if she will make a statement. [134253]

Jacqui Smith *[holding answer 27 October 2003]:* Inquiries under section 447 of the Companies Act 1985 into the affairs of Ashley Jenkins Ltd. and Ashley Jenkins SL, a company registered in Spain, were undertaken by officials of the Department's Companies Investigations Branch. The investigation's findings resulted in the presentation of a public interest winding-up petition, on 2 October, the High Court appointing the Official Receiver as Provisional Liquidator of both companies, pending the hearing of the petition on 14 January 2004.

The Official Receiver's duties as Provisional Liquidator include the preservation and protection of both companies' assets and financial records.

In view of the fact that this matter remains before the High Court it would be inappropriate for me to comment further about the affairs of the Ashley Jenkins companies.

Outsourcing

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what measures she is taking to persuade companies to maintain jobs in the UK rather than outsource abroad. [134438]

Ms Hewitt: As companies in the UK are operating in an increasingly competitive, global marketplace, they must have the freedom to choose where to locate in order to maximise their competitive advantage. If we chose to operate a protectionist approach, we would run the risk of forcing companies to locate completely out of the UK. This would not be to our long term economic benefit.

We will continue to create a stable, competitive environment in the UK. Our long term economic interest will be based on our ability to innovate to produce high value- added goods and services which need a highly skilled workforce, high calibre managers, forward looking unions and knowledgeable consumers.

Red Tape

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what plans she has to reduce the regulatory burden on small and medium-sized firms. [134440]

Nigel Griffiths: Among the measures taken by the Government to cut red tape are:

cutting form-filling for 700,000 small businesses with our new flat rate VAT scheme;

abolishing automatic penalties for late filing of VAT and giving UK businesses the best VAT threshold in Europe;

cutting the number of regulations passed by Parliament in the past year by 793;

cutting the time and bureaucracy it takes to set up a business from 28 separate licences, certificates and registrations in some cases ten years ago to less than a day now, costing under £10, while in the EU on average it takes four weeks to set up a new business and costs over £600.

These measures and others have established the UK in the top three countries for low levels of red tape, favourable tax regime, flexible labour markets, open financing systems and modern infrastructure, according to the latest Economist Intelligence Unit/Apax Partners survey of 60 countries.

British Gas's latest survey of business managers concludes that they are spending considerably less time dealing with red tape and non-core activities. 2.4 million SMEs have been created since 1997, including an estimated 1,690 in the hon. Member's constituency.

We are seeking further improvements through Regulatory Impact Assessments, 'Think Small First' and Small Business Europe which promotes better regulation.

Small Businesses

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what recent research she has commissioned on the administrative burden on small businesses. [134949]

Nigel Griffiths: The Small Business Service, an executive agency of the DTI, commissioned the Small Business Survey 2003 in June 2003, to understand the concerns of small and medium-sized businesses. It has several questions on the administrative burden of small businesses, including how much time small and medium-sized enterprises spend each week on paperwork relating to complying with Government regulations and taxes.

State Aid

Malcolm Bruce: To ask the Secretary of State for Trade and Industry on which occasions since 1997 the Government have made representations to the EC regarding state aid by another member state. [133885]

Jacqui Smith *[holding answer 23 October 2003]:* No register of interventions is held. Representations can be made in response to notices published in the Official Journal in accordance with Article 88(2) of the EC Treaty; or in cases before the European Court of Justice where it appears appropriate and in UK interests; or on behalf of UK businesses who raise concerns.

World Trade Organisation (Cancun)

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what proposals she will make to the World Trade Organisation on improving the logistics and organisation at WTO conferences after Cancun. [135127]

Ms Hewitt: We are currently discussing potential proposals in this area with other EU member states and with the commission. We are also in contact with the consultative group established by the Director General of the WTO, which we expect to produce recommendations in the course of next year.

TRANSPORT

Air Travel (Compensation)

Mr. Chope: To ask the Secretary of State for Transport pursuant to his Answer of 21 October 2003, *Official Report*, column 472W, on air travel (compensation), (1) if his Department will produce a partial regulatory impact assessment; and if he will place a copy in the Library; [135040]

(2) if it is the policy of his Department to comply with the Cabinet Office guidance on regulatory impact assessment; and if it is being complied with in this case. [135041]

Mr. McNulty: A partial regulatory impact assessment on the proposed Regulation was prepared at an early stage, and has been periodically updated to reflect changes made to the original text as work on the proposal has progressed. The latest version reflects the Council's common position of 11 March 2003. However, following the recent conciliation process between the Council and the European Parliament, a number of amendments to the common position have been agreed and the regulatory impact assessment will need to be modified accordingly. On receipt of the final text of the Regulation we will be in a position to complete our assessment and, in due course, place a copy in the Libraries of the House.

Airport Development

Miss McIntosh: To ask the Secretary of State for Transport what communities he has visited near airports which may feature in his White Paper on Airport Development. [134129]

Mr. McNulty: Ministers have met numerous delegations representing communities that may be affected by development options put forward in the consultation documents, "The Future of Air Transport in the United Kingdom". During the consultation, 18 public exhibitions were held across the UK at or near sites identified for potential airport development.

Airports (East and West Midlands)

Mr. John Taylor: To ask the Secretary of State for Transport how many responses he received during the extended consultation period regarding airports in the East and West Midlands. [134592]

Mr. McNulty: About 45,000 responses relating to airports in the East and West Midlands were received between 30 November 2002 and 30 June 2003.

Aviation Fuel Taxation

Mr. John Taylor: To ask the Secretary of State for Transport what steps the Government are taking to press *(a)* member nations of the EU and *(b)* other international bodies to come to a common position on the taxation of aviation fuel. [134591]

Mr. McNulty: I refer the hon. Member to my answer of 28 October 2003 to my hon. Friend the Member for Stafford (Mr. Kidney), *Official Report*, column 134W.

Blue Badge Scheme

Mr. Reed: To ask the Secretary of State for Transport if he will include *(a)* colitis and *(b)* Crohn's disease in future research on the eligibility criteria for the blue badge scheme. [134339]

Mr. McNulty: Following a recent review of the Blue Badge Scheme, we will be undertaking research into the independent mobility needs of certain groups of people, including people with colitis and Crohn's disease, to determine whether eligibility should be extended. We propose to take forward that research in 2004.

Tim Loughton: To ask the Secretary of State for Transport what (1) representations he has received from disabled motorcycle owners about problems with attaching disabled badges designed for car windscreens to motorcycles; [134799]

(2) what advice he has issued to disabled motorcycle owners about attaching disabled badges to their vehicles. [134800]

Mr. McNulty: Under the current regulations the blue badge must be displayed on the dashboard or fascia panel of the vehicle, with the front facing forward, so that the relevant details are clearly legible from outside of the vehicle.

For motorcycles we advise that the badge should be exhibited in a conspicuous position on the vehicle so that the relevant details on the front are visible. The precise method of attaching the badge is a matter for the badge holder to determine.

We have received representations from individual disabled motorcyclists and from the National Association for Bikers with a Disability (NABD) about the problems of displaying the badge so that it complies with the requirements of the regulations. Following discussions with NABD we have agreed to support the Association in designing a suitable secure holder for the badge and the associated time clock. We are, therefore, funding a design competition for 2nd year students at Salford University's School of Art & Design. We hope to have the winning design by summer next year.

Departmental Advertising

Mr. Simmonds: To ask the Secretary of State for Transport how much his Department spent on advertising in *(a)* 1995, *(b)* 1997 and *(c)* 2003. [133729]

Mr. McNulty: Expenditure is recorded on a financial year basis and is shown in the following table.

	£ million
1995–96	6.4
1996–97	5.7
1997–98	4.5
1998–99	4.6
1999–2000	5.2
2000–01	7.8
2001–02	9.8
2002–03	10.2
2003–04	9.5

[1] estimated advertising outturn

The increase in expenditure since 2000–01 reflects additional road safety advertising in support of the Government's road safety strategy "Tomorrow's Roads—Safer For Everyone" published in March 2000.

Driving Licence Applications

Mr. George Howarth: To ask the Secretary of State for Transport what his target is for the time taken to process a provisional driving licence application from the date of receipt of the application to the applicant receiving their licence; and what proportion of applications were dealt with within the target in each of the last three years. [134662]

Mr. Jamieson: The Secretary of State's targets for the last three years have been as follows:

Year	*Target*	*Result*
2000–01	95% in 9 working days	Achieved
2001–02	95% in 8 working days	Achieved
2002–03	95% in 8 Working days	Achieved

These performances have been reflected in the Agency's Annual Reports.

Mr. George Howarth: To ask the Secretary of State for Transport which medical conditions require further enquiries to be made in applications for provisional driving licences; and what representations he has received from disability organisations in relation to driving licence applications from people with medical conditions or disabilities. [134664]

Mr. Jamieson: The medical conditions which need to be declared and where further medical enquiries would normally be undertaken are listed on all the main drivers application forms. For example, the DI application form (available from post offices) is used to apply for first provisional licences and the D42 and D46 forms which are automatically issued by DVLA to prompt the renewal of medically restricted licences and renewal at age 70 and thereafter.

We regularly receive representations from disability organisations and interested parties representing individuals suffering from medical conditions that may affect their ability to drive. This representation is welcomed and the information received is often referred to the Secretary of State's Honorary Medical Advisory Panels to help inform their decisions on medical fitness to drive and future policies.

Trains (Smoking)

Mr. Sheerman: To ask the Secretary of State for Transport (1) what steps he is taking to persuade GNER to follow the example of Virgin Rail in banning smoking on all trains; [134969]

(2) what plans he has to bring together the Health and Safety Executive, train operators and Network Rail to discuss the impact on public health of smoking at railway stations and on trains. [134970]

Mr. McNulty: There are no such plans. Under the Railways Act 1993 (as amended by the Transport Act 2000) train operating companies may regulate smoking in railway carriages and at their stations. It is a matter for the train operators to decide whether, and where, to permit smoking.

Road Safety

John Thurso: To ask the Secretary of State for Transport which proposals contained in his Department's road safety strategy require primary legislation; and in which legislation *(a)* they have been enacted and *(b)* he plans to enact them in each case. [133880]

Mr. Jamieson: The following primary legislation foreseen in the Government's road safety strategy "Tomorrow's Roads—Safer for Everyone" has been enacted as follows:

Figures in square brackets [3] refer to the relevant chapter of the road safety strategy

[2] Change legislation on school crossing patrols, Transport Act 2000

[3] Introducing mandatory logbooks for learner car drivers (to include night-time driving), Transport Act 2000

[4] Strengthen police powers for roadside testing, accommodating drug screening devices and providing for drug recognition and impairment testing, Railways and Transport Safety Act 2003

[7] Tighten the seat belt exemption for people on "local rounds of deliveries", Railways and Transport Safety Act 2003

[10] Develop new technology which could help enforce the law more effectively e.g. digital breath-testing and drug-testing devices, Railways and Transport Safety Act 2003

The following proposals await a suitable legislative opportunity:

[3 & 8] Improvement of driver training and testing

[4] Introduce evidential roadside breath-testing

[4] Repeal UK drivers1 hours rules in favour of EU rules (pending outcome of European negotiations)

[10] Provide for driver improvement schemes as a court disposal

[10] Amend road traffic penalties in the light of Home Office Review of Road Traffic Penalties

After research and consultation with local authorities the following are deemed no longer to require primary legislation and the Government has no current plans to implement them.

[6] Creation of a hierarchy of roads by road usage

[6] Development of a simpler method of making speed limits by reference to a speed management strategy

The Government also considers that primary legislation may not be necessary for the following and has no plan to pursue it:

[4] Giving police additional powers to undertake targeted breath testing

Transport for London (Budget)

Simon Hughes: To ask the Secretary of State for Transport what plans his Department has to increase the Transport for London budget for each financial year from 2005–06. [135175]

Mr. McNulty: The Progress Report on the 10-Year Plan for Transport, "Delivering Better Transport", published last December, set out indicative levels of spending in London through to 2010–11. Allocations for the period 2005–06 to 2007–08 will be considered in the forthcoming cross-Government spending review, the results of which will be announced next year.

Unsupervised Railway Stations

Mr. Sheerman: To ask the Secretary of State for Transport what plans he has to meet local authorities, train operators and Network Rail to discuss the elimination of graffiti at train stations and adjacent railway lines. [134958]

Mr. McNulty: None.

Mr. Sheerman: To ask the Secretary of State for Transport how many prosecutions there have been by British Transport Police of individuals who commit acts of vandalism on *(a)* trains, *(b)* railway stations and *(c)* railway lines in each of the last 10 years. [134959]

Mr. McNulty: The British Transport Police (BTP) does not record crime statistics split by stations, lines and trains. Also vandalism is not classified as a crime group but the offence of criminal damage is the closest equivalent. Prosecutions are a matter for the Crown Prosecution Service. However, the BTP have provided the information in Table 1 regarding the number of people arrested, summonsed or charged with criminal damage in the past six years which is the maximum period for which reliable data is available. Table 2 shows the total number of criminal damage offences reported and cleared for the last ten years.

Table 1

Time Period	*Number of Persons Arrested/ Charged/Summonsed for criminal damage offences*
1 October 1997—30 September 1998	607
1 October 1998—30 September 1999	669
1 October 1999—30 September 2000	644
1 October 2000—30 September 2001	537
1 October 2001—30 September 2002	549
1 October 2002—30 September 2003	554

Table 2

Annual criminal damage offences (1 April–31 March)	*Reported*	*Cleared*
2002–2003	6,502	717
2001–2002	6,030	846
2000–2001	6,536	988
1999–2000	6,826	963
1998–1999	6,573	1,013
1997–1998	6,296	1,105
1996–1997	7,984	994
1995–1996	10,502	971
1994–1995	13,156	1,348
1993–1994	13,023	1,280

Mr. Sheerman: To ask the Secretary of State for Transport how many unsupervised train stations there are in *(a)* the United Kingdom and *(b)* Yorkshire. [134967]

Mr. McNulty: Figures for the number of unsupervised stations are not held centrally. There are no obligations on train operators about staffing stations per se. There are requirements to open ticket offices at the times specified in the 'Ticketing and Settlement Agreement' (TSA). The TSA includes over 1300 stations—more than half the stations on the network—including over 50 in Yorkshire. Train operators may staff stations and ticket offices over and above the requirements of the TSA.

Mr. Sheerman: To ask the Secretary of State for Transport what recent studies have been carried out by his Department into the impact on passenger numbers of fear of violence and antisocial behaviour at unsupervised railway stations. [134968]

Mr. McNulty: Departmental research was carried out last year on perceptions of personal security and concerns about crime on public transport. This included

discussions on staffing at railway stations, what makes people feel insecure at stations, what measures could be taken to improve people's perceptions, and the impact that all these have on people's willingness to travel.

Mr. Sheerman: To ask the Secretary of State for Transport (1) what steps he is taking with Network Rail to tackle vandalism and graffiti at unsupervised railway stations; [134972]

(2) what steps he is taking to protect the rail infrastructure from criminal damage. [134974]

Mr. McNulty: This is primarily a matter for Network Rail as owner of the national network infrastructure, and the train operators to which stations are leased. Our Directions and Guidance to the Strategic Rail Authority require it to encourage train operators to participate in both the Secure Stations and Secure Car Parks schemes, which award accreditation when specified standards of design and management are reached. The Strategic Rail Authority has funded the provision of CCTV at stations through its Rail Passenger Partnership fund, and CCTV will be provided at some stations under the Modern Facilities at Stations programme. We also support the initiative by the British Transport Police and train operators to recruit special constables from within their own staff.

Mr. Sheerman: To ask the Secretary of State for Transport what recent discussions he has had with train operators on unsupervised stations. [134973]

Mr. McNulty: None.

HOME DEPARTMENT

Anti-social Behaviour

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what resources he has provided to *(a)* Sefton council and *(b)* the Merseyside Police Authority for monitoring anti-social behaviour. [132995]

Ms Blears: For this financial year 2003–04, the Anti-Social Behaviour Unit (ASBU) provided £700,000 to the Government offices of the north-west to spend on anti-social behaviour matters. The ASBU did not specify on what specific activities they should spend this money.

Sefton have not been allocated any Home Office funds directly for anti-social behaviour initiatives, but a number of schemes should have an effect on anti-social behaviour. The Building Safer Communities Fund (BSCF) have allocated £30,000 to develop neighbourhood CCTV systems and a further £19,500 is being used to tackle alcohol-related disorder and improve education and awareness, both of which should have a "knock on" effect on anti-social behaviour.

Under the Small Retailers scheme, £28,971 was awarded to Sefton and is being used to fund CCTV systems for a number of retailers in the Derby and Linacre and Netherton and Owell wards, and it is hoped that this will deter theft, vandalism and anti-social behaviour.

For 2003–04, we also provided £200,000 to Liverpool City council for partnership working on anti-social behaviour initiatives. While Merseyside Police were not the direct recipient of this funding, they will obviously benefit from this injection of money, and via the Liverpool Crime and Reduction Partnership will have influence on how this money is best spent.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if he will make a statement on the effectiveness of the anti-social behaviour units within police authorities. [132996]

Ms Blears: All local agencies need to work together if anti-social behaviour is to be tackled effectively and the Police Service has a key role to play. This is reflected in the National Policing Plan, which makes clear that dealing with anti-social behaviour is an overarching policing priority. While we have not carried out any formal assessment of the way in which police forces are tackling anti-social behaviour, it is one aspect being examined in the baseline assessments of police forces currently being carried out by Her Majesty's Inspectorate of Constabulary (HMIC). The results will be available in the spring. Anti-social behaviour is also being addressed during HMIC's inspections of Police Basic Command Units.

Huw Irranca-Davies: To ask the Secretary of State for the Home Department what assessment he has made of the efforts of *(a)* police forces in Wales, *(b)* the South Wales police force and *(c)* other forces in the United Kingdom to engage with the programme to tackle anti-social behaviour. [133500]

Ms Blears: All local agencies need to work together if anti-social-behaviour is to be tackled effectively and the Police Service has a key role to play. This is reflected in the National Policing Plan, which makes clear that dealing with anti-social behaviour is an overarching policing priority. While we have not carried out any formal assessment of the way in which police forces are tackling anti-social behaviour either in Wales or more generally, it is one aspect being examined in the baseline assessments of police forces in England and Wales currently being carried out by Her Majesty's Inspectorate of Constabulary (HMIC). The results will be available in the spring. Anti-social behaviour is also being addressed during HMIC's inspections of Police Basic Command Units.

Huw Irranca-Davies: To ask the Secretary of State for the Home Department what discussions he has had with colleagues in the Welsh Assembly Government in respect of anti-social behaviour initiatives with particular reference to *(a)* pilot residential parenting schemes, *(b)* nuisance neighbours panels, *(c)* criminal justice interventions programme areas, *(d)* Operation Scrap-it, *(e)* Operation Gate-it and *(f)* Operation Scrub-it. [133501]

Ms Blears: The work in this area is being taken forward by the Anti-Social Behaviour Unit at the Home Office. The unit was set up in January 2003. Staff within the unit have undertaken visits to different parts of England and Wales gathering information from communities and practitioners about their anti-social behaviour priorities.

This resulted in the introduction of the Anti-Social Behaviour Bill and the publication of the White Paper, 'Respect and Responsibilities' (March 2003). This was followed up by the launch of the Action Plan (10 October 2003) which outlines the initiatives mentioned above. The powers in the Bill relating to local authority powers to get graffiti off street furniture are a devolved issue (the powers will be given to 12 authorities in England in the first instance). It is for the Welsh Assembly to decide whether authorities in Wales will adopt these powers.

Mr. Rosindell: To ask the Secretary of State for the Home Department if he will make a statement on his policy on anti-social behaviour. [133999]

Ms Blears: Tackling anti-social behaviour is a priority for Government. The Home Office published an Action Plan "Tackling Anti-Social Behaviour Together" on 14 October 2003. The action plan sets out existing and new work across the Home Office and other Government Departments which contributes to the drive to tackle anti-social behaviour across England and Wales.

Mr. Rosindell: To ask the Secretary of State for the Home Department what action he recommends police forces use to deter anti-social behaviour. [134000]

Ms Blears: As the Anti-Social Behaviour Action Plan launched on 14 October makes clear, effective action to tackle anti-social behaviour requires effective partnership working between all local agencies including the police. The police have a very important role to play, and tackling anti-social behaviour is a key national policing priority under the National Policing Plan (NPP). Forces need to set out as part of their annual local plan and strategic plans under the NPP how they are going to address anti-social behaviour.

The response of the police, working with its partners, will depend on the nature of the local problems. In responding to those problems, the police need to ensure that they are using the National Intelligence Model to identify and target action against anti-social behaviour; have in place agreed information sharing protocols with other agencies; ensure they are using their resources effectively, including the Special Constabulary and Community Support Officers; be clear about how the various interventions available, for example, acceptable behaviour contracts, anti-social behaviour orders, fixed penalty notices, can best be used as part of a local strategy. Police forces should also, with partner agencies, be considering how they will use the new powers which will become available under the Anti-Social Behaviour Bill.

Vera Baird: To ask the Secretary of State for the Home Department what the aims are of the pilot scheme in Manchester in which people guilty of anti-social behaviour remain on housing benefit and accept training; and what plans there are for similar pilots in the North East of England. [134199]

Ms Blears: The Foundations pilot developed by Manchester city council, Irwell Valley Housing Association and the children's charity NCH is based on a NCH project that has been running in Dundee for the last five years.

The pilot aims to provide intensive support to families who have a history of committing anti-social behaviour. It aims to tackle the causes of this behaviour and establish some stability for children living within the families. There are strict rules and high expectations of each family involved in this pilot. Each family will understand that certain behaviour will not be tolerated and would result in eviction from the scheme.

At present there are no projects similar to the Dundee project in the North East of England. However a number of local authorities and their partners provide tenancy support and at least one is developing plans for a 'Dundee type' project.

Call Centres

Mr. Connarty: To ask the Secretary of State for the Home Department whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132105]

Fiona Mactaggart: The available information held by the Home Office on call centres shows that the Home Office does not have any outsourced call centre contracts and has no plans to outsource such work outside the United Kingdom.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for the Home Department when the hon. Member for West Worcestershire will receive a response to his letter of 7 July, reference M3286/3. [134330]

Ms Blears *[holding answer 27 October 2003]:* I wrote to the hon. Member on 24 October 2003.

Drug-related Offences

Mr. Oaten: To ask the Secretary of State for the Home Department how many hours he estimates have been spent by the police service in each of the last 15 years in dealing with drug related offences; how many hours per year on average this represented for each serving police officer; and if he will make a statement. [133903]

Ms Blears: The information requested is not collected. Police officers in particular exercise considerable discretion and judgement in the way they carry out their duties in this area as in others. Their deployment however is for the Chief Officer of Police who utilise a number of strategies to combat drug crime.

The Government are strengthening enforcement at a local level, supporting the police to better tackle drug misuse. Through the updated Drug Strategy annual proactive expenditure on reducing drug supply is expected to be £380 million for 2003–04 for all enforcement agencies.

We are taking high profile action against suppliers in communities with particular problems. Every opportunity from arrest, to court, to sentence, will be used to get offenders into treatment to break the link between drugs and crime.

Essex Police (Special Branch)

Mr. Francois: To ask the Secretary of State for the Home Department how many Special Branch constables were employed by Essex police on 1 September. [132636]

Ms Blears: It is not our policy to disclose details of Special Branch deployments at force level in the interests of national security, as to do so could compromise operations.

Juvenile Offenders

David Davis: To ask the Secretary of State for the Home Department how many crimes were committed by juvenile offenders in *(a)* Haltemprice and Howden, *(b)* the East Riding of Yorkshire and *(c)* the Humberside Police Authority area in each of the last two quarters for which figures are available; and how many cautions were issued. [132525]

Paul Goggins *[holding answer 16 October 2003]:* The information contained in the table gives the number of children convicted of all offences and those given reprimands and final warnings in Humberside, during the last two quarters of 2001.

The information collected centrally does not enable cases in the Haltemprice and Howden constituency to be identified nor cautions in the East Riding of Yorkshire. Neither is it possible to give the number of crimes committed by juveniles, only the number of juveniles who are found guilty of all offences.

Statistics for 2002 will be published in December.

Number of children found guilty at all courts for all offences and those given reprimands and final warnings[1]. Humberside, last two quarters of 2001

	2001		
Area, age and disposal etc	*Qtr 3*	*Qtr 4*	*Total*
East Riding of Yorkshire			
Children aged 10–17 found guilty	112	93	205
Children aged 10–17 receiving a reprimand	n/a	n/a	n/a
Children aged 10–17 receiving a final warning	n/a	n/a	n/a
Humberside Police Force Area			
Children aged 10–17 found guilty	477	382	859
Children aged 10–17 receiving a reprimand	247	186	433
Children aged 10–17 receiving a final warning	129	74	203

n/a = Not available

[1] Reprimands and final warnings replaced cautions for juveniles from June 2000.

Metropolitan Police (Rental Vehicles)

Mr. Oaten: To ask the Secretary of State for the Home Department how much has been spent by the Metropolitan police on rental vehicles in each month since March. [133971]

Ms Blears: The information requested is in the table. It has been provided by the Commissioner of Police of the Metropolis.

Breakdown for each month: April 2003—September 2003

Month	*Total (£000)*
April 2003	[1]204
May 2003	497
June 2003	961
July 2003	1,203
August 2003	864
September 2003	668
Totals:	4,397

[1] This figure takes account of retrospective year end adjustments (credits for accruals) for 2002/03.

Open Circuit Television (Monmouth)

Mr. Edwards: To ask the Secretary of State for the Home Department if he will set up an investigation into the contract to install open circuit television in Monmouth and the role of the then Acting Chief Constable of Gwent Police, Mr. Richard Thomas; and if he will make a statement. [130871]

Ms Blears: There are no plans for my right hon. Friend the Secretary of State to set up an investigation.

I am advised by Gwent Police that Gwent Police Authority requested an investigation by the District Auditor relating to issues surrounding CCTV in spring 2000. The preliminary results of this inquiry led the Chief Constable of Gwent to refer the matter to the Chief Constable of West Mercia for a full criminal investigation relating to the then retired Acting Chief Constable, Richard Thomas, and others. Work on this started in July 2000. At the conclusion of the investigation a report was submitted to the Crown Prosecution Service, who having considered the evidence, concluded on 31 January 2002 that there would be no criminal proceedings. The recommendations within the District Auditors report are being pursued by Gwent Police Authority.

Police

Mr. Drew: To ask the Secretary of State for the Home Department if he will make a statement on his powers to recommend the capping of police authorities. [133611]

Ms Blears: The Home Secretary has no power to recommend the capping of police authorities.

Powers to cap local authority budgets rest with my right hon. Friend the Deputy Prime Minister (Mr. Prescott).

Vera Baird: To ask the Secretary of State for the Home Department what estimate he has made of the daily average proportion of police officers' time spent out on patrol following the introduction of community support officers and other civilian support staff. [134251]

Ms Blears *[holding answer 27 October 2003]:* An analysis of diaries kept by 378 officers in seven forces prior to the introduction of Community Support Officers (CSOs) found that 17 per cent. of regular officers' time was spent on patrol. The Police Reform Act 2002 powers, which allowed the designation of CSOs and other support staff, were commenced on 2 December 2003. We have not yet repeated the exercise.

However, a programme of research into the nature, frequency and effectiveness of beat patrolling by police officers and Police Community Support Officers (PCSOs) is under way. Results will be reported as soon as available.

We know that there is significant variation between forces in the amount of time officers spend on front line duties, including patrol. We are, as part of the Police Performance Assessment Framework, collecting data from forces so that we can publish a baseline estimate of front line policing for all forces next year. We will then use this data to drive time spent on front line policing up, concentrating on those areas where time spent is lowest.

Most forces currently spend around 60 per cent. of their time on front line policing and I would like to increase that figure.

Police Authorities

Vera Baird: To ask the Secretary of State for the Home Department how many police authorities employ chief executives. [134249]

Ms Blears *[holding answer 27 October 2003]:* Section 16 of the Police Act 1996 allows each police authority to appoint a clerk to the authority. It is a matter for each police authority to decide if the postholder is termed a chief executive. We do not hold information on this centrally.

Vera Baird: To ask the Secretary of State for the Home Department which police authorities have *(a)* a portfolio structure around themes of community leadership, performance appraisal and strategy development and similar areas of activity and *(b)* a panel structure. [134250]

Ms Blears *[holding answer 27 October 2003]:* Section 6(1) of the Police Act 1996 lays upon police authorities the responsibility for securing and maintaining an efficient and effective police force for its area. How the authority organises internally to achieve this, is a local matter for the authorities themselves and not for central Government. Accordingly, there is no information held centrally by the Home Office on the internal structure of each authority.

Vera Baird: To ask the Secretary of State for the Home Department if he will make a statement on his model internal structure for a local police authority. [134252]

Ms Blears *[holding answer 27 October 2003]:* The 43 local police authorities have the overarching responsibility to secure and maintain an efficient and effective police force for their area.

How police authorities decide to structure the organisation is a matter for the authorities themselves in accordance with local circumstances. It would not be appropriate for central Government to provide a model structure for police authorities.

Police Officers (Protection from Violence)

Mr. Rosindell: To ask the Secretary of State for the Home Department what action he is taking to protect police officers against violence while on duty. [133994]

Ms Blears: All police forces within England and Wales operate within the Health and Safety (Police) Act 1997 and must, therefore, conduct and maintain appropriate risk assessments into the roles of their staff. Where a risk is identified, control measures must be introduced to avert the risk or lessen its impact to an acceptable level.

In terms of officer safety, the most significant control measures include regular, mandatory self-defence training and the provision of equipment, such as batons, handcuffs and incapacitant spray. All police forces in England and Wales have access to dual-purpose body armour (knives and ballistic) either as a general or pool issue. Specialist officers also receive additional Personal Protective Equipment.

Snares

Mr. Hendry: To ask the Secretary of State for the Home Department how many prosecutions have been carried out in each police authority area for the illegal use of snares in the last five years. [133977]

Paul Goggins: Prosecutions for the illegal use of snares are brought under section 11(1) of the Wildlife and Countryside Act 1981. However, the information collected centrally on court proceedings does not distinguish offences connected with snares from similar offences under section 11 relating to other methods of killing or taking wild animals.

Two prosecutions under section 11 in England and Wales were notified to the Home Office in 2001, one of which was in the North Wales police force area and the other in Greater Manchester.

Statistics for 2002 will be published in December.

Special Constables (West Mercia)

Mr. Paul Marsden: To ask the Secretary of State for the Home Department how many special constables there were in West Mercia for each year since 1997. [134389]

Ms Blears: The number of Special Constables in West Mercia Constabulary since 1997 are set out in the table:

At 31 March	*Number*
1997	582
1998	512
1999	515
2000	476
2001	399
2002	339
2003	309

We have made clear in the National Policing Plan 2003–06 our commitment to increase the numbers and effectiveness of the Special Constabulary.

Terrorism

Mr. Oaten: To ask the Secretary of State for the Home Department what guidance he has given to the police on publicising the fact that powers under section 44 of the Terrorism Act 2000 are in operation in the local area. [133967]

Ms Blears: The publicising of the use of section 44 powers under the Terrorism Act 2000 in any particular area is an operational decision for the force concerned. Any decision to publicise the fact that the powers are being used would be made in light of the operational objective, and mindful of the need to ensure that the information released can not be exploited by those intent on committing acts of terrorism.

That said there is a legal requirement under section 45 of the Terrorism Act to inform any individual who is stopped and searched under section 44 that he or she has been stopped and searched under that section of the Act.

TETRA Communications System

Mr. Hancock: To ask the Secretary of State for the Home Department if he will make a statement on *(a)* the refusal of the North Wales police to accept the TETRA communications system and *(b)* the concerns expressed about the system by the Lancashire force. [133733]

Ms Blears: All police forces in England, Wales and Scotland are committed to Airwave, the new radio communications system based on TETRA technology. The Airwave service will become available in North Wales in December 2004. Airwave is already available to 26 forces and has over 29,000 police users. The rollout is due to complete by mid-2005.

Lancashire Constabulary, the pilot force for Airwave, is satisfied with the service, which has been fully operational since September 2001.

Mr. Hancock: To ask the Secretary of State for the Home Department what the annual *(a)* capital and *(b)* revenue costs are in 2003–04 of the police TETRA communications system. [133734]

Ms Blears: Airwave is the new radio communications system for the police service in England, Wales and Scotland.

The estimated total capital cost to the Home Office for Airwave in 2003–04 is £78 million. The estimated total revenue cost in 2003–04 is £98 million.

Trafficking for Labour Exploitation

Annabelle Ewing: To ask the Secretary of State for the Home Department if he will take steps to introduce an offence of trafficking for labour exploitation. [134614]

Beverley Hughes: In the White Paper, "Secure Border, Safe Haven", the Government promised to introduce legislation on trafficking for both labour and sexual exploitation. Offences of trafficking for sexual exploitation are contained in the Sexual Offences Bill currently before Parliament. Legislation covering trafficking for the purpose of labour exploitation is currently under development and will be introduced when parliamentary time permits. The United Kingdom played a key role in the negotiation of the 2002 EU Framework Decision on Trafficking, which commits all EU member states to the introduction of criminal offences covering trafficking for both sexual and labour exploitation.

Violent Crime

Mr. Rosindell: To ask the Secretary of State for the Home Department (1) what percentage of crimes committed in the last 12 months were violent; [133995]

(2) what the levels of violent crime were in the London borough of Havering in each year since 1997. [134001]

Ms Blears: In the 12 months to March 2003, violent crime accounted for 17 per cent. of the overall offences recorded in England and Wales. Violent crime is comprised of the following offence classifications, Violence against the person, Sexual offences, and Robbery.

I refer the hon. Member to the reply I gave him on 14 October 2003, *Official Report*, column 18W.

CULTURE, MEDIA AND SPORT

Broadcasting Licences

Lady Hermon: To ask the Secretary of State for Culture, Media and Sport what organisation is responsible for the issuing of radio broadcasting licences in Northern Ireland; what criteria are used in the issuing of licences; and if she will make a statement. [134823]

Estelle Morris: Responsibility for issuing radio broadcast licences in Northern Ireland lies with the Radio Authority. From 29 December 2003, responsibility will pass to Ofcom.

The criteria used for the award of Independent Local Radio licences are set out in Section 105 of the Broadcasting Act 1990. Independent National Radio licences are awarded on a highest cash-bid basis in accordance with the provisions of Sections 85 and 98–100 of the Broadcasting Act 1990. Section 51(2) of the Broadcasting Act 1996 sets out the criteria for the award of digital multiplex licences. All other licences (i.e. cable, satellite, restricted service licences, digital sound programme licences) are issued in accordance with either Part III of the 1990 Act or part II of the 1996 Act, and the Radio Authority's published guidelines, copies of which I have placed in the Libraries of both Houses.

Communication Media

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the steps her Department is taking to educate older people in the use of communication media. [134733]

Estelle Morris: The Government recognise that, in a rapidly changing media environment, it is important that all citizens are media literate and able to make best use of communication media.

We have therefore, by way of the Communications Act 2003, placed a duty on the new communications regulator, Ofcom, to promote media literacy and to encourage the development of domestic electronic communications apparatus which can be used with ease by the widest possible range of individuals. The Act makes it explicit that, in carrying out these duties, Ofcom must have regard to the needs of older people. The Communications Act also requires Ofcom to set

up a committee to provide them with advice on the interests of older and disabled people regarding communications matters.

In addition, the Department for Education and Skills, in partnership with industry, the voluntary sector and other groups, has set up 6000 'UK online' centres to provide information and communications technology (ICT) access for adults with low or no ICT skills. This Government initiative, announced by the Prime Minister in September 2000, aims to help people develop the skills needed to use the Internet to access information, to send e-mail using a variety of communications media and to explore the opportunities that new technologies offer such as further learning and updating skills. The centres are asked to target potential users from six socially excluded groups including people aged 65 and over.

Cultural Diversity

Mr. Simon Thomas: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on progress towards international standards on cultural diversity at the recent UNESCO conference. [134541]

Estelle Morris: It was agreed at the recent UNESCO General Conference that an international standard-setting instrument on cultural diversity would be prepared. The Director General of UNESCO would like to adopt a new draft instrument at the next General Conference in the autumn of 2005. He has also undertaken to consult other UN agencies with interests in cultural diversity. The UK will await the result of this and any internal consultations before deciding whether to become a party to the convention.

Digital Terrestrial Television

Mr. Beggs: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to ensure that digital terrestrial television access is available in all areas of Northern Ireland before analogue services are switched off. [134157]

Estelle Morris: The Government are committed to ensuring that terrestrial analogue broadcasting signals are maintained until: everyone who can currently get the main public service broadcasting channels in analogue form (BBC1, BBC2, ITV, Channel 4/S4C and Five) can receive them on digital systems; switching to digital is an affordable option for the vast majority of people; and as a target indicator of affordability, 95 per cent. of consumers have access to digital equipment. A Digital Television Action Plan is already in place, designed to deliver these pre-conditions for switching off analogue terrestrial transmissions. A copy of the action plan is available at www.digitaltelevision.gov.uk.

Football Pitches

Ms Walley: To ask the Secretary of State for Culture, Media and Sport what guidance is given to the National Lottery regarding the use of timber and sustainable sources in lottery-funded projects; and if she will make a statement. [135073]

Estelle Morris: While it remains a fundamental principle that lottery distributors make decisions independently of Government on considering applications for grants for lottery-funded projects, the Government have issued them with a number of Policy Directions. One of these encourages the distributors to take into account 'the need to further the objective of sustainable development'. This would include, although does not specifically relate to, the use of timber.

The Department is aware of the importance of procuring timber from responsibly managed and sustainable sources and actively encourages all of its non-departmental public bodies (NDPBs) to take account of the principles of sustainable development in making grants.

National Lottery

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport if she will list the Lottery awards granted in the north-west since 2000. [134897]

Estelle Morris: 8,881 lottery awards have made since 1 January 2000 in the north-west region.

Dates of lottery awards and the names of recipients will be placed in the Libraries of both Houses.

Pleasure Piers

Ms Walley: To ask the Secretary of State for Culture, Media and Sport (1) how much National Lottery funding has been provided for the preservation of pleasure piers in the last five years; [134559]

(2) how many pleasure piers have received public funding in each of the last five years; and from what sources of funds; [134560]

(3) which pleasure piers being redeveloped and refurbished are in receipt of lottery funding. [134561]

Estelle Morris: We have contacted the Heritage Lottery Fund, English Heritage and the National Piers Society to request the information required, and I will write to my hon. Friend as soon as it is available, placing copies of my letter in the Libraries of both Houses.

Public Entertainment Licences

Mr. Laurence Robertson: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to ensure that local authorities are able to set fees for public entertainment licences in order to reflect the proportionate risk of each establishment; and if she will make a statement. [134989]

Mr. Caborn: Under current law, an applicant for a public entertainment licence is required to pay a reasonable fee to be determined by the appropriate authority. The existing legislation does not provide a fee structure, however, case law has established that local authorities are entitled to recover the cost of administering the licensing scheme, provided that allowance is made for exemptions or reductions for charities. They are not empowered to raise revenue through a licensing scheme.

The fees charged by local authorities for public entertainment licences are at their discretion but must be no higher than is necessary to allow the full recovery of their costs. On 10 of April 2000, because of concerns about the levels of fees being charged by some local

authorities, the Home Office issued a circular in conjunction with the Local Government Association asking local authorities to review their public entertainment licensing fee structures to ensure that they abide by the case law and are defensible and proportionate in light of the principles of fairness, transparency and consistency, and do no more than permit full recovery of costs.

Until the Licensing Act 2003 is fully implemented, we have no other mechanism for influencing fee levels.

Under The Licensing Act 2003, provides for the payment of licence fees in relation to applications, notifications, licences and certificates. The fees will be set centrally by the Secretary of State and are intended to be set on the basis of full cost recovery to allow local authorities to do no more than fairly recover their administration, inspection and enforcement costs associated with in respect of the new licensing regime.

INTERNATIONAL DEVELOPMENT

Iraq

Mr. Gardiner: To ask the Secretary of State for International Development if he will take steps to ensure that any proposal by the Coalition Provisional Authority in Iraq to allow Iraqi Government ministries to establish armed security forces will specify that *(a)* all forces are properly trained, *(b)* they have a clear command structure and *(c)* all weaponry is surrendered at the end of each shift. [132386]

Mr. Rammell: I have been asked to reply.

The Coalition Provisional Authority (CPA) have already taken steps to ensure that armed security services are established correctly and with the permitted authority. CPA Order No. 27 establishes the authority for Iraqi Government ministries to establish a Facilities Protection Service (FPS). The FPS will be recruited directly by Government ministries, but will wear the same uniform and operate to the standards as set out in Order 27 regardless of where they work. CPA Order No. 3 governs the usage of firearms by all armed security services in Iraq, including the FPS. All the texts of CPA orders can be accessed on the internet at: http://www.cpa-iraq.org/regulations/index.html

NORTHERN IRELAND

Decommissioning

9. **Angela Watkinson:** To ask the Secretary of State for Northern Ireland how many acts of decommissioning have taken place in Northern Ireland since April 1998. [134151]

Jane Kennedy: In 1998 the Loyalist Volunteer Force carried out an act of decommissioning in Northern Ireland. The IRA have carried out three acts of decommissioning (2001, 2002 and 2003) but I am not in a position to comment on where these events took place.

Belfast Agreement

12. **Sir Nicholas Winterton:** To ask the Secretary of State for Northern Ireland if he will make a statement on implementation of the Belfast agreement. [134154]

Mr. Paul Murphy: I refer my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Broxtowe (Dr. Palmer) and my hon. Friend the Member for Amber Valley (Judy Mallaber).

Organised Crime

13. **Mr. Tynan:** To ask the Secretary of State for Northern Ireland what assessment he has made of the level of co-operation between British and Irish Governments in tackling organised crime in Northern Ireland. [134155]

Jane Kennedy: I refer my hon. Friend to the answer I gave earlier to my hon. Friend, the Member for Dumfries (Mr. Brown).

Unemployment

14. **Mr. Borrow:** To ask the Secretary of State for Northern Ireland if he will make a statement on unemployment levels in Northern Ireland. [134156]

Mr. Pearson: Labour Force Survey estimates indicate that unemployment in Northern Ireland for the period June-August 2003 was estimated to be 5.6 per cent. Northern Ireland unemployment rates remain at relatively low levels in historical terms and have fallen by 2.9 percentage points from December-February 1998 when the unemployment rate was 8.5 per cent.

Assembly Elections

Jeremy Corbyn: To ask the Secretary of State for Northern Ireland when he expects elections to be held for the Northern Ireland Assembly. [134153]

Mr. Paul Murphy: I refer my hon. Friend to the answer I gave earlier to the hon. Member for Castle Point (Bob Spink).

Peace Process

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of recent developments in the political situation in Northern Ireland. [134150]

Mr. Paul Murphy: I refer my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Broxtowe (Dr. Palmer).

Water Charging

Mr. Luke: To ask the Secretary of State for Northern Ireland if he will make a statement on the Government's proposal for water charging in Northern Ireland. [134152]

Mr. Spellar: £3 billion must be invested in Northern Ireland's water and sewerage services over the next 20 years, to comply with European Directives on water quality and protect public health and the environment. To sustain this scale of investment it is necessary that

Northern Ireland's water and sewerage services should become self-financing and be delivered outside Central Government.

FOREIGN AND COMMONWEALTH AFFAIRS

Working Holidaymakers

Mr. Stinchcombe: To ask the Secretary of State for Foreign and Commonwealth Affairs in respect of each Commonwealth country *(a)* how many applications for entry clearance as a working holidaymaker have been received since 1 January, *(b)* how many of the applications were refused, *(c)* what percentage of the applications were successful and *(d)* what percentage of the applications were refused. [132981]

Mr. Mullin: Worldwide statistics for all working holidaymaker visas are collated by financial year (1 April–31 March) only and are not available on a monthly basis.

During the financial year 2002–03 the worldwide figures for the number of working holidaymaker visa applications that were received, issued and refused, and their percentages were as follows:

Worldwide working holidaymaker statistics for FY 2002–03

	Number	*Percentage*
Applications received	53,234	—
Applications issued	49,361	92.73
Applications refused	3,301	6.20
Applications outstanding[1]	572	1.07

[1] Applications outstanding include those where the application was brought forward into the next accounting period before being resolved. Applications can also be withdrawn during processing and still count as an application received. Numbers of successful applications and entry clearances issued may also not match up because of the way entry clearances are issued: a mother and three children on one passport may count as four applications, but one entry clearance may be issued.

Al-Qaeda

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about links between Qatar and *(a)* Khalid Shaikh Mohammed and *(b)* other members of al-Qaeda. [134632]

Mr. Rammell: Qatar faces a terrorist threat from al-Qaeda and associated groups, like other countries in the region and elsewhere. It has played a constructive role in the international co-operative effort against terrorism and we have a regular dialogue with the Qatari government on the subject. Our policy is not to make public the details of such dialogue.

Arms Exports

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs in which countries Ministers in his Department conducted arms promotion activities in *(a)* 2002 and *(b)* 2003 to date; and if he will make a statement. [112293]

Mr. Straw *[pursuant to his answer, 14 July 2003, Official Report, c. 48W]:* I regret that an administrative error led to an omission in my answer of 14 July 2003 to the right hon. Member. The correct answer should read as follows:

Foreign and Commonwealth Office Ministers regularly conduct overseas visits in the course of which they promote British exports, including those of defence equipment.

For 2002, our records indicate that Foreign and Commonwealth Office Ministers carried out such promotion activities in Chile, Hungary, India and Singapore; and in 2003 to date, Singapore. In 2002, Ministers also carried out promotion in relation to exports to the Czech Republic, but while in the UK. In 2003, ministerial promotion also took place in relation to exports to India, but while the Minister was in the UK. Negotiations for defence exports may extend over many years and may often be raised informally in the margins of other meetings.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to reply to the letter to him dated 18 September from the right hon. Member for Manchester, Gorton with regard to Shasta Parveen. [134216]

Mr. Mullin: I regret that as a result of a series of administrative errors, no reply was sent to my right hon. Friend to his letter of 18 September to my right hon. Friend the Foreign Secretary. The Foreign Secretary will write to him in the next few days on this case.

Human Trafficking

Mr. Reed: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of the United Arab Emirates on trafficking in human beings. [134355]

Mr. MacShane: The Government of the United Arab Emirates is taking action against trafficking. But we remain concerned about the use of young boys as camel jockeys. In July 2002 the UAE Minister of State for Foreign Affairs announced a ban on the use of camel jockeys under the age of 15. We welcomed this announcement, but there are reports that legislation is not always enforced. Visiting UK Ministers and our embassy staff at Abu Dhabi have raised our concerns with the UAE authorities and we will continue to press the UAE authorities to implement the ban fully.

Iceland

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Iceland about its decision to resume whaling. [135126]

Mr. MacShane: On 8 August, my hon. Friend the Parliamentary Under-Secretary of State at the Department for Environment, Food and Rural Affairs (Ben Bradshaw), issued a press statement expressing serious concern at the announcement by Iceland on 6 August that it intended to carry out lethal scientific whaling. On 10 September, the British Ambassador in

Reykjavik, together with representatives from France, Germany, Sweden and the United States, handed the Icelandic Government a demarche, signed by the United Kingdom and 22 other countries, stating that the killing was unjustified and unnecessary. The UK will continue, along with other countries, to urge Iceland to reconsider its position.

Indonesia

Mr. Wray: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent progress with the investigation into the deaths of Brian Peters and Malcolm Rennie in Indonesia. [132999]

Mr. Mike O'Brien: I am not aware of any recent progress in the investigation into the deaths of Brian Peters and Malcolm Rennie at Balibo in 1975, but I have recently written to the Special Representative of the Secretary General in East Timor, Kamalesh Sharma, to ask for an update. I am informed that the UN Serious Crimes Unit are unable to advance their investigation due to Indonesia's reluctance to co-operate with the investigation.

Iranian Refugees

Alan Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the well-being of *(a)* Mr. Jamil Bassam and *(b)* Mr. Ebrahim Khodabandeh, the Iranians with refugee status in the United Kingdom arrested in Syria and handed over to the Iranian authorities; what representations he has made to the (i) Syrian and (ii) Iranian authorities on this matter; where the men are being held; and when they were last visited by (A) relatives, (B) Foreign Office officials and (C) the Red Cross. [134121]

Mr. Rammell: Jamil Bassam and Ebrahim Khodabandeh are not British nationals, so the UK has no legal right to offer consular assistance. After the two men were detained in Syria, our embassy in Damascus repeatedly asked the Syrian authorities for information, but the Syrian authorities did not respond to any of the embassy's four formal notes. Our embassy in Tehran has made it clear to the Iranian Government that we are taking a keen interest in the human rights of these two men. On 5 August Iranian authorities told our embassy that Mr. Bassam and Mr. Khodabandeh were well, that they continued to be held during investigations and that the Iranian judicial authorities had noted our call for due process. We are not aware of contact between the two men and their families. We have urged the Iranian Government on a number of occasions to allow a visit by the International Committee of the Red Cross. We are not aware that one has taken place.

Middle East

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been received by his Department about the proposed demolition by the Israeli authorities of the Shawamreh home in Anata in the West Bank; and what representations he has made to Israel on the issue. [133232]

Mr. Rammell: We have received representations about this specific case. We deplore the seizure of Palestinian land and the destruction of property in the Occupied Territories by Israel and have called upon the Government of Israel to stop these actions which undermine their commitment to the roadmap. The seizure of land and the destruction of property is provocative, increasing tension and mistrust, and making a comprehensive settlement more difficult to achieve.

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications for *(a)* the implementation of UN Resolutions on Israel and Palestine and *(b)* for Israel's obligations as an occupying power under the Geneva Conventions, of the military order issued by Israel on 2 October 2003 declaring land in the Occupied West Bank between the security fence and Israel's preoccupation 1967 border as a closed zone; and what action the UK Government intend to take. [133530]

Mr. Rammell: The implementation of this Israeli military order will have grave consequences for those Palestinians who live between the fence and the 1967 border and those who farm land in this area. It reinforces the concern that Israeli construction of the fence on occupied land amounts to de facto annexation of Palestinian land west of the fence, and prejudges the outcome of a final settlement based on UN Security Council Resolutions 242 (1967), 338 (1973) and 1397 (2002).

Under Article 49 of the Fourth Geneva Convention, the Occupying Power is only permitted to evacuate a given area of the occupied territory:

> "if the security of the population or imperative military reasons so demand".

We expect Israel to comply fully with this obligation.

My noble Friend the Baroness Symons of Vernham Dean has raised with the Israeli Ambassador our concerns about this and other Israeli activities affecting the humanitarian situation of Palestinians. We are in close touch with the US and other allies to ensure that Israel understands the opposition of the wider international community to the route of the fence.

Nepal

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress on human rights in Nepal. [135193]

Mr. MacShane: We remain seriously concerned about continued violations of human rights by both the Nepalese security forces and the Maoist insurgents.

There has been some encouraging progress this year, in particular during the ceasefire which held from January to August. We welcomed, for example, the formation of a Royal Nepalese Army (RNA) human rights cell to monitor and investigate reported human rights violations, and the first ever courts martial for human rights abuses. Reports of violations on both sides went down during the ceasefire.

Regrettably, however, credible reports of human rights violations have continued to be received, and have increased since the ceasefire broke down. These reports implicate the security forces in serious abuses such as illegal detentions, torture, disappearances, and summary executions (the Ramechhap incident as reported by the National Human Rights Commission (NHRC) is a particular example), and point to a residual culture of impunity in some elements in the security forces. We are pressing hard for these matters to be investigated thoroughly and for those responsible to be held to account. There is also clear evidence of Maoist abuses, including public torture and executions.

The UK is actively involved in encouraging greater respect for human rights, including through political pressure; human rights training for the security forces; and support for the National Human Rights Commission, the International Committee of the Red Cross, and civil society. A human rights Code of Conduct applicable to both sides would be a key element in any resumed peace process.

Joan Ruddock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether Nepal is a safe country for the return of refugees. [135194]

Mr. MacShane: Asylum applications from Nepal—as with other countries—are considered on their individual merits in accordance with the United Kingdom's obligations under the 1951 UN Refugee Convention and the European Convention on Human Rights. In reaching decisions on individual cases, the Home Office—the Department responsible for considering these applications—takes full account of objective country information about the situation in Nepal. This would include information regularly provided by officials. An individual recognised as a genuine refugee from Nepal would not be made to return.

Passports

Mr. Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs how much a passport cost in each year from 1997. [134005]

Mr. Mullin: The fee for a standard adult passport issued by a British diplomatic mission in each of the years from 1997 is as in the following table.

	£
1997 to 25 March 1998	18.00
26 March 1998 to 11 April 1999	31.00
12 April 1999 to 15 December 1999	43.00
16 December 1999 to 20 November 2002	49.00
2 November 2002 to 1 October 2003	54.40
2 October 2003 to present	56.50

Sri Lanka

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 16 October 2003, *Official Report*, column 334W, on Sri Lanka, if he will list the non-governmental organisations whose representatives he met in Sri Lanka; and if he will make a statement. [134425]

Mr. MacShane: My hon. Friend the Minister of State at the Foreign and Commonwealth Office (Mr. Mike O'Brien) visited Colombo in January of this year. During his visit he met with representatives from international and national non-governmental organisations including the World Bank, UNICEF, UNHCR, United Nations Development Programme, the Centre for Policy Alternatives, Sri Lanka First and the Board of Investment of Sri Lanka.

West Bank/Gaza Strip

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 16 October 2003, *Official Report*, columns 336–37W, when he last had discussions with representatives of the Government of Israel concerning demolitions and destruction of infrastructure in the West Bank and the Gaza Strip; what *(a)* explanations and *(b)* assurances were offered by Israel; and if he will make a statement. [134430]

Mr. Rammell: My right hon. Friend the Foreign Secretary has urged Israel to improve the humanitarian situation throughout the Occupied Territories in his contacts with Israel's Foreign Minister Silvan Shalom. My Noble Friend the Baroness Symons of Vernham Dean expressed the Government's serious concerns about the demolition of Palestinian property in a meeting with Israel's ambassador, Zvi Shtauber, on 22 October. In previous discussions with representatives of the Government of Israel on this issue, security concerns have been cited for military operations conducted in the Occupied Territories which have resulted in the destruction of Palestinian infrastructure. Israel has in the past undertaken to ensure such operations have a minimal impact on the Palestinian population. We recognise the Israeli authorities have a legitimate right of self defence against terrorist attacks, but we continue to urge them to ensure their response to the threat is proportionate.

EDUCATION AND SKILLS

Adult Learning

Mr. Boswell: To ask the Secretary of State for Education and Skills what research he has commissioned into communities which are under-represented in participation in adult learning. [134981]

Mr. Ivan Lewis: The Department has not commissioned research on geographical communities but has a number of research studies underway or recently completed that examine groups which are under-represented in adult learning.

Adult learning participation has been regularly researched through the National Adult Learning Survey of over 6,000 adults in England and Wales. The results from the most recent survey in 2002 were published by the Department in April this year. They include analysis of the barriers to learning that people face as well as their learning patterns and attitudes. A longitudinal follow-up to a sub sample of the respondents to the 2001 survey, called Pathways in Adult Learning 2003, will be published in spring 2004.

A tracking survey of 2,000 learners who have participated in Adult and Community Learning is also underway. The research will analyse the characteristics and motivations of those who participate in such learning, and the longer term outcomes. The first sweep is underway, and results will be published in spring 2004.

The Department has commissioned evaluations of policies that help those under-represented in learning. The Adult and Community Learning Fund, set up in 1998 to support local community based adult learning, has regularly been evaluated. The most recent evaluation was published by the National Foundation for Educational Research in July 2002.

Adult Guidance Pilots, which ran until March 2003, provided advice and guidance on learning and work opportunities to people facing particularly difficult barriers, such as those with low or basic skills, ex-offenders and refugees. The results of the evaluation will be published early in 2004.

Mr. Boswell: To ask the Secretary of State for Education and Skills what arrangement he will make to monitor and develop the public strategy for widening adult educational participation. [134982]

Mr. Ivan Lewis: We will be monitoring and developing public strategy for widening adult educational participation through the implementation of the commitments set out in the White Paper 21st Century Skills, Realising Our Potential. In particular the new Skills Alliance of key Government Departments, economic partners and key delivery agencies is driving forward the Skills Strategy delivery plan. This includes work on the Learning and Skills Council's strategy, Successful Participation for All: Widening Adult Participation.

Mr. Boswell: To ask the Secretary of State for Education and Skills what action he is taking in conjunction with other Government departments and public bodies to support the Learning and Skills Council's strategy for widening adult participation. [134983]

Mr. Ivan Lewis: The Government fully supports the Learning and Skills Council's recently published strategy, Successful Participation for All: Widening Adult Participation. It has an important role to play in implementing the Skills Strategy. My Department is represented on the LSC's Widening Adult Participation Implementation Group along with representatives from Further Education Colleges, Local Authorities and other providers. The LSC is maintaining and developing partnerships with a wide range of Government Departments and Public Bodies in order to realise its long term vision for widening adult participation.

Beacon Schools

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many schools have become beacon schools in each year since 1997, broken down by local education authority. [133686]

Mr. Miliband: The Beacon Programme was introduced in September 1998. The programme started with 75 schools, increasing to almost 1,150 schools in six subsequent expansion phases by September 2002. A detailed breakdown, including the 120 schools which are no longer in the Beacon Programme, has been placed in the Library.

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many schools have lost beacon status in each year since 1997, broken down by local education authority. [133687]

Mr. Miliband: 120 schools have left the Beacon Programme since it started in September 1998. 57 of these transferred to the Leading Edge Partnership Programme. A detailed breakdown has been placed in the Library.

Foundation Degrees

Mr. Boswell: To ask the Secretary of State for Education and Skills what the cost is of the current advertising campaign for foundation degrees. [134976]

Alan Johnson: The current Foundation Degree advertising campaign commenced August 2003 and will run until end March 2004 at a total cost of £2,800,000. This figure includes extensive national press, targeted trade and business press and on-line advertising. Of the total figure, £850,000 is for a national press and local radio campaign planned for the new year.

GCSE

Mr. Evans: To ask the Secretary of State for Education and Skills what percentage of pupils in Lancashire passed five or more GCSEs at grades A-C in each year since 1992. [134903]

Mr. Miliband: The percentage of pupils who achieved 5 or more grades A*-C at GCSE/GNVQ in Lancashire Local Education Authority since 1992 is shown in the following table:

Academic year	*Percentage of 15 year olds achieving five or more grades A*-C GCSE/GNVQ*
1992	36.5
1993	39.4
1994	41.1
1995	41.7
1996	42.6
1997	43.8
1998	47.0
1999	48.0
2000	49.6
2001	50.1
2002	51.7
2003[1]	52.9

[1] Provisional

The figures prior to 1998 are not directly comparable with the later years because of the local government reorganisation that took place in 1998.

Higher Education Teachers' Pay

Mr. Boswell: To ask the Secretary of State for Education and Skills what plans he has, in conjunction with the Higher Education Funding Council for England, to change the formula for payments for teaching by higher education institutions; and what

representations he has received about the transition to any new formula and therefrom to a future regime permitting top-up fees. [134124]

Alan Johnson: The Higher Education Funding Council for England is consulting the higher education sector on proposed changes to its funding method for teaching for 2004–05. The deadline for responses is 14 November. The consultation document "Developing the funding method for teaching from 2003–05" is available on the HEFCE website at http://www.hefce.ac.uk/Pubs/hefce/2003/03 427.

Learning Communities

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on progress in developing a strategy for learning communities. [134978]

Mr. Ivan Lewis: Good progress has been made on developing the Learning Communities strategy. A community workshop has been held with front line practitioners. A project board is being established and the scoping document has been sent out to all relevant parties. Over the next few months officials will be working with Government Offices and key stakeholders to work up proposals for their regions. Testbeds will commence in April 2004

Modern Apprenticeships

Mr. Boswell: To ask the Secretary of State for Education and Skills what the level of participation of young school leavers in modern apprenticeships was in the last five years; and what percentage of the cohorts it represented. [134986]

Mr. Ivan Lewis: Participation data are collected in line with the Public Service Agreement (PSA) for modern apprenticeships which states that "By 2004, at least 28 per cent. of young people to start a Modern Apprenticeship by age 22". The technical note for this target clarifies this to mean first-time entrants to Foundation or Advanced Modern Apprenticeships by those aged 16 to 21. The outturn will be starts, defined above, during the Learning and Skills Council (LSC) academic year 2004/5 expressed as a proportion of the most recent population estimate for that cohort from the Office for National Statistics (ONS). Data disaggregated into age cohorts are not routinely available.

While Modern Apprenticeships have a longer history, fit for purpose data for the PSA target have been compiled only since 2001/2:

	2001–2	*2002–3*
Modern Apprenticeship starts	137,000	[2]144,900
(percentage)	[1](22.8 percent.)	[1](23.9 per cent.)

[1] Proportion calculated using ONS population estimates DME50 Table 4

[2] Data for 2002/3 outturn is provisional; due to be finalised by the LSC in January 2004

Modern Language Teaching

Bob Spink: To ask the Secretary of State for Education and Skills how many teachers were in training specialising in a modern language, in each of the last five years for which figures are available. [135011]

Mr. Miliband: The following table shows the number of entrants to initial teacher training courses in secondary modern foreign languages since 1998/99.

	Postgraduate	*Undergraduate*	*Total*
1998/99	1,606	51	1,657
1999/2000	1,431	38	1,469
2000/01	1,610	23	1,633
2001/02	1,689	16	1,705
2002/03	1,725	7	1,732
2003/04[2]	n/a	n/a	n/a

Note:
The data shown above excludes trainees on the Fast Track scheme in 2001/02 and employment based teacher training.
Source:
Teacher Training Agency

Nuclear and Chemical Engineering Graduates

Dr. Murrison: To ask the Secretary of State for Education and Skills how many graduations in *(a)* nuclear and *(b)* chemical engineering there were in each year since 1990. [130194]

Alan Johnson: Figures for nuclear engineering are not held centrally.

The available information covering chemical engineering is in the table. Figures for 1993/94 and earlier years are not held centrally on a comparable basis.

First degree chemical engineering graduates from UK institutions

Academic year	*Number of graduations*
2001/02	936
2000/01	980
1999/2000	1,046
1998/99	1,123
1997/98	1,116
1996/97	1,189
1995/96	1,221
1994/95	1,212

Sources:
Higher Education Statistics Agency

Phonics Teaching Methods

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will carry out a meta-analysis of the relative effectiveness of *(a)* analytic and *(b)* synthetic phonics teaching methods. [135021]

Mr. Miliband: The phonics seminar which the Department held in March 2003 and Professor Greg Brooks' report, published in August, have made a very significant contribution towards ensuring a clearer understanding of the research on phonics and its implications for the National Literacy Strategy. The Department is considering Professor Brooks' recommendations for additional research, which will be assessed against other research priorities.

School Bus Services

Tim Loughton: To ask the Secretary of State for Education and Skills how many education authorities operate school bus services for pupils other than those with special needs. [134797]

Mr. Charles Clarke: We do not collect information about local education authority bus operations.

Tim Loughton: To ask the Secretary of State for Education and Skills what percentage of pupils in each education authority are provided with a special school bus service; and at what cost. [134798]

Mr. Charles Clarke: We do not collect information on the percentage of pupils receiving transport to special schools. In 2001/02 total LEA expenditure on home to school transport was £561 million. Of that figure, £254 million (45 per cent.) was spent on transporting children to special schools.

School Performance

David Davis: To ask the Secretary of State for Education and Skills whether it is his policy to reduce the size of schools that perform to an above-average standard. [134838]

Mr. Miliband: The Secretary of State does not decide the size of schools. To reduce the number of places at a school, the admission authority (the local education authority for community and voluntary controlled schools, the governing body for foundation and voluntary aided schools) would have to change the school's admission arrangements, after the required consultation, so as to include a lower admission number. Other local schools or neighbouring local education authorities could object to the Schools Adjudicator if they disagreed with the new lower number. So could 10 or more local parents, if the new number is below the school's measured capacity.

Our guidance to local decision-makers on changes to school organisation makes it clear that blanket assumptions should not be made about the optimum size of a school; and that the priority must be to secure the highest standards.

School Trips (Funding)

Mr. Gardiner: To ask the Secretary of State for Education and Skills (1) what weight is given to the costs of funding school trips for schools in deprived areas when the Department calculates school budgets; [135133]

(2) whether there are *(a)* national and *(b)* local distributors of funds for schools in deprived areas seeking funding for school trips; [135134]

(3) what resources are allocated to schools in areas of high deprivation to ensure that they are able to comply with his Department's guidelines on allowing children in receipt of free school meals to attend school trips. [135135]

Mr. Miliband: The Education Funding Formula does not include a factor to specifically take account of the cost of funding school trips for schools in deprived areas. It does include a factor to take account of the extra costs of educating deprived pupils. The factor uses data on families in receipt of Income Support and the Working Families Tax Credit.

I am not aware of any national or local distributors of funds for schools in deprived areas seeking funding for school trips.

It is for a school's governing body to decide on the allocation of resources for school trips from the school's budget share. Regulations require that all local education authorities distribute some funding on the basis of social deprivation.

Skills Strategies

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on progress on the alignment of national, local and sectored skills strategies. [134977]

Mr. Ivan Lewis: The Skills Strategy "21st Century Skills—Realising our Potential", published on 9 July 2003, set a long-term agenda through to 2010. Central to the success of the strategy is ensuring that implementation is achieved in a sustained and coherent way. We have formed a national Skills Alliance, bringing together the key Government Departments with employer and union representatives and the key delivery agencies to drive forward the Skills Strategy delivery plan. At the first meeting on 14 October, the Skills Alliance agreed its terms of reference and began to identify its priorities and a forward agenda to end 2004. The members decided that its focus would be on strategic issues; monitoring progress; delivery on the ground; and ensuring collaboration between the key agencies. The Alliance intends to report on progress annually.

Specific approaches include Sector Skills Agreements, which will be designed and delivered in collaboration with the national and local Learning and Skills Councils and Regional Development Agencies to ensure that there is a coherent response to sector needs nationally, regionally and locally. We have also asked Regional Development Agencies to work with key partners, including LSCs, Jobcentre Plus and Small Business Service taking account of the needs of sectors. Together, in consultation with a wide range of other partners, they will develop proposals to establish partnerships which will ensure that employment, skills and business support priorities are addressed in an integrated way. We expect the first regional skills partnerships to be in place from April 2004.

Soft Key Skills

Mr. Boswell: To ask the Secretary of State for Education and Skills what progress has been made in formulating viable measures for the attainment by pupils of soft key skills. [134980]

Mr. Miliband: The current national specifications for the key skills of Working with Others, Problem Solving and Improving Own Learning and Performance have been in use since September 2000.

Specialist Schools

Ms Drown: To ask the Secretary of State for Education and Skills how many specialist schools have failed to have their status renewed. [134935]

Mr. Miliband: Since the Specialist Schools Programme began in 1997 some 39 specialist schools have failed to have their status renewed.

Student Complaints Adjudicator

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the appointment of an independent Student Complaints Adjudicator and the establishment of an office to service this function. [134122]

Alan Johnson: The higher education sector has established the Office of the Independent Adjudicator for Higher Education (OIA) to consider cases which students have been unable to resolve within their higher education institutions. The OIA was incorporated as a company on 7 July 2003. The Board of Directors have appointed Dame Ruth Deech as the Independent Adjudicator and Michael Reddy as Deputy Adjudicator and are currently in the process of recruiting other staff, establishing the office and setting up systems. The OIA expects to be able to receive cases early in 2004. The Government fully supports the higher education sector in providing students with a fair, open and transparent means of redress when things go wrong.

Thameside College

Andrew Bennett: To ask the Secretary of State for Education and Skills when he expects the Learning and Skills Council inquiry into Thameside College to be completed; if he will make a statement on the outcome when it is completed; and what financial provision he has made to deal with its outcome. [133900]

Alan Johnson: The Secretary of State for Education and Skills has received a formal complaint alleging breaches of corporate governance and management and financial irregularities at Thameside College. An investigation into these allegations has been completed. The report of the investigation is now being written and will be considered and decisions based on its findings made when it is received. The findings of the investigation and decisions taken will determine whether a statement is made. Any financial implications resulting from the investigation and decisions will be dealt with by the Learning and Skills Council.

Tuition Fees

Mr. Keith Bradley: To ask the Secretary of State for Education and Skills whether 100 per cent. of the tuition fee will be paid to higher education institutions in the academic year for which it is charged. [134060]

Alan Johnson: I refer my hon. Friend to my answer of 20 October 2003, *Official Report*, column 438W, where I stated that the Government will pay the tuition fee to the higher education institution during the academic year for which it is charged.

University Funding

Peter Bradley: To ask the Secretary of State for Education and Skills what proportions of income from university top-up fees are expected to fund *(a)* postgraduate research and *(b)* undergraduate teaching. [134322]

Alan Johnson: These will be matters for Higher Education Institutions to decide for themselves.

University Medical Schools

Mr. Clapham: To ask the Secretary of State for Education and Skills pursuant to the Answer of 21 October 2003, *Official Report*, column 502W, on university medical schools, to the hon. Member for Hertsmere (Mr. Clappison), if he will identify the sum for additional funding by each university. [135027]

Alan Johnson: No. The sum referred to was allocated by the Higher Education Funding Council for England (HEFCE) which does not, as a matter of policy, publish sensitive student data at course level for individual institutions.

WORK AND PENSIONS

Liability Insurance (Companies)

Mr. Nigel Jones: To ask the Secretary of State for Work and Pensions what action he is taking to prevent companies from trading without appropriate liability insurance; and if he will make a statement. [134233]

Mr. Browne: Although compliance levels remain high, all non-compliance is serious. Uninsured companies reduce the compensation available to their employees: transfer the cost of accidents to the taxpayer; and have an unlawful competitive advantage over their legitimate competitors.

The Department is taking a number of actions to re-inforce compliance in the second stage of its review of Employers' Liability Compulsory Insurance (ELCI). These include developing an enforcement database and issuing supplementary guidance on procurement in the public sector to make the confirmation of contractor and subcontractor compliance a more explicit part of the tendering process.

We will report in Autumn on the progress that has been made and any further steps we intend to take.

Mr. Nigel Jones: To ask the Secretary of State for Work and Pensions how many *(a)* companies and *(b)* individuals have been prosecuted for trading without appropriate liability insurance in each of the last five years for which figures are available. [134234]

Mr. Browne: The Health and Safety Executive (HSE) is responsible for enforcing Employers' Liability Compulsory Insurance (ELCI).

Over the past five years HSE has prosecuted 18 individuals, 14 companies and 2 partnerships for trading without liability insurance. The breakdown for each operational year is as follows:

	Individuals	*Companies*	*Partnerships*	
1998–99	0	1	0	
1999–2000	4	0	0	
2000–01	3	0	0	
2001–02	4	6	2	
2002–03	5	4	0	
Total	17	11	02	Grand Total = 30

For the period 1 April to 30 September 2003 the breakdown is as follows:

Individuals	*Companies*	*Partnerships*
1	3	0

Asbestos Surveyors

Malcolm Bruce: To ask the Secretary of State for Work and Pensions how many asbestos surveyors are registered in the United Kingdom. [134186]

Mr. Browne: The United Kingdom Accreditation Service has accredited 50 organisations that carry out inspections for asbestos in buildings. A further 40 organisations have applied for accreditation. Only the number of organisations accredited is known not the number of asbestos inspectors they employ.

Council Tax Benefit

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the tenure status of pensioners who are entitled to council tax benefit but do not receive it. [135222]

Mr. Pond: Council Tax Benefit is administered by over 400 local authorities, each of which is required by legislation to take appropriate steps to ensure that people with a potential entitlement to Council Tax Benefit are made aware of the help available.

Information is also contained in leaflet GL17 "Help with your Council Tax Benefit" as well as various other information leaflets and posters produced by the Department.

The information is in the table.

Estimated tenure status of pensioners entitled to but not in receipt of Council Tax Benefit in 2000–01

Benefits Estimates of Take-Up

Tenure type	*Proportion (per cent.)*
Local Authority tenants	11
Private renters	14
Owner-occupiers	75
Total	100

Notes:

1. "Private renters" includes pensioners renting accommodation from Registered Social Landlords.
2. Estimates cover the pensioners in the private household population of Great Britain. The data source is the Family Resources Survey.
3. A pensioner is defined as either a single person aged at least 60 years old or, if a couple, both will be termed pensioners if one is aged at least 60 years old.
4. This analysis should be treated with caution as there are possible sources of error, such as misidentification in modelling entitlement to Council Tax Benefit, misreporting of benefit receipt, and inaccuracies in grossing-up estimates from sample data which have not been corrected for.

Source:

Data underlying the statistics presented in the DWP series "Income Related Benefits Estimates of TakepUP".

Health and Safety Executive

Andrew Bennett: To ask the Secretary of State for Work and Pensions what the cost was to the Health and Safety Executive in 2002–03 of employing casual staff, broken down by region; and when this practice will be terminated and only permanent staff employed. [132538]

Mr. Browne: During 2002–03, the Health and Safety Executive (HSE) employed both casual and agency staff. We do not have details of the costs broken down

by specific regions. The costs shown are the only breakdown available. A further breakdown could be made available only at disproportionate costs.

	Annual costs by region (£)
Agency staff	
Bootle	660,844
London	418,180
Nationally	817,514
Sub total	1,896,538
Casual staff	
Bootle	35,784
London	37,059
Nationally	18,288
Sub total	91,131
Agency and casual staff total	1,987,669

HSE has no plans to end the practice of using temporary staff. These contracts provide essential short-term cover for such events as maternity/sick cover, projects or gaps prior to recruitment. The use of temporary staff is carefully monitored to ensure that these are used only in appropriate circumstances.

Andrew Bennett: To ask the Secretary of State for Work and Pensions what the basis is of his policy that the Field Operations Division of the Health and Safety Executive no longer visit companies where an adverse insurance report indicating defects in plant and equipment has been received. [132541]

Mr. Browne: The Field Operations Directorate of the Health and Safety Executive has never had a policy to visit companies where an adverse inspection report has been received. Until recently they had an administrative procedure to write to companies asking them to confirm that action had been taken. This procedure, which involved 10 full time staff equivalents, added little or no value as companies had almost invariably acted on the report. The procedure was stopped in April 2003 and the administrative staff time applied to work more directly supporting inspectors.

Insurance Premiums

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what plans he has to require, as part of Employers Liability Compulsory Insurance, main contractors to bear responsibility for any subcontractors that they employ. [132842]

Mr. Browne: For the overwhelming majority of employers it is a legal requirement to have Employers' Liability Compulsory Insurance (ELCI).

In support of this, model conditions of contract in guidance on procurement in the public sector expect contractors to comply with the requirement to have (ELCI) and provide that contractors shall be responsible for the acts and omissions of their sub-contractors as though they were their own.

However the Government intends to issue supplementary guidance with reference to ELCI, to make the confirmation of contractor and subcontractor compliance a more explicit part of the tendering process.

We would encourage a similar standard in the private sector.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions what plans he has to issue guidance to the insurance industry advising that companies with proven good records in health and safety should have that reflected in lower insurance premiums. [132845]

Mr. Browne: The Association of British Insurers (ABI) recently announced an initiative "Making the Market Work" under which an ABI/Insurer assessment committee will advise trade associations on their health and safety schemes taking into account best practice features that employers' liability compulsory insurance (ELCI) insurers expect to see in place.

Government are also working with the Health and Safety Executive (HSE) to link its 'risk profiling' tools to insurers underwriting decisions.

These initiatives are a first step towards ensuring that insurance premiums better reflect the health and safety records of companies.

Mr. Bellingham: To ask the Secretary of State for Work and Pensions if he will include in his Department's second report into employers liability compulsory insurance a study of *(a)* the administrative and legal costs incurred in settling claims and *(b)* their impact on premiums. [132849]

Mr. Browne: The Department included a study of the administrative and legal costs incurred in settling claims and their impact on premiums in the First Stage Report of the Review of Employers' Liability Compulsory Insurance published on 3 June 2003. A copy of this is available in the Library. The Department's second stage report to be published in the autumn will not repeat this analysis but will set out the further actions that we propose to take. A copy of this will also be placed in the Library of the House on publication.

Pensioners' Benefits

Mr. Willetts: To ask the Secretary of State for Work and Pensions what estimate he has made of public expenditure on the *(a)* winter fuel allowance, *(b)* free television licence and *(c)* Christmas bonus for pensioners in (i) 1997–98, (ii) 2002 03, (iii) 2010, (iv) 2020, (v) 2030, (vi) 2040, (vii) 2050 and (viii) for other years for which estimates have been made. [134472]

Mr. Browne: The information requested is in the table.

Projected expenditure on winter fuel payments, free television licences for the over 75s, and Christmas bonus for pensioners

£ million, 2003–04 prices

	1997–98	*2002–03*	*2010–11*	*2020–21*	*2030–31*	*2040–41*	*2050–51*
Winter fuel payments	227	1,758	1,808	1,608	1,476	1,194	962
Free TV licences	0	384	469	636	903	1,231	1,477
Christmas bonus for pensioners	131	113	102	81	74	62	48

Notes:
1. All figures expressed in £ million, 2003–04 prices and rounded to the nearest million.
2. Projections are those underlying the Budget 2003 Economic and Fiscal Strategy Report, Annex A.
3. Expenditure is for Great Britain, except free TV licences for the over 75s which is for the United Kingdom.
4. The winter fuel payments expenditure includes expenditure on the 80+ annual payment announced in Budget 2003.
5. Current government policy on uprating of benefits is assumed throughout.

Mr. Willetts: To ask the Secretary of State for Work and Pensions what estimate he has made of public expenditure on public sector pensions as a percentage of gross domestic product in *(a)* 1997–98, *(b)* 2002–03, *(c)* 2010, *(d)* 2020, *(e)* 2030, *(f)* 2040, *(g)* 2050 and *(h)* for other years for which estimates have been made. [134477]

Ruth Kelly: I have been asked to reply.

Public expenditure on public sector pensions is measured as contributions by Government employers to funded schemes plus pension payments and other outgoings, net of employee contributions and other receipts, in the case of unfunded schemes. The Treasury has no operational need to aggregate expenditure across all public sector pension schemes.

Public expenditure in the four major unfunded pension schemes (NHS, Teachers, Armed Forces and Principal Civil Service Pension Scheme) accounted for 1.00 per cent. of GDP in 1997–98 and provision was made in 2002–03 for net expenditure equivalent to 1.03 per cent. of GDP. Final figures for 2002–03 will only be available when resource accounts are published.

To help inform the illustrative long-term fiscal projections, estimates are being made of likely future expenditure on public service unfunded pensions under a variety of scenarios. We will consider how far it would be meaningful to disaggregate these projections into different components given the critical dependence of estimates on the assumptions made.

State Pension

Gregory Barker: To ask the Secretary of State for Work and Pensions pursuant to his Answer of 15 July 2003, *Official Report*, column 252W, on the state pension, if he will calculate the figures on the assumption that earnings growth exceeded price inflation by 1.5 per cent. in each of the six years in question. [132890]

Mr. Browne: The information requested is in the tables.

Table 1: The gross cost of uprating the basic State Pension by 1.5 per cent. above inflation from April 2004

£ billion

	2005–06	*2006–07*	*2007–08*	*2008–09*	*2009–10*	*2010–11*
All pensioners	0.9	1.3	1.9	2.6	3.3	4.0
Pensioners aged 65 and over	0.7	1.0	1.4	1.8	2.3	2.8
Pensioners aged 70 and above	0.6	0.9	1.2	1.7	2.1	2.5
Pensioners aged 75 and above	0.4	0.6	0.8	1.1	1.4	1.7
Pensioners aged 80 and over	0.2	0.4	0.5	0.7	0.8	1.0

Table 2: The net cost of uprating the basic State Pension by 1.5 per cent. above inflation from April 2004

£ billion

	2005–06	*2006–07*	*2007–08*	*2008–09*	*2009–10*	*2010–11*
All pensioners	0.7	1.0	1.4	1.8	2.3	2.8
Pensioners aged 65 and over	0.5	0.7	1.0	1.3	1.6	2.0
Pensioners aged 70 and over	0.4	0.6	0.8	1.1	1.4	1.7
Pensioners aged 75 and over	0.3	0.4	0.5	0.7	0.9	1.1
Pensioners aged 80 and over	0.2	0.2	0.3	0.4	0.5	0.6

Notes:
1. All costs are rounded to the nearest £100 million and are in 2003–04 price terms.
2. Gross costs are calculated by the Government Actuary's Department and are consistent with Budget 2003 assumptions.
3. The net costs are calculated using the DWP Policy Simulation Model for 2005–06. The net cost represents the cost after allowing for any offsetting savings in income-related benefits.
4. It is assumed that the start of the Savings Credit is increased to the value of the earnings linked basic State Pension.

Gregory Barker: To ask the Secretary of State for Work and Pensions pursuant to his answer of 15 July 2003, *Official Report*, column 252W, on the state pension, what allowance was made for the non take-up of means-tested benefits in each of the six years in question. [132891]

Mr. Browne: The net costs of earnings uprating are calculated using the Department's Policy Simulation Model. The model takes account of the take-up of benefits and its results are consistent with the Department's forecasts for benefit expenditure and case loads for 2004–05 and 2005–06. In calculating costs for years after 2005–06 no change to levels of take-up is modelled.

Gregory Barker: To ask the Secretary of State for Work and Pensions pursuant to his answer of 15 July, *Official Report*, column 252W, on the state pension, what assumption has been made in each of the six years in question for the amount by which earnings growth exceeds price inflation. [132893]

Mr. Browne: The previous answer was consistent with economic assumptions underpinning the 2003 budget. Medium and Long-term projections as published in the 2003 budget, forecast real earnings growth at 2 per cent.

CONSTITUTIONAL AFFAIRS

Judges (Appeals)

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action the Secretary of State takes against judges who are successfully appealed against in relation to *(a)* sentence and *(b)* conviction significantly more often than the norm. [134113]

Mr. Leslie: Judges are accountable for their judicial decisions via the appeal system. A successful appeal to a higher court does not of itself provide a basis for criticism of a trial judge. Where the Court of Appeal does record criticism of the trial judge, the judgment is always sent to the judge concerned, and where there is any reason for concern about the conduct of the judge, it is sent to the presiding judges. From time to time where judges are not performing adequately, they may be given advice and guidance, or training, or different workloads or types of workload by the responsible senior judiciary.

In cases where the judge's conduct is seriously impugned, the presiding judges will refer the matter to the Lord Chancellor and Secretary of State, and the Lord Chief Justice to consider complaints about conduct.

Legal Aid

Mr. Dodds: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assistance has been offered by the Legal Aid Board to Mr. Liam Campbell and Mr. Michael McKevitt. [133237]

Mr. Lammy: The Legal Aid Committee of the Law Society of Northern Ireland, which has statutory responsibility for the administration of civil legal aid in Northern Ireland, has indicated that under Article 24 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981, it is prohibited from giving information about individual cases.

Matrimonial/Family Court Orders

Miss McIntosh: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will ask the Law Commission to review the law on variation of matrimonial and family court orders. [134494]

Mr. Lammy: Under the current law, the courts are empowered to vary orders made in family proceedings in appropriate circumstances. I do not propose to ask the Law Commission to undertake such a review at the present time.

Small Claims Courts

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs how long the average waiting time has been for hearing small claims in the small claims court which serves the Teesside area in the last six months. [134296]

Mr. Leslie: Under the Department's Public Service Agreement with HM Treasury, the average waiting time for a small claim is measured from allocation to the small claim track to the disposal hearing and should be no more than 15 weeks. There are 12 county courts within the Tyne-Tees group that conduct small claims hearings, and in the period April to September 2003, the group's average was 9.7 weeks.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what proportion of *(a)* claimants and *(b)* defendants was legally represented at any stage of actions in the small claims court in the last three years. [134299]

Mr. Leslie: Figures relating to the representation status of each party in a small claims case are only available for the final hearing stage. The percentage of parties represented by a solicitor at this stage are provided in the table.

	Percentage		
	For claimant	*For defendant*	*Total small claims hearings*
2002	42.7	33.2	55,719
2001	50.9	39.1	58,333
2000	48.7	35.1	55,836

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many claims the small claims court for the Teesside sub-region determined in each of the last three years. [134302]

Mr. Leslie: There are 12 county courts within the Tyne-Tees group that conduct small claims hearings. During 2002, the number of small claims disposed of by way of a hearing throughout the group was 1,146. In 2001, this figure was 1,572, and in 2000, it was 1,208.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the average cost per claim to claimants has been of pursuing a claim in the small claims court in the last five years. [134305]

Mr. Leslie: Claimants pay a fee on issue of proceedings. A small proportion will pay a fee on allocation to track (principally defended claims). Taking both fees into account, the average paid in fees on small claims (up to £5,000) issued in county courts was, over the last five years:

	£
1999	57.50
2000	63.33
2001	63.33
2002	63.33
2003	61.83

Some claimants (on small and large claims) will additionally seek specific orders during the course of proceedings and some of those who have obtained judgment will issue enforcement proceedings. In both

cases, further fees will be payable. It is not possible to attribute these extra fees to the average payable on small claims, specifically.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many claims were dealt with by the small claims court in England and Wales in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03. [134306]

Mr. Leslie: During 2000–01, the number of small claims disposed of by way of a hearing was 58,730. In 2001–02, this figure was 54,742, and in 2002–03, it was 56,988.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the average time has been from filing a claim to a hearing date in the small claims court in each of the last five years. [134307]

Mr. Leslie: The figures asked for are provided in the table.

	Average waiting time (weeks)
2002	31
2001	28
2000	29
1999	26
1998	24

DEPUTY PRIME MINISTER

Small Businesses

Mr. Prisk: To ask the Office of the Deputy Prime Minister what estimate he has made of the effect of section 8 of the Local Government Act 2003 on the competitiveness of small businesses. [135070]

Mr. Raynsford: Section 8 of the Local Government Act 2003 will have no effect on the competitiveness of small business. It forms part of the new local government capital finance system allowing local authorities to use borrowing and credit without Government consent, where they can afford to do so without extra Government support.

Community Regeneration

Stephen Hesford: To ask the Deputy Prime Minister what measures the Government has introduced to help disadvantaged communities regenerate themselves. [134118]

Yvette Cooper: The Government helps communities regenerate themselves through strategies such as the Communities Plan and the Neighbourhood Renewal strategy; which include additional support for programmes such as the Market Renewal pathfinders (new funding of £500 million) and the Neighbourhood Renewal Fund (£975 million over the next two years). For the longer term the Office of the Deputy Prime Minister is supporting community participation and effective public service improvement in the most disadvantaged communities.

East Midlands Regional Assembly

Mr. Pickles: To ask the Deputy Prime Minister (1) how much the East Midlands Regional Assembly has spent on legal advice since it was established *(a)* in total and *(b)* on its incorporation; [134736]

(2) if he will list *(a)* public relations and communications companies, *(b)* advertising and marketing companies, *(c)* management consultancies, *(d)* accountancy companies, *(e)* banking firms, *(f)* individual consultants and *(g)* other specialist consultancies used by the East Midlands Regional Assembly since June 2001; what services were provided in each case; and what the cost was in each case; [134752]

(3) how many equivalent full-time employees were employed in the East Midlands Regional Assembly *(a)* when it was established and *(b)* on 1 May; [134757]

(4) how many publications have been issued by the East Midlands Regional Assembly in each year since its establishment; and what the cost was in each case; [134758]

(5) how many conferences have been organised by the East Midlands Regional Assembly in each year since it was established; and what the cost was in each case; [134759]

(6) many research projects the East Midlands Regional Assembly *(a)* planned to commission and *(b)* commissioned in 2002–03; and what the rationale of each project was; [134760]

(7) how many conferences staff of the East Midlands Regional Assembly have attended since the Assembly was established; what the *(a)* cost and *(b)* purpose was in each case; and how many were overseas conferences. [134789]

Mr. Raynsford: The information requested is not held centrally and could be provided only at disproportionate cost. The East Midlands Regional Assembly is a voluntary body which receives Government grant. The details of its expenditure is a matter for the Assembly.

Mr. Pickles: To ask the Deputy Prime Minister what guidance his Department has given to the East Midlands Regional Assembly on its incorporation. [134750]

Mr. Raynsford: The Office of the Deputy Prime Minister has not given the East Midlands Regional Assembly any guidance on incorporation.

Mr. Pickles: To ask the Deputy Prime Minister what powers his Department has in relation to the operations of the East Midlands Regional Assembly. [134751]

Mr. Raynsford: The East Midlands Regional Assembly is a voluntary body. The only locus the Office of the Deputy Prime Minister has is in terms of checking that the assembly's membership is representative of the region, for the purposes of designation and in terms of the funding agreement about its use of Government grant.

Mr. Pickles: To ask the Deputy Prime Minister if he will list the statutes which govern the operation of the East Midlands Regional Assembly. [134753]

Mr. Raynsford: The East Midlands Regional Assembly is a voluntary body and is not governed by statute.

Mr. Pickles: To ask the Deputy Prime Minister what position Mr. Simon Brian holds within the East Midlands Regional Assembly. [134765]

Mr. Raynsford: Mr. Simon Brian is East Midlands Regional Assembly's Communications Manager.

Mr. Pickles: To ask the Deputy Prime Minister which organisation audits the accounts of the East Midlands Regional Assembly. [134766]

Mr. Raynsford: Newby Castleman of 22 Park Road, Melton Mowbray, LE13 1TT.

Hazardous Waste

Mrs. May: To ask the Deputy Prime Minister what responsibilities local authorities have in relation to the *(a)* movement of hazardous waste and *(b)* identification of material contained in landfill sites. [134453]

Mr. Morley: I have been asked to reply.

Local authorities have no regulatory responsibilities regarding the movements of hazardous waste unless they are directly involved in the production, collection or processing of the waste in question. Movements of hazardous waste in Great Britain are controlled by the Special Waste Regulations 1996 and enforced by the Environment Agency. The Regulations require that hazardous waste be monitored from the moment it is discarded until it reaches its final point of treatment, disposal or recovery. The Environment Agency is the regulatory authority for controlling landfill sites and local authorities have no role in regulating licensed or permitted sites. However, under contaminated land legislation, local authorities do become responsible for closed landfill sites in certain circumstances.

London Boroughs (Council Tax)

Simon Hughes: To ask the Deputy Prime Minister how much council tax was collected in each year in the London boroughs since 1996. [135157]

Mr. Raynsford: The table shows the amounts of council tax collected in each London borough and the City of London, irrespective of the financial year to which they relate, in each year from 1995–96 to 2002–03.

Amounts of council tax collected[1]

£ million

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Inner London								
City of London	1,331	1,417	1,571	1,830	2,091	2,280	2,551	2,644
Camden	37,056	43,630	50,506	58,740	60,660	60,840	65,780	69,600
Greenwich	29,234	36,751	42,630	46,802	48,267	50,108	52,074	56,861
Hackney	20,781	23,071	26,801	26,618	27,787	29,625	36,716	44,568
Hammersmith & Fulham	30,740	35,882	44,846	47,912	50,515	53,881	57,654	58,743
Islington	26,040	31,335	38,133	40,736	43,349	43,783	45,786	46,640
Kensington &, Chelsea	34,281	37,334	42,781	45,354	49,832	49,102	55,316	64,412
Lambeth	31,512	31,924	41,908	42,931	46,740	46,401	58,396	65,919
Lewisham	30,418	32,537	41,976	43,267	46,284	52,070	57,426	62,481
Southwark	26,694	34,584	38,100	43,211	45,193	52,919	55,892	61,468
Tower Hamlets	15,380	18,419	21,742	23,978	27,478	31,839	34,662	38,699
Wandsworth	27,209	35,719	38,825	30,242	36,648	40,158	46,130	41,475
Westminster	22,708	25,260	28,980	31,866	34,074	36,137	41,036	44,996
Total Inner London	333,384	387,863	458,799	483,487	518,918	549,143	609,419	658,506
Outer London								
Barking & Dagenham	17,906	19,475	22,858	25,951	27,766	30,060	32,712	34,808
Barnet	62,897	68,042	75,680	83,756	87,787	97,072	103,031	108,870
Bexley	38,328	40,037	44,750	49,845	55,312	58,926	64,237	69,686
Brent	27,083	27,051	38,836	41,902	48,516	52,570	55,255	60,805
Bromley	55,687	60,924	68,076	71,584	78,385	86,353	97,867	105,146
Croydon	56,216	57,745	64,627	73,295	83,487	84,302	90,750	92,588
Haling	42,784	45,009	53,922	60,563	66,164	70,814	77,710	84,178
Enfield	44,005	46,958	53,461	57,529	63,150	67,115	75,117	82,041
Haringey	33,226	35,330	43,165	46,422	49,023	52,552	55,531	59,516
Harrow	n/a	39,659	46,560	51,503	55,675	60,842	67,748	72,747
Havering	39,055	42,674	49,577	54,880	59,243	66,473	72,568	79,367
Hillingdon	41,846	43,968	49,477	55,678	61,194	67,696	74,588	81,231
Hounslow	35,478	39,162	44,479	47,402	52,496	58,158	64,650	69,485
Kingston upon Thames	28,585	30,454	33,410	36,394	42,231	47,128	52,594	58,606
Merton	34,447	37,134	42,613	46,781	49,435	54,335	60,845	65,371
Newham	19,112	20,040	24,894	26,810	30,400	33,,735	38,069	41,568
Redbridge	37,513	39,582	45,190	49,297	55,261	59,162	64,173	69,449
Richmond upon Thames	47,754	51,112	56,319	57,691	64,420	70,465	77,674	85,077
Sutton	33,569	35,534	39,166	43,716	47,441	50,690	55,524	61,623
Waltham Forest	32,313	36,215	44,685	44,065	46,192	49,544	53,829	57,988
Total Outer London	n/a	816,105	941,745	1,025,064	1,123,578	1,217,992	1,334,472	1,440,150
Total Greater London	n/a	1,203,968	1,400,544	1,508,551	1,642,496	1,767,135	1,943,891	2,098,656

[1] Irrespective of the financial year to which it relates,
n/a = not available

Simon Hughes: To ask the Deputy Prime Minister what proportion of council tax due was collected in the London boroughs in each year since 1996. [135158]

Mr. Raynsford: The following table gives the in-year council tax collection rates for each London borough and the City of London for each year from 1995–96 to 2002–03. The collection of council tax continues after the end of the financial year to which it relates. This means that the percentage of council tax ultimately collected for any financial year is greater than that shown in the table.

In-year council tax collection rates[1]

Percentage

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Inner London								
City of London	99.0	98.1	97.5	97.4	98.2	98.3	98.4	97.6
Camden	83.7	87.7	88.5	91.1	92.3	92.7	93.5	92.7
Greenwich	89.4	91.4	92.2	92.2	91.3	92.2	92.0	92.8
Hackney	78.8	79.4	78.1	74.5	67.9	67.8	74.0	79.5
Hammersmith and Fulham	87.4	87.6	89.1	92.3	93.2	93.8	94.5	95.1
Islington	80.8	83.0	88.3	88.9	90.2	90.0	91.5	88.4
Kensington and Chelsea	93.2	94.9	94.9	95.2	95.6	96.0	95.6	95.6
Lambeth	71.8	78.6	80.3	80.3	84.4	82.0	86.5	90.1
Lewisham	81.5	84.8	90.6	90.6	92.0	93.3	93.7	93.7
Southwark	83.7	84.7	81.9	81.3	80.2	87.1	90.2	92.0
Tower Hamlets	87.3	87.2	86.7	88.1	88.3	89.3	90.7	91.8
Wandsworth	88.6	87.9	90.9	91.4	92.8	94.0	94.5	94.8
Westminster	93.6	92.6	92.6	93.7	92.9	91.8	93.0	93.5
Average Inner London	84.4	86.7	88.0	88.5	88.7	89.6	91.1	91.9
Outer London								
Barking and Dagenham	95.4	94.9	95.0	95.3	94.7	94.0	94.5	91.8
Barnet	94.4	94.7	95.1	95.3	95.6	95.8	96.2	96.2
Bexley	96.4	96.2	94.5	94.2	94.9	95.4	95.7	96.0
Brent	87.0	87.6	89.5	91.4	90.4	92.0	91.1	89.5
Bromley	97.4	97.2	97.4	97.0	96.3	96.6	96.5	96.4
Croydon	93.4	92.1	92.4	92.8	91.7	91.9	93.9	94.7
Ealing	92.9	94.3	94.8	94.9	94.4	93.4	94.1	94.6
Enfield	90.8	91.8	91.8	93.5	93.7	94.4	94.6	94.6
Haringey	81.4	84.7	82.3	85.0	85.1	88.8	90.1	92.5
Harrow	n/a	96.4	96.9	96.8	96.2	98.2	98.6	97.2
Havering	96.5	96.7	97.7	96.8	95.6	96.4	96.1	95.9
Hillingdon	93.9	94.3	95.0	95.7	95.0	95.6	96.5	95.2
Hounslow	88.8	92.7	91.9	91.4	93.4	94.0	93.9	93.8
Kingston upon Thames	97.3	97.1	93.9	91.9	93.7	94.0	95.9	96.5
Merton	96.9	94.4	95.5	95.1	95.2	95.7	95.6	96.5
Newham	76.9	81.0	82.0	83.1	83.3	84.9	86.8	90.0
Redbridge	94.7	95.6	96.1	96.1	95.7	95.5	95.7	95.7
Richmond upon Thames	96.4	97.0	97.3	96.2	96.7	97.0	97.6	97.6
Sutton	98.3	98.0	97.4	97.0	97.3	97.3	97.3	97.3
Waltham Forest	88.9	91.5	91.8	87.8	87.7	88.0	90.6	93.0
Average outer London	92.9	93.8	93.8	93.9	93.7	94.3	94.9	95.0
Average Greater London	90.1	91.4	91.8	92.1	92.1	92.8	93.7	94.1

[1] Amount of council tax due received by the end of the financial year as a percentage of the net collectable debit for the year.

Note:

n/a = not available

Mining Communities (Regeneration)

Ms Atherton: To ask the Deputy Prime Minister how much *(a)* funding and *(b)* other resources have been made available to support the regeneration of the former (i) tin mining and (ii) coal mining communities of West Cornwall in each of the last five years; and if he will list the (A) funding streams and (B) other resources available to support the regeneration of former mining communities in the UK. [134077]

Yvette Cooper: A detailed breakdown of funding and resources made available to support the regeneration of tin mining and coal mining communities in West Cornwall is not held centrally and could be provided only at disproportionate cost.

However, in the past five years indicative funding for projects to assist communities generally within the Camborne, Pool, Redruth areas, which lie at the heart of the former tin mining areas of West Cornwall, by the South West Regional Development Agency is as follows:

£

	Indicative spend
1998–99	1,816,529.00
1999–2000	713,496.00
2000–01	398,021.00
2001–02	2,313,686.00
2002–03	516,300.00
2003–04 (to date)	552,767.00

Furthermore, the Camborne, Pool, Redruth Urban Regeneration Company was approved in September 2002 to help address deprivation, attract private sector interest and investment and secure improvements to the local environment and public realm in Camborne, Pool and Redruth. The Company—CPR Regeneration—is funded jointly by the local authority, English Partnerships and the South West Regional Development Agency.

Two national programmes support the regeneration of the former coal mining communities. These are: (i) the National Coalfields Programme and (ii) The Coalfields Regeneration Trust. In addition, a range of national regeneration programmes provides support to all areas including former mining areas such as those controlled by the Regional Development Agencies, the Neighbourhood Renewal Fund and the Housing Investment Programme.

Para-professional Staff

Ms Walley: To ask the Deputy Prime Minister what discussions he has had with *(a)* local authority associations and *(b)* trade union representatives on national conditions of service for para-professional staff and those on term-time only contracts; and if he will make a statement. [132499]

Yvette Cooper: Ministers of the Office of the Deputy Prime Minister have no discussions with local authority associations or trade union representatives on these issues. Pay and contractual arrangements for support staff are determined at local level.

Pensioners (Council Tax)

Tim Loughton: To ask the Deputy Prime Minister how many pensioners pay council tax in the UK; and what estimate he has made of the total tax they pay in England. [134794]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Tim Loughton, dated 29 October 2003:

As National Statistician, I have been asked to reply to your recent question asking how many pensioners pay council tax in the UK and for an estimate of the total tax they pay in England. (134794)

Estimates for council taxes are based on the analysis "The effects of taxes and benefits on household income 2001–02" produced by the ONS and published on the National Statistics website on October 21st 2003. The analysis can be obtained from the House of Commons library or from the National Statistics website at: http://www.statistics.gov.uk/taxesbenefits. It includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey. This is a sample survey covering about 7,500 households in the UK and sample sizes for pensioner households are only sufficient to give very approximate estimates.

Pensioner households have been defined as those where the Household Reference Person is retired or unoccupied and aged 65 or more and male, or 60 years of age or more and female, and economically inactive.

Detailed information on the definition of the Household Reference Person can be found in Appendix D of the document at the following address:

http://www.statistics.gov.uk/downloads/theme_social/Family_Spending_2001-02_revised/Family_Spending_revised.pdf

Estimates for 2001–02 suggest that there were about 6 million pensioner households (single and couples) in Great Britain and that about 5 million of those paid council tax (i.e. their net council tax was greater than zero). Council tax is not paid in Northern Ireland. Net council tax is defined as gross council tax less benefits and discounts, where a household reports taking up a council tax benefit entitlement.

The data suggests that single and couple pensioner households in England paid about 3 billion in council tax net of benefits and discounts. However, these estimates of numbers and payments will not match population data or administrative payments data because of sample size and weighting issues as well as possible inaccurate reporting by respondents.

Street Warden Scheme

Mr. Rosindell: To ask the Deputy Prime Minister what plans he has to provide funding to extend the street warden scheme to Romford. [133998]

Yvette Cooper: There are no Office of the Deputy Prime Minister funded warden schemes operating in Romford. No application was made to set up a scheme in Romford during the initial bidding round in 2001.

At present, there are no plans for a further round of Office of the Deputy Prime Minister funding for new warden schemes beyond March 2005, however, if the constituents of Romford wish to start up a warden scheme in their area, we would suggest that funding would need to be secured from sources such as the local authority, Registered Social Landlords or from the private sector, as many other neighbourhood warden programmes have done.

Mr. Spring: To ask the Deputy Prime Minister what plans the Government has to fund further street warden schemes in Suffolk. [134407]

Yvette Cooper: In the County of Suffolk, Street Warden Schemes funded by the Office of the Deputy Prime Minister are operating in Lowestoft, Bury St. Edmunds and Ipswich. The Office of the Deputy Prime Minister's funding for Street Warden Schemes is a four year programme which concludes in March 2005 and there are no plans to extend funding past this date.

The Office of the Deputy Prime Minister is actively working with existing schemes to help them secure mainstream funding from sources such as local authorities and the private sector. Support and guidance is also being provided to areas wishing to set up schemes with their own resources.

Written Answers to Questions

Thursday 30 October 2003

TREASURY

Administration Costs

Dr. Cable: To ask the Chancellor of the Exchequer if he will list the administration costs budget of the Treasury in each year since 1997; and if he will make a statement. [135302]

Ruth Kelly: The Treasury's administration costs expenditure is set out in successive Departmental Reports (most recently for 2003, Cm 2922) and Resource Accounts (most recently for 2002–03, HC 999).

Arms Embargo (Rwanda)

Mr. Gardiner: To ask the Chancellor of the Exchequer whether HM Customs and Excise has responded to the requests by the United Nations Security Council for information on violations of arms embargoes in Rwanda by UK companies discussed in the United Nations Security Council document, "Third Report of the International Commission of Inquiry (Rwanda)", (S/1997/1010). [135132]

John Healey: I am advised that Customs investigators had met with officials from the International Commission of Inquiry (Rwanda) on 10 January 1996 to discuss Customs investigations and had also responded to a request from the UN International Tribunal on 21 March 1996. The Third Report of the Commission was published on 1 November 1996.

There had been some earlier confusion over letters from the Commission which were never received by Customs, but the Commission accepted that the requests in those two letters had been answered in the course of the above meeting.

HM Customs and Excise responded on 14 November 1996 to the Commission's requests for information about Customs investigations into arms supplies to Rwanda and exiled Rwandans.

I understand that Commission officials expressed complete satisfaction with the co-operation received from the UK Government of the day.

Business Taxation

Mr. Djanogly: To ask the Chancellor of the Exchequer what the aggregate charge in taxation paid by UK business was from 1997 to 2002. [134867]

Ruth Kelly: Figures on receipts from individual taxes are available in tables 2.1A to 2.1E in Financial Statistics published by the Office for National Statistics, which is available in the Library of the House.

It is not possible to apportion receipts between business taxpayers and others. This is due to a number of taxes (for example fuel duty) being paid by both business and individuals, and because markets adjust to shift the incidence of taxation throughout the economy.

Council Tax

Simon Hughes: To ask the Chancellor of the Exchequer how much council tax was paid as a proportion of gross incomes for households in each income quintile group in London for the latest year for which data is available. [135162]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Simon Hughes, dated 30 October 2003:

As National Statistician, I have been asked to reply to your recent question asking how much council tax was paid as a proportion of gross incomes for households in each income quintile group in London for the latest year for which data is available. (135162)

Estimates in the following table are produced from the Office for National Statistics' analysis "The effects of taxes and benefits on household income" produced by the ONS and published on the National Statistics website on October 21st 2003. The analysis can be obtained from the House of Commons library or from the National Statistics website at http://www.statistics.gov.uk/taxesbenefits. It includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey.

The table shows, for 2001–02, the average net council tax paid for all households in London and for each income quintile group where households are ranked by equivalised disposable income. Equivalisation is a standard methodology that takes into account the size and composition of households and adjusts their incomes to recognise differing demands on resources. The net council tax figures are gross council tax less reported council tax benefits and discounts. The table also shows the boundaries between equivalised disposable income quintiles, which have been calculated separately for London households. For example, the 1st quintile boundary is the income level below which one fifth of those households are estimated to lie. The results are subject to a degree of uncertainty due to increased sampling variability arising from small sample sizes.

Net council tax paid by households within London by equivalised disposable income quintile, 2001–02

London

Quintile	*Income boundary*[1] *(£)*	*Net council tax (£)*	*Net council tax as percentage of gross income*
Bottom		443	4.6
	11,432		
2nd		567	3.1
	17,512		
3rd		746	2.2
	25,609		
4th		790	1.7
	37,913		
Top		886	1.0
All households		686	1.7

[1] Boundary point between equivalised disposable income quintiles

Source:

Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income', published on the ONS website.

Correspondence

Mr. Flook: To ask the Chancellor of the Exchequer when he will answer the letter to him of 20 June from the hon. Member for Taunton concerning Mr. Ken Coles of Chelston about national insurance contributions. [135878]

Dawn Primarolo: There is no record of the hon. Member's letter having been received in the Treasury. However, a copy has been requested and a reply will be sent as soon as possible.

Debt Cancellation (Second World War)

Bob Spink: To ask the Chancellor of the Exchequer what representations he has received on the cancellation of continuing debt incurred by the UK *(a)* during and *(b)* in the aftermath of the Second World War. [135255]

Ruth Kelly: No specific representations concerning the cancellation of the debt incurred by the UK as a result of the Second World War have been received in recent years. However successive Governments have undertaken to meet the obligations under the terms of the debt incurred by repaying the United States and Canadian Governments in full the amounts lent in 1945.

Tim Loughton: To ask the Chancellor of the Exchequer how much has been paid to the United States in settlement of military equipment provision during World War II in each year since 1973. [134946]

Ruth Kelly: From 1973 to 2000, the UK made annual repayments of principal and interest of around US$153 million, made up of a US$138 million scheduled repayment of principal and interest plus US$15 million of interest on the six deferred payments, to the United States in respect of its Second World War Loans. In 2001 and 2002, the repayments were US$152 million and US$150 million respectively.

Employment Disincentives

Mr. Gardiner: To ask the Chancellor of the Exchequer pursuant to his answer of 6 October, *Official Report*, column 1087W, on employment disincentives, if he will make such an assessment. [135110]

Dawn Primarolo: Existing survey data would not provide sufficient information to make an assessment of the disincentive for those on low incomes to change jobs because of short-term cash flow problems. The creation of a new survey, or extension of an existing one, to generate this information would entail disproportionate cost and therefore the Government have no plans to make this assessment.

Euro

Mr. Mike O'Brien: To ask the Chancellor of the Exchequer pursuant to the answer of 20 June, *Official Report*, column 458W, on the euro, if he will list the events attended by ministers to campaign for a pro-European consensus; which Government ministers were in attendance at these events; when each event took place; if he will list the events planned for ministers to campaign for a pro-European consensus; which Government ministers will be in attendance; and what were the dates of these events. [135349]

Ruth Kelly: The Chancellor and other Ministers have held a variety of meetings to discuss the euro in England, Scotland, Wales and Northern Ireland. In addition, Treasury officials have held more than 150 meetings with opinion formers in Britain and Europe since the Chancellor's statement on 9 June.

Growth Rates

Mr. Evans: To ask the Chancellor of the Exchequer if he will list *(a)* the growth figures for (i) England and (ii) the north-west in each year since 1992, and *(b)* projected figures for future years. [134895]

Ruth Kelly: UK growth forecasts will be updated in the forthcoming Pre-Budget Report. The Government do not publish forecasts for England and the English regions. The Office for National Statistics (ONS) does not produce estimates of real Gross Domestic Product (GDP) for England and the nine English regions. However, the ONS does produce estimates of nominal Gross Value Added (GVA) for these regions, which can be found on its website (www.statistics.gov.uk).

Income Tax Evasion

Mr. Pickles: To ask the Chancellor of the Exchequer what recent estimate his Department has made of the level of income tax contributions lost to evasion. [135382]

Dawn Primarolo: There is no reliable measure of the total tax and other duties lost to evasion. In his report, published in March 2000, Lord Grabiner QC commented on the scale of the hidden economy and said:

> "By its nature, the size of the informal economy is hard to measure. Most estimates are based on analysing high-level economic aggregates, such as labour market statistics or income and expenditure surveys, and calculate the result as a percentage of GDP. However there is research which suggests that these estimates tend to be exaggerated."

It would be impractical to arrive at a precise and meaningful figure as to the scale of the problem without a considerable investment of time and resources.

Influenza

David Davis: To ask the Chancellor of the Exchequer how many people aged 65 years or over died of influenza in *(a)* the East Riding of Yorkshire, *(b)* Hull and *(c)* the UK in each year since 1997. [135280]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Davis, dated 3 October 2003:

As National Statistician, I have been asked to reply to your recent question asking how many people aged 65 years or over have died of influenza in *(a)* East Riding of Yorkshire, *(b)* Hull, *(c)* the UK in each year since 1997. (135280)

Figures for East Riding of Yorkshire and Kingston-upon-Hull, (City of) unitary authorities and the United Kingdom are provided in the table. The most recent year for which data are available is 2001.

Numbers of deaths from influenza[1], 1997 to 2001[2] for East Riding of Yorkshire and Kingston-upon-Hull, (City of) unitary authorities and the United Kingdom[3]

	Number of deaths		
	East Riding of Yorkshire	*Kingston-upon-Hull, City of*	*United Kingdom*
1997	*	*	413
1998	*	—	129
1999	6	—	598
2000	*	*	630
2001	—	—	27

— = zero deaths.
* = Fewer than five deaths.
[1] Deaths with an underlying cause of influenza defined using the International Classification of Diseases, Ninth Revision (ICD-9) code 487 for the years 1997 to 2000 and, for the year 2001, the International Classification of Diseases, Tenth Revision (ICD-10) codes J10 and J11.
[2] Figures are for deaths occurring in each calendar year, except for data for Scotland and Northern Ireland included in the United Kingdom totals. These are deaths registered in each calendar year.
[3] Deaths of usual residents of these areas.

Iraq

Alan Simpson: To ask the Chancellor of the Exchequer what costs the Government has *(a)* incurred since and *(b)* made provision for in relation to Iraq, broken down by Government department. [135767]

Mr. Boateng: In his 2003 Budget statement, the Chancellor confirmed that £3 billion has been set aside in a special reserve available to the Ministry of Defence, for the costs of the military campaign in Iraq,

> "so that our troops continue to be properly equipped and given the resources that they deserve and have a right to expect." [9 April 2003, *Official Report*, column 271.]

It is too early to provide total costs of the military campaign in Iraq. However, up to the point military operations began, Ministry of Defence estimate costs at around £700 million.

At the Donors' Conference on Iraq, in Madrid on 24 October, the UK made a total financial commitment towards Iraq's reconstruction of £544 million for the three years from April 2003, including funding we have provided so far and our share of proposed European Community spending in Iraq.

£248 million is for humanitarian and reconstruction assistance already committed by DFID and other Government Departments, £9 million of which is our share of the EC commitment, and £296 million will be for the period up to March 2006, £29 million of which is our share of currently proposed EC spending.

Note of Dissent (Directions)

Dr. Cable: To ask the Chancellor of the Exchequer if he will list the directions overriding a note of dissent by an accounting officer that his Department has been notified of since January 2003; if he will place details of such directions in the Library; and if he will make a statement. [134224]

Ruth Kelly: I refer the hon. Member to the answer given by the Economic Secretary on 23 June 2003, *Official Report*, column 617W.

The Treasury was informed of a direction by the Ministry of Defence on 30 July 2003 in respect of Hawk trainers.

The procedures relating to ministerial directions are set out in the "Accounting Officer Memorandum" and require Departments to convey relevant papers to the C&AG, copied to the Treasury, once an Accounting Office has received a direction from a Minister. It is for the C&AG to decide what action should be taken and whether he wishes to investigate further. Such documents may contain sensitive or classified material and it is for the Minister of the Department concerned to decide whether to make such directions more widely available.

Pay Statistics

Mr. Djanogly: To ask the Chancellor of the Exchequer what the current average pay in the *(a)* private and *(b)* public sector is, (i) exclusive and (ii) inclusive of work benefits. [134873]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Jonathan Djanogly, dated 30 October 2003:

As National Statistician, I have been asked to reply to your recent question on average pay in the public and private sector, both excluding and including work benefits. (134873)

In April 2003, the average gross weekly earnings of full-time employees whose pay was not affected by absence, was £465.90 per week for those employed in the private sector and £480.80 per week for those in the public sector. The figures include overtime and bonuses, but do not include any non-monetary payments or benefits. This information is taken from the New Earnings Survey.

None of the surveys of employers, households or individuals carried out by the Office for National Statistics collects details of non-monetary work benefits, such as company cars, private health insurance, employers' pension contributions, share schemes, etc. The Inland Revenue publish details of the value of a number of these benefits on their website at: www.inlandrevenue.gov.uk/stats/taxable_benefits/menu.htm.

However, this data is not produced for the public and private sectors separately.

Scottish Housing Stock (Debt)

Mr. Davidson: To ask the Chancellor of the Exchequer if he will list for *(a)* Scottish Borders, *(b)* Dumfries and Galloway and *(c)* Glasgow local authorities (i) the amount of housing debt remaining after transfer of local authority housing stock, (ii) the portion of that residual debt which (A) has subsequently been redeemed and (B) continues to be serviced, (iii) the breakage costs associated with any redemption of residual debt and (iv) the estimated servicing costs of any residual debt in (X) 2003–04, (Y) 2004–05 and (Z) 2005–06 indicating in each case which costs are being met by (1) the Treasury and (2) the Scottish Executive. [135075]

Ruth Kelly: Housing stock transfers in Scotland are a devolved responsibility of the Scottish Executive, and therefore most of the information requested is a matter for the Executive. With regard to Treasury costs, the amount of grant provided by the Exchequer to the

Scottish Executive in respect of repayment of debt was £59 million for Scottish Borders, £76 million for Dumfries and Galloway and £920 million for Glasgow.

Tourism/Agriculture Spending

Mr. Sanders: To ask the Chancellor of the Exchequer what total government spending on the *(a)* tourist and *(b)* agricultural industry was in 2002–03. [135839]

Ruth Kelly: I refer the hon. Gentleman to Table 3.5 in Public Expenditure Statistical Analyses 2003 (Cm 5901) a copy of which is available in the Library of the House.

VAT

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will make a statement on his policy on the relative VAT rates applied to *(a)* energy saving equipment and *(b)* energy used in (i) new build and (ii) the repair and conversions of existing buildings. [135402]

John Healey: The installation of energy-saving materials in residential accommodation and certain charity buildings is liable to VAT at the reduced rate of 5 per cent. This helps to keep homes warm and contributes to achieving the energy saving targets we are committed to as a result of the Kyoto summit. The Government is currently negotiating hard for an amendment to the European Sixth VAT Directive which would permit the reduced VAT rating of the purchase of energy-saving materials for do-it-yourself installation.

Fuel and power used in the construction, repair and conversion of buildings is standard-rated for VAT purposes. However, since 1997 domestic fuel and power subsequently used in those buildings has only been liable to VAT at 5 per cent.

CABINET OFFICE

Civil Service

Dr. Cable: To ask the Minister for the Cabinet Office what estimate the Cabinet Office has made of the proportion of civil servants which the senior Civil Service represents; and if he will make a statement. [134135]

Mr. Alexander: The most recent figures relating to the number of staff as at 1 April 2003 were published on 16 October 2003. These figures show that there were 542,770 permanent civil servants (Headcount basis), and of these 4,260 or 0.8 per cent. were at Senior Civil Service Level.

Non-departmental Public Bodies

Dr. Cable: To ask the Minister for the Cabinet Office how many non-departmental public bodies there were in England in each year since 1997; and if he will make a statement. [134549]

Mr. Alexander: Information on non-departmental public bodies (NDPBs) is provided annually in the Cabinet Office publication "Public Bodies". The latest available data are contained in "Public Bodies 2003", giving information as at 31 March 2003. Copies of these publications are held in the House Libraries.

The number of NDPBs sponsored by UK Government Departments with responsibilities for England in each year was as follows:

Year	*Number*
1997	846
1998	837
1999	828
2000	822
2001	853
2002	773
2003	786

Some of these NDPBs will have a remit which extends beyond England.

Official Buildings

Norman Baker: To ask the Minister for the Cabinet Office if he will list the official buildings within a mile of Parliament for which the Cabinet Office has responsibility, giving in each case the date of acquisition; whether the acquisition in each case was *(a)* as a result of a departmental transfer and *(b)* a new acquisition by the Government; and what the buildings are used for. [134419]

Mr. Alexander: The buildings are as follows:

Building	*Acquisition date*	*Means of acquisition*	*Use*
70 Whitehall[1]	1996[2]	Departmental transfer	Office space and operational facilities
36 Whitehall	1996[2]	Departmental transfer	Office space
53 Parliament Street	1996[2]	Departmental transfer	Office space
Hepburn House, Marsham Street	1996[2]	Departmental transfer	Vacant space and transfer to another Department pending
10 Downing Street[1]	1996[2]	Departmental transfer	Office space, residential accommodation, state rooms
11 Downing Street[1]	1996[2]	Departmental transfer	Office space, residential accommodation, state rooms
12 Downing Street	1996[2]	Departmental transfer	Office space
Admiralty House[1]	1996[2]	Departmental transfer	Residential accommodation, state rooms
11 Belgrave Road[1]	1996[2]	Departmental transfer	Office space, training and operational facilities
Admiralty Arch	1998	Departmental transfer	Office space
22/26 Whitehall[1]	1999	Departmental transfer	Office space
35 Great Smith Street[1]	2000	New acquisition	Office space
Stockley House, 130 Wilton Road[1]	2000	Departmental transfer	Office space
9 Whitehall	2001	New acquisition	Office space
7 St. James's Square[3]	2001	Departmental transfer	Office space
10 Great George Street[1]	2001	New acquisition	Office space and operational facilities
2 Little Smith Street	2001	New acquisition	Office space
67 Tufton Street	2001	New acquisition	Office space and operational facilities

[1] The Cabinet Office does not occupy the whole of these buildings.
[2] All of the properties acquired by the Cabinet Office in 1996 were transferred when responsibility for buildings was delegated to Departments from the then Property Services Agency.

Public Appointments

Sandra Gidley: To ask the Minister for the Cabinet Office what proportion of ministerial appointments to public bodies in each year since 1997 were of *(a)* men and *(b)* women; and what proportion of public appointments were held by women in each year since 1997. [134682]

Mr. Alexander: Information is provided annually in the Cabinet Office publication "Public Bodies". The latest available data is contained in "Public Bodies 2003", giving information as at 31 March 2003. Copies of these publications are held in the House Libraries.

These show that the number and proportion of men and women holding ministerial appointments in public bodies were as follows:

	Men		*Women*	
Year	*Number*	*Per cent.*	*Number*	*Per cent.*
1997	22,068	67	10,728	33
1998	20,676	66	10,487	34
1999	19,693	65	10,526	35
2000	17,303	66	9,106	34
2001	16,743	66	9,106	34
2001	16,743	65	9,106	35
2002	14,510	66	7,391	34
2003	14,436	64	8,028	36

Data on non-ministerial appointments have not been collected since 2001.

PRIME MINISTER

Correspondence

Sir Robert Smith: To ask the Prime Minister when he will reply to the letter from Sir Ian Wood and Mr. Paul Blakeley of 22 October regarding the impact of the draft EU constitution on investment in the exploitation of North Sea oil and gas reserves; and if he will place a copy of the reply in the Library. [R] [135324]

The Prime Minister: The Secretary of State for Foreign and Commonwealth Affairs has replied today on my behalf. A copy has been placed in the Library of the House.

CULTURE MEDIA AND SPORT

Drug Testing

John Mann: To ask the Secretary of State for Culture, Media and Sport what recent guidance she has given to *(a)* the Football Premier League and *(b)* UK Sport on the deterrent use of maximum bans for breaches of drug testing regulations. [135312]

Mr. Caborn: The Government have given no advice to the Football Premier League and UK Sport on doping sanctions.

This is a matter for UK Sport and sport's governing bodies. The UK's national anti-doping policy is in line with the International Standard for Doping Control which requires the governing bodies to carry out a robust in-and-out of competition dope testing programme. Governing bodies are responsible for imposing sanctions where an athlete has been found to have committed a doping offence. Sanctions should be in line with the regulations set out by the governing body or international federation which will comply with the rules of the British Olympic Association or Commonwealth Games Associations.

Olympic Games

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport what representations the Government have made to the International Olympic Committee on an Olympic team from Burma taking part in the Athens games in 2004; and if she will make a statement. [134719]

Tessa Jowell: The Government have not made any representations to the International Olympic Committee regarding the participation of Myanmar in the 2004 Olympic Games in Athens. It remains the Government's view that the Olympic Games is a non-political event.

The hon. Member for Portsmouth, South may be interested to note that the EU Common Position on Myanmar includes a visa ban on regime members. This would mean that senior regime members would not be able to attend the Games in Athens.

Tote

Mr. Laurence Robertson: To ask the Secretary of State for Culture, Media and Sport when she intends to introduce legislation to change the status of the Tote; and if she will make a statement. [134990]

Mr. Caborn: We intend to bring the necessary legislation forward when parliamentary time allows.

DEFENCE

Armed Forces Pay and Conditions

Mr. Keetch: To ask the Secretary of State for Defence how the pay and conditions offered to members of the reserve forces differs from those offered to members of the regular forces; and if he will make a statement. [134917]

Mr. Caplin: When called out for full-time service, reservists receive the same rates of pay and are generally entitled to the same allowances as their regular counterparts. However, unlike regular soldiers, reservists may also claim financial assistance if their civilian earnings are greater than their military pay. They are also entitled to a tax-free call-out gratuity of £420.

When called-out, reservists are paid the full 13 per cent. X-factor (training pay only includes 5 per cent. X-factor). The X-factor takes account of the relative disadvantages of conditions of service experienced by members of the armed forces compared with those in civilian life.

Armed Forces Pensions

Mr. Frank Field: To ask the Secretary of State for Defence what proportion of the armed forces' daily pay rate is deducted for the purpose of contributing to the Armed Forces Pension Scheme. [134493]

Mr. Caplin: No deduction is made from the pay of Volunteer Reservists for the purpose of contributing to the Armed Forces Pension Scheme.

Mr. Keetch: To ask the Secretary of State for Defence (1) what mechanisms *(a)* have existed since 1973 and *(b)* exist to ensure that all members of the armed forces are fully informed of their pension entitlements on leaving the services; and if he will make a statement; [134918]

(2) what incidences there are of members of the armed forces not being informed of their pension entitlements on leaving the services; and if he will make a statement. [134919]

Mr. Caplin: Mechanisms have been in existence since 1973, to inform, by letter, all members of the armed forces of their pension entitlements on leaving the Services. Computer generated printouts for each Service advise the pension divisions of the requirement to produce this letter.

A problem has been identified affecting some former service personnel with less than two years service, who may not have received their entitlements to an Armed Forces Pension Scheme attributable gratuity, or pension. We expect the great majority of omissions to have been rectified by January 2004. Procedures have been tightened to prevent a reoccurrence.

Mr. Keetch: To ask the Secretary of State for Defence (1) what rights members of the armed forces *(a)* have and *(b)* have had to backdate their pensions if they were not informed of their pension entitlements on leaving the services; and if he will make a statement; [134920]

(2) under what circumstances a former member of the armed forces who has not collected their pension from the first date at which there were entitled to it can receive backdated payments; and if he will make a statement. [134921]

Mr. Caplin: Members who have not claimed their pension entitlement on leaving the armed forces, or have not claimed when their entitlement becomes due, have a right to receive payments backdated to six years, in line with the Statute of Limitations Act 1980. However, Ministry of Defence and HM Treasury may authorise that payments be backdated further, depending on the merits of each case. Payments are usually backdated in full and are always so where non-payment was due to a mistake on the part of MOD.

Cadet Forces

Mr. Keetch: To ask the Secretary of State for Defence what *(a)* pay and *(b)* conditions are offered to those that assist in running cadet forces. [133751]

Mr. Caplin: Certain categories of helpers (of which there are many) with the Cadet forces can be paid for a certain number of days per year for training and to cover expenses such as travelling and subsistence.

Conditions for the cadet services vary according to type of volunteer. Military status volunteers are subject to military Service Regulations while civilians are subject to the appropriate Civil Service regulations.

Depleted Uranium

Mr. Gardiner: To ask the Secretary of State for Defence pursuant to his answer of 8 July 2003, *Official Report*, column 701W, on depleted uranium, what conclusions and agreements have been reached with the United States following these discussions. [135038]

Mr. Caplin: I refer my hon. Friend to the answer I gave him on 6 October 2003, *Official Report*, column 1159W.

Iraq

Bob Spink: To ask the Secretary of State for Defence what progress has been made in *(a)* securing and *(b)* protecting evidence of human rights abuses in Iraq during Saddam Hussein's regime; what evidence has been handed to the relevant prosecuting authorities; and what the relevant prosecuting authorities are. [133831]

Mr. MacShane: I have been asked to reply.

The Coalition Provisional Authority (CPA) has been working with the Governing Council, the Iraqi Human Rights Ministry, and local and international organisations to put in place the necessary procedures for collecting and securing evidence. The CPA has so far investigated 128 of the 250 reported mass grave sites and seized thousands of potentially relevant documents. CPA efforts are also focused on building the capacity of Iraqis to investigate the crimes committed by the former regime for both historical and prosecution purposes.

Bob Russell: To ask the Secretary of State for Defence what plans he has to send *(a)* additional and *(b)* replacement troops to Iraq; which units are to be sent and when; and if he will make a statement. [135450]

Mr. Hoon: I refer the hon. Member to my Written Statement of 28 October 2003, *Official Report*, columns 7–8WS.

Llew Smith: To ask the Secretary of State for Defence what was the reason no action was taken to take into account *(a)* factual errors and *(b)* suggested errors of interpretation brought to the attention of their seniors by concerned defence intelligence officers in respect of the draft dossier on Iraq's weapons of mass destruction of September 2002, prior to its final publication; and when he was first informed of the misgivings of the defence intelligence staff officers relating to the draft. [131108]

Mr. Hoon: As indicated in my evidence to Lord Hutton's Inquiry on 27 August 2003, I was first informed in a minute dated 18 July 2003 that two officials in the Defence Intelligence Staff had expressed some concerns about certain language used in the dossier. I set out the action taken as a result of those concerns in my remarks in the House on 11 September 2003, *Official Report*, columns 491–95.

Service Accommodation

Mr. Keith Simpson: To ask the Secretary of State for Defence how many new build units in the married quarters estate are planned by his Department in each of the next three years; and how many houses this will replace from the existing married quarters estate. [133381]

Mr. Caplin: The numbers of new build Service family houses planned in mainland UK for the next three years, through both capital projects and PFI are as follows:

Year	
2003	391
2004–05	500
2005–06	315
Total	1,206

Further to the answer given by the then Under-Secretary, my hon. Friend for Kirkcadly (Dr. Moonie) on 13 May *Official Report*, column 152–153W, the expected completion date for 24 properties has changed from 2003–04 to 2004–05.

It is difficult to specify how many existing family houses these new builds will replace. New build is often at locations where the requirements for Service housing are new or increasing, and therefore the new houses are not intended as replacements, but they may indirectly replace housing at other locations where requirements are declining.

Territorial Army (Northern Ireland)

Lady Hermon: To ask the Secretary of State for Defence how many people have been recruited to the Territorial Army in Northern Ireland in each of the past five years; what steps he is taking to increase these figures; and if he will make a statement. [134827]

Mr. Caplin: The number of people recruited into the Territorial Army (TA) in Northern Ireland in each of the past five years are shown in the following table.

1 April to 31 March	*Officers*	*Soldiers*
1998–99	30	297
1999–2000	45	272
2000–01	33	279
2001–02	42	235
2002–03	39	218
2003–04 to date	24	153

TA recruiting is a continual process throughout the year and is generally conducted geographically by local TA centres. A local TA recruiting campaign has recently been run, supplementing the national radio, television and interne[illegible]ruiting campaigns. This involved open days in the TA C[illegible] following advertisements placed in the local press and on the radio. Considerable interest was generated from potential recruits, which included approximately 100 inquiries emanating from the North Down Constituency.

Weapons of Mass Destruction

Mr. Keetch: To ask the Secretary of State for Defence what his Department's latest estimate is of those states that are *(a)* known and *(b)* suspected of pursuing (i) nuclear, (ii) chemical and (iii) biological weapons programmes; and if he will list them. [133721]

Mr. Hoon: Under the terms of the Nuclear Non-Proliferation Treaty, the United Kingdom, the United States, France, China and Russia are legally entitled to possess nuclear weapons. Additionally, India and Pakistan have tested nuclear devices. We continue to encourage Israel to resolve international concerns about its nuclear status by acceding to the nuclear non-proliferation treaty as a non-nuclear weapons state.

There are five states parties to the Chemical Weapons Convention that have declared possession of chemical weapons. They are currently in the process of destroying them in accordance with their obligations under the Convention.

The Government have made clear in recent months that we continue to believe that Iraq had produced and had active programmes for production of WMD. We are also aware of, and very concerned by, persistent reports that Iran, The Democratic People's Republic of Korea, Libya and Syria are pursuing programmes to develop WMD and the means for their delivery.

HOME DEPARTMENT

Asylum Seekers

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department how much asylum seekers cost public funds in the last 12 months per head of tax paying population. [132337]

Beverley Hughes: The cost of supporting asylum seekers in the last financial year for which final data are available (2001–02) was £1,046 million.

Drugs

John Mann: To ask the Secretary of State for the Home Department what recent discussions he has had about reclassifying amphetamines from a class B to class A drug. [135315]

Caroline Flint: Under the Misuse of Drugs Act 1971, amphetamines are classified as a Class B drug.

The Government keep the control of drugs under review but have had no recent discussions with the Advisory Council on the Misuse of Drugs nor any other party about moving amphetamines to class A.

Gun Crime

Sir Teddy Taylor: To ask the Secretary of State for the Home Department if he will make a statement on the level of gun crime. [134091]

Caroline Flint *[holding answer 27 October 2003]*: Although the incidence of firearms offences is low compared to recorded crime as a whole, too many people are still being killed and injured by firearms. This is unacceptable.

We are taking forward a programme to tackle gun crime on a number of fronts. This includes:

tackling the links to drug supply and crime;

reducing the supply and availability of firearms;

effective police operations to drive down firearm offences;

tough laws and effective enforcement and engaging the worst affected communities to address the underlying gun culture.

Passports

Mr. Evans: To ask the Secretary of State for the Home Department what the average administrative cost was of issuing a passport in each of the last five years. [134364]

Beverley Hughes *[holding answer 27 October 2003]*: The administration costs of producing a passport over the past five years was as follows:

Financial year	*Administrative expenditure (£)*	*Passports issued*	*Administrative cost per passport (£)*
1998–99	15,783,000	4,737,057	3.33
1999–2000	20,596,000	5,316,490	4.03
2000–01	25,433,000	5,543,994	4.59
2001–02	35,866,000	5,583,266	6.42
2002–03	36,081,000	5,354,348	6.74

Administration costs are classified in the Agency's accounts as all non-production costs including costs of the change programme, support staff and accommodation.

The main reason for the increase over time has been to deliver a growing change programme.

Unaccompanied Asylum Seekers

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what steps his Department is taking to ensure that councils are not financially disadvantaged by continuing the care of unaccompanied asylum seekers beyond the age of 16. [131494]

Beverley Hughes *[holding answer 14 October 2003]*: The Home Office is responsible for paying grant to local authorities supporting Unaccompanied Asylum Seeking Children (UASCs) until the age of 18. The grant allows for local authorities to claim the same level of grant for UASCs aged 16–18 as for under 16s—provided that they applied for asylum before reaching the age of 16.

CONSTITUTIONAL AFFAIRS

Small Claims Court

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to compile annual reports on the work of the small claims court separately from the report on the Courts Service. [134938]

Mr. Leslie: The Court Service will shortly be publishing the first edition of the County Court Annual Report. It will cover the period 2002–03.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether those who adjudicate in the small claims court are given training to help them assist unrepresented parties to actions in the small claims court. [134294]

Mr. Leslie: Judicial training is the responsibility of the Judicial Studies Board (JSB), an independent body chaired by Lord Justice Keene. The JSB provides written guidance to judges on the conduct of small claims cases in its Civil Bench Book and on the particular needs of litigants in person in its Equal Treatment Bench Book. Both publications are publicly available via the JSB's website (www.jsboard.co.uk). Judges who sit in the county court attend an Induction Course on first appointment and further training is provided at three-yearly intervals for all who exercise the civil jurisdiction. All such training includes sessions on the needs of litigants in person.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what mediation resources are made available to *(a)* claimants and *(b)* defendants involved in actions in the small claims court. [134297]

Mr. Lammy: There is no national provision of mediation services within the court system. A pilot scheme for mediating small claims cases is provided by the Devon and Exeter Law Society at Exeter, Barnstaple and Torquay County Courts. If it proves successful we will consider extending a similar service to other courts.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the average cost has been to public funds of each action brought in the small claims court in the last three years. [134298]

Mr. Lammy: The only cost to public funds in pursuing a small claim through the county court is in relation to the exemption and remission of fees. Separate figures on exemption and remission are not collected on claims which fall in the monetary bands of the small claims track.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what legal advice and support is available to *(a)* claimants and *(b)* defendants involved in actions in the small claims court. [134300]

Mr. Lammy: Although there is no specific provision of legal advice at small claims courts themselves, Court Service staff do provide assistance to claimants and defendants on procedural matters regarding the hearings. Money Claims Online, launched in December 2001, also allows claimants and defendants in small claims proceedings to submit their claims and responses online, thereby reducing pressure on the courts themselves. In addition, all courts in England and Wales are Quality Marked Information Points for The Community Legal Service (CLS) and hold the CLS directory which contains information on service providers such as Citizens Advice Bureaux, Law Centres, independent advice agencies and solicitors. Through the CLS information and advice is available in

a wide range of categories such as consumer claims, disputes between landlords and tenants about repairs, deposits and rent arrears.

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs how the effectiveness of the small claims court as a means for the public to recover small claims economically is monitored and assessed by the Department. [134303]

Mr. Leslie: There is no measure in place to monitor or assess the effectiveness of the county court as a means for the public to recover small claims economically. However, under the department's Public Service Agreements we have a number of business targets which have been identified to measure our performance in reducing unnecessary delay, reducing unnecessary cost and improving enforcement.

Sutton Coldfield Courthouse

Mr. Andrew Mitchell: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the future of the courthouse in Sutton Coldfield. [135806]

Mr. Leslie: I have decided that the appeal of Birmingham city council, against closure, should be allowed. Therefore the magistrates courthouse at Sutton Coldfield will remain open.

NORTHERN IRELAND

Benefits/MOT Testing

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to bring Northern Ireland into line with the rest of the United Kingdom in relation to *(a)* the overlapping of social security benefits and *(b)* MOT testing; and if he will make a statement. [134829]

Angela Smith: The information is as follows:

(a) There is a long-standing policy of parity in social security matters between Great Britain and Northern Ireland. NI social security legislation relating to overlapping benefits is therefore already in line with that in GB.

(b) MOT testing in Northern Ireland is conducted to the same standards and within the same framework of EU requirements as elsewhere in the UK. However, an earlier proposal to lower the age at which private cars in Northern Ireland must undergo an MOT test from four years to three years, in line with practice in the rest of the United Kingdom, was deferred pending the outcome of a review of three year testing in Great Britain.

MOT tests, along with all other statutory vehicle tests, are carried out exclusively in Northern Ireland by the Driver and Vehicle Testing Agency (DVTA) of the Department of the Environment. There are no arrangements to allow private garages in Northern Ireland to carry out MOT tests on private cars, as is the practice in Great Britain. In light of the on-going difficulties with MOT test waiting times, there have been some calls for the GB arrangements to be introduced in Northern Ireland. However, following the recent programme to refurbish and re-equip DVTA's 15 test centres, under a £57 million private finance initiative contract, and on completion of the current project to introduce telephone, and subsequently internet, test booking, I expect the Agency to return to its previously high levels of performance and customer service. I believe these arrangements best suit the circumstances in Northern Ireland and I have no plans at present to review them.

Human Organs

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland whether the National CJD Unit in Edinburgh monitored all imports and exports of brains and brain material between Belfast and Dublin. [132411]

Angela Smith: Brain and brain tissue samples which have been sent between Belfast and Dublin relate only to Multiple Sclerosis and related demyelinating disorders of the brain and not to suspected cases of CJD. The National CJD Unit in Edinburgh therefore does not monitor the movement of these samples.

Cancer Services

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many additional *(a)* specialist medical, *(b)* nursing and *(c)* other staff have been employed since March 2001 to improve cancer services in Northern Ireland. [133870]

Angela Smith: A table showing the number of additional specialist medical, nursing and other staff employed by Health and Social Services Trusts between 31 March 2001 and 30 September 2003 to improve cancer services in Northern Ireland is shown in the following table.

Number of additional specialist medical, nursing and other staff employed by Health and Social Services Trusts between 31 March 2001 and 30 September 2003 to improve cancer services in Northern Ireland

	Specialist medical staff		*Nursing staff*		*Other staff*	
HSS[1] Trusts	*Headcount*	*WTE[2]*	*Headcount*	*WTE*	*Headcount*	*WTE*
Altnagelvin Group HSS Trust	8	4.40	21	19.16	14	14.00
Armagh and Dungannon HSS Trust	0	0.00	0	0.00	1	1.00
Belfast City Hospital HSS Trust	5	5.00	12	12.00	44	41.24
Causeway HSS Trust	0	0.00	0	0.00	0	0.00
Craigavon and Banbridge Community HSS Trust	0	0.00	5	4.60	0	0.00
Craigavon Area Hospital Group HSS Trust[3]	0	0.30	15	12.10	7	5.74
Down Lisburn HSS Trust	1	0.50	1	1.00	0	0.00
Foyle Community HSS Trust	0	0.00	8	1.20	2	1.00
Green Park Healthcare HSS Trust	0	0.00	0	0.00	0	0.00
Homefirst Community HSS Trust	0	0.00	0	0.00	0	0.00
Mater Infirmorum Hospital HSS Trust	1	1.00	1	1.00	0	0.00

Number of additional specialist medical, nursing and other staff employed by Health and Social Services Trusts between 31 March 2001 and 30 September 2003 to improve cancer services in Northern Ireland

	Specialist medical staff		Nursing staff		Other staff	
HSS[1] Trusts	Headcount	WTE[2]	Headcount	WTE	Headcount	WTE
Newry and Mourne HSS Trust	0	0.00	0	0.00	0	0.00
North and West Belfast HSS Trust	0	0.00	0	0.00	1	0.50
Royal Group of Hospitals HSS Trust	0	0.00	11	11.00	1	0.50
South and East Belfast HSS Trust	0	0.00	1	1.00	0	0.00
Sperrin Lakeland HSS Trust	1	1.00	3	3.00	0	0.00
Ulster Community and Hospitals Group HSS Trust	6	5.50	1	0.50	5	2.75
United Hospitals Group HSS Trust	1	1.00	5	4.60	6	6.00
Total	23	18.70	84	71.16	81	72.73

[1] Health and Social Services
[2] Whole Time Equivalent
[3] Craigavon area hospital has increased the hours of an existing member of specialist medical staff to improve cancer services within the trust—that is why the headcount is 0 but whole time equivalent is 0.30

Illegal Arms/Explosives

David Burnside: To ask the Secretary of State for Northern Ireland what estimate he has made of the amounts of illegal arms and explosives held by the *(a)* Provisional IRA, *(b)* Real IRA, *(c)* Continuity IRA, *(d)* UVF, *(e)* UDA, *(f)* LVF and *(g)* INLA. [135443]

Jane Kennedy: This information is only available from intelligence sources and it would be inappropriate for the Government to comment. The Government and the Independent International Commission on Decommissioning will resolutely continue to pursue complete decommissioning by all paramilitary organisations to ensure that there is a permanent end to paramilitary activity in all its forms.

Northern Ireland Fire Authority

Mr. McGrady: To ask the Secretary of State for Northern Ireland what assessment he has made of whether the Northern Ireland Fire Authority is complying with section 75 of the Northern Ireland Act 1998 in relation to equality of opportunity. [134247]

Angela Smith: We are satisfied with the Fire Authority for Northern Ireland's commitment to the requirements of section 75 of the Northern Ireland Act 1998. The Authority submits annual reports to the Equality Commission setting out its compliance with section 75.

PSNI (Facilities)

David Burnside: To ask the Secretary of State for Northern Ireland if he will make a statement on the accessibility of Police Service of Northern Ireland sporting and social facilities and premises to former members of the Royal Ulster Constabulary. [135444]

Jane Kennedy: I refer the hon. Member to the answer I gave the hon. Member for Strangford (Mrs. Robinson) on 16 September 2003, *Official Report*, column 727W, in respect of access to PSNI sporting facilities. This is a matter for the Chief Constable.

With regard to access to PSNI social facilities, this is a matter for the Council of the RUC Athletic Association, however I am advised that under rule 5 of the Association, retired RUC officers are full members along with serving officers of the PSNI.

Regeneration Funding (Belfast)

Mr. Dodds: To ask the Secretary of State for Northern Ireland what plans he has in relation to allocation of Belfast Regeneration Office Action Plan resources for Belfast. [134615]

Mr. Spellar: The Belfast Regeneration Office Action Plan is currently under consideration by Government.

Salmon

David Burnside: To ask the Secretary of State for Northern Ireland how many salmon fish farms have been operating, and how many fish were produced, in Northern Ireland in each of the last five years. [135446]

Mr. Pearson: The information is as follows:

	Number of licensed salmon fish farms
1998	1
1999	1
2000	1
2001	1
2002	1

Due to the fact that there has been only one salmon fish farm operating in Northern Ireland for the past five years, the production figures for each of the last five years is not in the public domain as it would be too easy to identify the company involved.

Waiting Times

Lady Hermon: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland are waiting for *(a)* hip and *(b)* knee replacement operations; how many of these have been waiting (i) less than 12 months, (ii) between 12 and 18 months, (iii) between 18 and 24 months and (iv) longer than 24 months; what steps he is taking to reduce these figures; and if he will make a statement. [134830]

Angela Smith: Information on people waiting for treatment is collected on the basis of specialty rather than the type of operation. The number of patients in Northern Ireland awaiting admission to hospital, as either an inpatient or day case, in the trauma and

orthopaedic specialty is detailed in the following table. Figures are representative of the position at the end of June 2003 (the latest information available).

Specialty—trauma and orthopaedics

Time waiting (months)	*Number*
0–11	4,132
12–17	721
18–23	325
24+	611
Total waiters	5,789

Source:
CH1

I am aware that there are significant waiting lists for orthopaedic surgery at present. This reflects a general increase in demand over recent years for orthopaedic services and waiting lists have grown as a result.

A number of measures are being taken to deal with this increase in demand including increasing the number of orthopaedic surgeons in training and the recent building of two modular theatres, costing £3.8 million, on the Musgrave Park Hospital site. The provision of these new theatres will increase theatre capacity, increase capacity for fracture services, stabilise and reduce waiting lists, and facilitate the mix of elective, trauma and out-patient work of consultant orthopaedic surgeons.

TRANSPORT

A14

Mr. Djanogly: To ask the Secretary of State for Transport how much was spent on *(a)* consulting on, *(b)* designing and *(c)* advertising the Highways Agency's proposal for grade-separated junctions along the A14 between Brampton and Thrapston; who decided to stop the proposal; what evaluation of project was originally undertaken; how that changed before the decision was taken to stop the proposals; what the alternative schemes are; how the value for money of the alternative schemes has been evaluated; for what reason the alternative schemes were not produced when the original proposal was withdrawn; what low cost safety improvements are planned; and when they will be made. [134862]

Mr. Jamieson: I have asked the acting Chief Executive of the Highways Agency, Stephen Hickey, to write to the hon. Member.

Letter from Stephen Hickey to Mr. Jonathan Djanogly, dated 30 October 2003:

I have been asked by the Transport Minister, David Jamieson, to reply to your recent Parliamentary Question about the A14 Thrapston to Brampton Grade Separation Scheme and the decision to suspend further work on the project following a recent re-evaluation of scheme benefits under the continuous value management process.

I know that you have been in correspondence with the Agency's Bedford office on this matter and that a meeting with officials has been arranged for Friday 31 October 2003 The information you seek will be made available at that meeting.

Mr. Chope: To ask the Secretary of State for Transport pursuant to his answer of 21 October, *Official Report*, column 472W, on air travel (compensation) when his Department will produce an updated Regulatory Impact Assessment reflecting changes made during negotiation; and if he will place it in the Library. [135368]

Mr. McNulty: I refer the hon. Member to the answer I gave on 29 October 2003, *Official Report*, columns 257–58W.

Mr. Maude: To ask the Secretary of State for Transport whether he has received sufficient information on possible new runway sites at *(a)* Birmingham (alternative runway proposal), *(b)* Gatwick (alternative runway proposals by BAA), *(c)* Redhill, *(d)* the Marinair site, *(e)* Severnside, *(f)* Sheppey and *(g)* Thames Reach, to enable consideration to be given to them in the forthcoming White Paper on Air Transport. [135191]

Dr. Howells: As my right hon. Friend, the Secretary of State for Transport, has made clear on many occasions, we will consider carefully all serious, worked-up proposals submitted as responses to the consultation.

The Department held discussions with several promoters of proposals for new airport capacity that are alternatives to, or variants of, options set out in the Government's consultation document. The aim has been to provide guidance on the methodology used to appraise options in the SERAS study and on the information that will be needed by the Department in order to appraise alternative ideas submitted as part of the consultation.

Aviation Industry (Tax Subsidy)

Mr. Laurence Robertson: To ask the Secretary of State for Transport what subsidy from public funds he estimates the aviation industry receives in terms of favourable taxation policy; and if he will make a statement. [135024]

John Healey: I have been asked to reply.

The aviation industry receives no direct subsidy from public funds.

The Government recently completed a consultation process on the use of economic instruments in the aviation sector, which included examining incentives to encourage better environmental performance.

The Government's views will be set out in the Air Transport White Paper due to be published later this year.

Dealing with Disadvantage Project

Mr. Chope: To ask the Secretary of State for Transport what action local highway authorities can take to apply for the Dealing with Disadvantage funding which has not yet been allocated. [134740]

Mr. Jamieson: £16 million of the money identified for Dealing with Disadvantage is available for grants to local authorities. £11.7 million has been allocated to Greater Manchester and Lancashire. Four further authorities have been invited to submit bids for grant

funding. These are Bradford, Liverpool, Nottingham and Sandwell, which are the next four non-Greater Manchester and Lancashire authorities on the ranked list of places for road safety problems associated with disadvantage. Invitations to bid have been made on the basis of need.

Mr. Chope: To ask the Secretary of State for Transport how many people are funded out of the Dealing with Disadvantage grant; and what cost benefit analysis has been carried out in relation to the expenditure. [134741]

Mr. Jamieson: No specific numbers of staff have been identified for the Grants that are the subject of the Special Grant Report. The Neighbourhood Road Safety Team, which is being hosted by Greater Manchester Police, will have eight members of staff.

All grant allocations have been scrutinised for relevance to the identified problems and the likelihood of success. Because some of the work is generic, such as road safety education, it is not possible to attribute directly what savings may arise, so cost-benefit analysis is not appropriate in this case.

The Government wish to learn from the experience of this initiative and so a monitoring and evaluation contract is presently out to tender and this will provide lessons for future policy development and delivery.

Mr. Chope: To ask the Secretary of State for Transport which highway authorities have received a share of the funds allocated for highway improvements under the Dealing with Disadvantage programme; and how much was paid to each one. [134742]

Mr. Jamieson: The 10 authorities that received allocations for improvements to the highway are:

	£
Blackburn with Darwen	120,000
Blackpool	1,256,000
Bolton	425,000
Bury	250,000
Manchester	838,000
Oldham	195,000
Rochdale	230,000
Salford	300,000
Tameside	780,000
Wigan	563,000

In addition, £500,000 was allocated to Tameside to develop and deploy their "Watchman" anti-speeding initiative across all 10 authorities.

£1,000,000 remains unallocated for further developments.

Mr. Chope: To ask the Secretary of State for Transport if he will make a statement on the most recent road safety record in respect of each of the local highway authorities to be allocated a Dealing with Disadvantage grant; and what specific improvements he expects to result from the award of such grants. [134743]

Mr. Jamieson: The 2002 casualty figures in the 10 authorities are as follows.

Local authority (District)	*Fatal*	*Serious*	*KSI*	*Slight*	*Total*
All casualties 2002					
Blackburn with Darwen	3	80	83	701	784
Blackpool	10	94	104	762	866
Bolton	12	85	97	1,461	1,558
Bury	8	53	61	968	1,029
Manchester	15	252	267	3,493	3,760
Oldham	4	57	61	959	1,020
Rochdale	11	84	95	1,180	1,275
Salford	7	80	87	1,169	1,256
Tameside	4	85	89	864	953
Wigan	9	123	132	1,595	1,727
Child pedestrian casualties— 2002					
Blackburn with Darwen	0	11	11	74	85
Blackpool	0	19	19	64	83
Bolton	1	9	10	133	143
Bury	0	13	13	70	83
Manchester	1	39	40	170	210
Oldham	0	16	16	104	120
Rochdale	0	15	15	89	104
Salford	1	13	14	60	74
Tameside	0	17	17	88	105
Wigan	0	25	25	127	152

Our objective is to narrow the gap between disadvantaged areas and the rest of the country by reducing casualties in deprived areas at a faster rate than for the country as a whole.

Mr. Chope: To ask the Secretary of State for Transport what estimate of the unit cost of staff he has used in determining grants for support staff to individual local authorities for delivering Dealing with Disadvantage projects. [134744]

Mr. Jamieson: The allocation for staff is a nominal sum in recognition of the additional administrative burden being placed on the authorities. In partnering agreements, the authorities will have to demonstrate how the staff costs have been incurred in furtherance of the Dealing with Disadvantage work.

Gatwick Airport

Mr. Maude: To ask the Secretary of State for Transport what proportion of non-transfer air passengers at Gatwick use public transport to or from the airport. [135189]

Dr. Howells: In 2002 the mode of travel to Gatwick broke down as follows (numbers rounded):

	Percentage
Private car	53
Hire car	2
Taxi/minicab	15
Bus/coach	8
Rail	22
Other	less than 1

Mr. Maude: To ask the Secretary of State for Transport how many people around Gatwick airport fell within the 54 leq and 57 leq contours for aircraft noise in 2002; and how many he estimates would fall within these contours in 2030 if a new wide spaced runway were built, assuming no change to aircraft noise standards other than those recently agreed in the International Civil Aviation Organisation. [135190]

Dr. Howells: The populations within the 54 and 57 dBA daytime leq contours in 2002 were around 8,400 and 3,500 respectively. The Stage Three SERAS report gave figures for Gatwick with an additional wide spaced runway. In 2030, the populations in the 54 and 57 dBA contours were projected to be 39,800 and 20,900 respectively. The noise projections assume no changes to ICAO noise standards beyond those recently agreed, but do not rely solely on the minimum standards required by ICAO. They incorporate realistic assumptions about replacement of older, noisier aircraft by more modern and less noisy types.

Air Travel

Mr. Maude: To ask the Secretary of State for Transport what estimate he has made of the number of cars used by air passengers which would travel to Gatwick airport on average each day if a new wide spaced runway were built and used to full capacity, assuming that flights operated for 16 hours each day, the proportion of passengers using public transport was the same as currently and that of the remaining passengers half parked at the airport, and half were delivered and collected. [135188]

Dr. Howells: The information is not available in the form requested. The SERAS Stage 3 report included an assessment of the demands for surface access to the airport in 2030 with the addition of a wide-spaced runway in 2024 (i.e. after expiry of the planning agreement between BAA plc and West Sussex county council). Table 2.10 of the report shows that with passenger demand of 76 million passengers per annum in 2030 (and assuming enhanced rail infrastructure and services), the share of air passenger trips by car would be about 51 per cent. (about 30 million road trips per annum).

M1 (Widening)

Mr. Greg Knight: To ask the Secretary of State for Transport when he expects work will start on the widening of the M1 motorway; and if he will make a statement. [135334]

Dr. Howells: Various Multi-Modal and Road Based Studies have recommended widening the majority of the heavily congested sections of the M1 motorway between M25 (Junction 6A) and M62 (Junction 42).

Widening of sections of the motorway in Hertfordshire and Bedfordshire (Junctions 6A-13), and improvements to the M6/M1 junction, have been accepted into the Targeted Programme of Improvements (TPI). The Highways Agency is currently reviewing procurement and programme options for these schemes, but construction work is planned to commence within the timescale of the Ten Year Transport Plan announced in 2000, subject to completion of statutory procedures.

The Secretary of State has announced previously that he is minded to add further schemes for widening other sections of the M1 motorway between Junction 21 (M69) and Junction 42 (M62) to the TPI. Preparation work continues on these sections of the motorway to identify widening options/costs. The Secretary of State intends to make further announcements in due course.

Road Widths

Mr. Geoffrey Robinson: To ask the Secretary of State for Transport what information he collates on mean average road widths in cities in England; and what guidance he gives to the relevant authorities on minimum road widths. [134833]

Mr. Jamieson: The available information relates to urban major roads, i.e. those that are within urban areas with a population of 10 thousand or more. The latest estimate of mean road width for A roads in urban areas is 11.2 metres.

Information on minor roads is less comprehensive. In 2001, estimates were made for minor roads with speed limits of 40mph or below. The mean road widths for such B, C and unclassified roads were 7.5 metres, 6.9 metres and 6.2 metres respectively.

Government guidance on road widths for residential roads is provided in Design Bulletin 32 Residential Roads and Footpaths Layout considerations and its companion guide Places, Streets & Movement.

Definitive guidance and standards for motorways and other trunk roads is contained within the Design Manual for Roads and Bridges. Whilst this manual sets a standard of good practice principally for trunk roads, it may also be applicable in part to other roads with similar characteristics. Where it is used for local roads, it is for the highway authority to decide on the extent to which the documents in the manual are appropriate in any particular situation.

Transplant Vehicles

Judy Mallaber: To ask the Secretary of State for Transport pursuant to his answer of 1 July 2003, *Official Report*, column 194W, on transplant vehicles, whether he has reached conclusions on whether an amendment to legislation is necessary to allow transplant vehicles to be covered by the speed limit exemption for ambulances. [134267]

Mr. Jamieson: The current speed limit exemption legislation grants an exemption for vehicles used for ambulance purposes, but it does not provide a definition of ambulance purposes. It is therefore for the courts to decide whether, in any particular case, a vehicle used for carrying human tissue is being used for an ambulance purpose.

The Government acknowledge that there may be a requirement to amend speed limit exemption legislation in order to clarify the status of such vehicles. However any exemption to speed limits needs to be considered with the utmost care in order to safeguard the interests of all road users. We are currently considering the wider impacts of such an amendment before reaching a conclusion on whether any amendment would be both necessary and justified.

Primary legislation would be required in order to effect such a change, should we conclude an amendment is necessary.

DEPUTY PRIME MINISTER

Coastal Erosion

Norman Lamb: To ask the Deputy Prime Minister if he will make a statement on the impact of offshore dredging on coastal erosion. [134761]

Keith Hill: There is no evidence that licensed marine minerals dredging has an impact on the rate of coastal erosion but, as a precaution, each environmental statement that accompanies an application to dredge must include a coastal impact assessment. This is subjected to close scrutiny to ensure that the results are satisfactory before a licence can be given. Most licences are subject to monitoring conditions and no licence has been terminated because of adverse impacts on the coast.

Norman Lamb: To ask the Deputy Prime Minister what studies he has commissioned into the impact of offshore dredging on coastal erosion. [134762]

Keith Hill: The Office of the Deputy Prime Minister has not commissioned studies into the impact of offshore dredging on coastal erosion. Every marine minerals dredging proposal is subjected to environmental impact assessment. Every dredging licence application is therefore accompanied by an environmental statement that includes a specific coastal impact study. This is subject to wide consultation and publicity. It is carefully scrutinised by the Centre for Environment, Fisheries and Aquaculture Sciences on behalf of Defra to determine whether the proposal is environmentally acceptable. Only if the proposal is acceptable is a licence for dredging issued. The licence is normally subject to conditions requiring environmental monitoring and is time limited so that account could be taken of unforeseen environmental impacts if any were to occur.

Norman Lamb: To ask the Deputy Prime Minister if he will list the sites of dredging activity offshore; and if he will place a map of sites in the Library. [134763]

Keith Hill: Dredging activity offshore is statutorily controlled by a number of bodies including the Crown Estate, coast protection authorities, the Department of Transport, harbour and port authorities, local planning authorities and some private owners of seabed.

There is no central record of all types of offshore dredging. However, most marine minerals dredging is licensed by the Crown Estate and I have asked it to provide a schedule and maps of all currently licensed dredging areas. I will forward these to the hon. Member as soon as I receive them and will arrange for copies to be available in the Library of the House.

Information about offshore dredging licences issued by the Crown Estate is also available on the Crown Estate's website: www.crownestate.co.uk which is regularly updated.

Norman Lamb: To ask the Deputy Prime Minister how many licences have been granted in each of the last five years for dredging off the coast of Norfolk. [134764]

Keith Hill: Nearly all marine minerals dredging is licensed by the Crown Estate which informs that no new or extended licences were issued in 1998, 2000, 2001 or 2002 off the coast of Norfolk. In 1999, revised licences were issued for Areas 436 and 202 so that the tonnage to be dredged was not increased. In 2003 an existing licence for Area 254 was extended for a further 15 years.

Norman Lamb: To ask the Deputy Prime Minister what income has been received by Crown Estates in each of the last five years for dredging licences in respect of sites off the Norfolk coast. [134822]

Keith Hill: The Crown Estate inform me that its Royalty Income from off the Norfolk Coast was:

	£ million
1998	4.44
1999	4.77
2000	6.16
2001	5.36
2002	5.29

Council Housing

Mr. Purchase: To ask the Deputy Prime Minister what arrangements he has made for the transfer of housing revenue account surpluses and deficits between councils who manage their homes *(a)* directly and *(b)* through an arm's length management organisation. [135197]

Keith Hill: The arrangements are the same irrespective of whether authorities manage their own homes directly or through an arms length management organisation. Authorities' entitlement to housing revenue account subsidy for 2004–05 will be calculated in accordance with Determinations to be made after consultation. Each local authority will be required subsequently to submit subsidy claims, calculated in accordance with the Determinations and using a new internet-based system currently undergoing trials with a number of authorities. Where the claim shows that the authority is in deficit and an amount is due to it, subsidy will be paid on-account in 10 monthly instalments starting in May 2004. The amount claimed on account will be subject to audit and, if necessary, adjusted after the end of the year. Where the claim shows that an authority is in surplus, it will be required to make payments to the Office of the Deputy Prime Minister at the same intervals.

Disability Discrimination Act

Brian Cotter: To ask the Deputy Prime Minister what steps his Department is taking to ensure the compliance of local authorities with Part Three of the Disability Discrimination Act 1995; and if he will make a statement. [135401]

Phil Hope: The Office of the Deputy Prime Minister is not responsible for ensuring compliance of local authorities with the Disability Discrimination Act; responsibility for ensuring compliance rests with the Disability Rights Commission. However, we recognise we have a part to play in encouraging and sharing good practice—in partnership with the Local Government Association, the Audit Commission and others.

Best Value guidance to local authorities published in March this year stated that the way in which services impact on all sections of the community must be addressed explicitly in order to secure best value. This

message is reinforced by Best Value Performance Indicators covering impact and needs assessments, equality action planning processes and accessibility of local authority public buildings.

The Office of the Deputy Prime Minister also has responsibility for Building Regulations. A revision to Part M of the Building Regulations was issued on 27 October 2002. The new Part M and Approved Document M aim not to make buildings accessible to, and usable by, "disabled people" narrowly defined, but aim to make buildings accessible to, and usable by, everyone—including people with disabilities.

Planning Inquiries

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many recommendations from planning inquiry inspectors he has *(a)* accepted and *(b)* rejected in each year since 1999. [134606]

Keith Hill: Detailed in the table is the requested information about the decisions taken by the my right hon. Friend the Deputy Prime Minister in relation to called in applications and recovered appeals since 1999. These cases were dealt with through inquiry, hearing and written representations.

	Inspector's recommendation accepted	*Inspector's recommendation rejected*
1999–2000	171	13
2000–01	167	22
2001–02	167	13
2002–03	221	34
2003–04[1]	149	21

[1] First six months.

South West Regional Assembly

Mr. Flook: To ask the Deputy Prime Minister (1) how many full-time equivalent employees were employed by the South West Regional Assembly *(a)* when it was first established and *(b)* on 1 October; [135425]

(2) how many research projects the South West Regional Assembly *(a)* planned to commission and *(b)* commissioned in 2002–03; and what the purpose of each project was; [135426]

(3) how many publications have been issued by the South West Regional Assembly in each year since its establishment; and what the cost was of *(a)* preparation and *(b)* publication in each case. [135427]

Mr. Raynsford: The information requested is not held centrally, and could be provided only at disproportionate cost. The South West Regional Assembly is a voluntary body. The details of its employees, activities and expenditure are a matter for the Assembly.

SSSIs

Mr. Lidington: To ask the Deputy Prime Minister if he will list the sites of special scientific interest in the ownership of his Department or its agencies. [129344]

Yvette Cooper: The Office of the Deputy Prime Minister and its agencies own no sites of special scientific interest.

Starter Homes

Tim Loughton: To ask the Deputy Prime Minister how much has been spent on the Starter Home Initiative, broken down by local authority area. [134814]

Keith Hill: As at 30 September 2003, £115,079,497 has been spent on the Starter Home Initiative. The breakdown by region is set out as follows. In addition a table with the breakdown of key workers helped by local authority area is available in the Library of the House. A complete breakdown of spend by individual local authority areas is not readily available.

Region	*Total spend (£)*
London	66,126,899
South East	37,930,397
South West	3,725,318
Eastern	7,160,383
West Midlands	136,500
Total	115,079,497

Thames Gateway Funds

Bob Spink: To ask the Deputy Prime Minister what restrictions his Department has placed on the use of the Thames Gateway funds for Canvey Island. [135463]

Keith Hill: As part of the Thames Gateway and Growth Areas announcement of 30 July 2003, the East of England Development Agency (EEDA) was provisionally allocated £6 million to support the regeneration and development of South West Canvey Island.

The provisional allocation is based upon a project proposal presented to the Office of the Deputy Prime Minister by The Canvey Island Steering Group, through the Thames Gateway South Essex Partnership. As with all Thames Gateway projects, formal grant approval is wholly contingent upon the preparation of a fully costed and appraised project package, which has clear and sustainable outputs that meet the Strategic Objectives of the Thames Gateway Growth Area.

TRADE AND INDUSTRY

Arms Exports

Mr. Gardiner: To ask the Secretary of State for Trade and Industry whether the UK arms industry complies with Clause II.7 of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. [131153]

Nigel Griffiths: I am informed that the UK is complying with the UN Panel of Government Experts.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her Answer of 6 October, Official Report, column 1068W, when the United Kingdom will ratify the UN Protocol Against the Illicit Manufacturing of and Trafficking in Arms. [135100]

Mr. MacShane: I have been asked to reply.

Following its signature of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts, Components and Ammunition on 6 May 2002, the UK is now considering with the European Commission and Member States possible amendments to the European Weapons Directive. This is a necessary first step to bring the Directive in line with the UN Firearms Protocol before ratification by Member States.

Broadband (South West)

Mr. Flook: To ask the Secretary of State for Trade and Industry how many telephone exchanges in the South West are broadband enabled; and what percentage of district council wards are broadband enabled in each county in the South West region. [134552]

Mr. Timms: I understand from BT that they have enabled 147 exchanges in the South West region to date and a further 64 exchanges are 'in build' and so should be enabled early in the new year.

Data at the district council ward level are not available.

Defence Export Licences

Mr. Tynan: To ask the Secretary of State for Trade and Industry how many defence export licences were revoked in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [134599]

Nigel Griffiths: Details of export licences that have been revoked are published in the Government's annual reports on Strategic Export Controls, copies of which are available from the Libraries of the House.

I have asked the Director of the Export Control Organisation to forward these figures to the hon. Member and place them separately in the Libraries of the House.

Mr. Tynan: To ask the Secretary of State for Trade and Industry what procedures are in place to ensure that where a defence export licence is revoked and a defence export licence subsequently granted to allow the export of the same items to an alternate destination, the items are not re-exported or re-directed to the original destination. [134601]

Nigel Griffiths: When a licence is revoked any subsequent application is required to comply with our national arms export licensing criteria and the consolidated EU criteria. The risk of diversion is a valid ground for refusing a licence and steps are taken to assess this risk.

Departmental Employees (Taunton)

Mr. Flook: To ask the Secretary of State for Trade and Industry how many people are employed by her Department in *(a)* the Taunton constituency and *(b)* Somerset. [121978]

Ms Hewitt: DTI employs staff in more than 60 locations in Britain. The Government Office for the South West, based in Bristol, includes DTI staff and covers Somerset.

Electricity Supply

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what contingency plans are in place to deal with a sudden reduction in electricity supply; and whether priority areas to be supplied have been designated. [134818]

Mr. Timms: Sudden reductions in electricity are handled by National Grid and the Distribution Network Operators (DNOs) using the procedures set out in Operating Conditions 6 of the Grid Code (www.nationalgrid.com/ukindinfo_code/).

Generally, demand reductions of up to about 10 per cent. will be handled by voltage reductions. Most consumers would be unaffected—lights may flicker or dim for the period necessary. Some sensitive industrial equipment, such as alarms, may be affected.

If immediate demand reductions above that figure are needed, it is likely that customers would be cut off. The speed with which action has to be taken, and the loads involved, means that isolations are made in local areas at primary sub-station level. This action reduces the likelihood of incidents such as cascade tripping, which were seen recently in the US and Italy. However, discrimination between customers in those areas cannot be implemented.

Mr. Djanogly: To ask the Secretary of State for Trade and Industry what measures are being taken to avoid electricity power cuts to *(a)* domestic and *(b)* commercial users. [134872]

Mr. Timms: I have nothing to add to the answer given to the hon. Member for Vale of York (Miss McIntosh) on 14 October 2003, *Official Report*, column 118W.

Miss McIntosh: To ask the Secretary of State for Trade and Industry what recent assessment she has made of the benefits of generating electricity closer to the source of demand. [134128]

Mr. Timms: Through the New and Renewable Energy Programme, the DTI has funded a number of assessments of the benefits of distributed generation, i.e. smaller generation, which is connected to the distribution networks. Some of the most recent include a study of the impact of distributed generation on network security by UMIST and an investigation of the benefits of "islanded" generation operation by PB Power. Both these studies were undertaken in 2002. Currently, the DTI is funding work through the Distributed Generation Coordinating Group to produce guidance on the potential contribution of distributed generation to the security of the distribution networks, to be used in the design and operation of those networks.

Many of the projects relating to distributed generation initiated by the New and Renewable Energy Programme can be accessed via the DTI's website and a complete list of completed and on-going projects can be provided on request. Details of projects commissioned through the Distributed Generation Coordinating Group can be viewed on the Group's website at: distributed-generation.gov.uk

Energy Policy (Research and Development)

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry how much public money was spent in each year since 1997 on *(a)* research into and *(b)* development of the (i) fuel cell principle and (ii) geo-thermal principle of producing energy; and if she will make a statement. [134326]

Mr. Timms *[holding answer 27 October 2003]:* Since 1997, the DTI Fuel Cells Programme has spent the following amounts on industrial development and research up to the end of Financial Year 2002–03, rounded to the nearest thousand:

	£
1997–98	900,000
1998–99	1,197,000
1999–2000	1,168,000
2000–01	1,410,000
2001–02	1,249,000
2002–03	1,200,000
Total	7,124,000

Scientific research funding is also given through the Engineering and Physical Sciences Research Council (EPSRC).

Fuel cell technologies are multi-disciplinary and receive funding through a number of EPSRC programmes and mechanisms. Much research effort is focused on the material and electrochemical aspects of the systems, but there is also a significant proportion of 'underpinning' research into fuels (including reformation and hydrogen) and integration issues.

EPSRC funding

£000

	Fuel cell technologies	*Hydrogen fuels*	*Geothermal*
1998–99	1,016	136	0
1999–2000	703	59	0
2000–01	899	83	0
2001–02	1,145	319	7
2002–03	1,487	536	4

Notes:

1. Above figures are expenditure on grants in the financial years shown.

2. During 2004, EPSRC will be funding a major new consortium of fuel cell research, worth approximately £2 million over four years through the SUPERGEN initiative.

3. Hydrogen figures do not include SUPERGEN hydrogen consortium grant, worth £3.4 million from Q4 02/03.

There has been no funding for geo-thermal research and development since the decision in 1993 to cease the HDR programme (Hot Dry Rock). This followed a review in 1990 which concluded that the technical difficulties and economics of exploiting the resource made the prospects for this technology insufficient to continue research. However, through the Clear Skies initiative, the DTI is currently funding Ground Source Heat Pump installations in households and communities, with a total value of £308,462 to date.

Iraq

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what proportion of the reconstruction work being carried out in Iraq has been allocated to British businesses. [133407]

Ms Hewitt: We have no precise figures for the value of contracts awarded to British companies in Iraq. We are aware of a number of UK companies, which have been successful in winning business, but we have no means of calculating what proportion of the total work this represents.

Although there is no overall figure available, UK companies have won a number of contacts including:

De la Rue
Crown Agents
Standard Chartered
Halcrow
European Land Solutions
Olive Security

This list is not definitive, but shows that British firms are active in a variety of sectors in Iraq's reconstruction.

Motor Transport Fuel

Ms Walley: To ask the Secretary of State for Trade and Industry what system for the measurement of motor transport fuel delivered by oil suppliers to retailers she has approved; and if she will make a statement. [134562]

Mr. Timms: The Weights and Measures (Liquid Fuel carried by Road Tanker) Order 1985 regulates the delivery of motor fuel by oil suppliers to retailers. There are no systems specifically prescribed for these measurement purposes in the UK. The suppliers' fuel distribution terminal meters, often known as 'gantry meters', are controlled by HM Customs and Excise. These are not subject to type examination or individual verification. They do however, remain subject to the general provisions of the Weights and Measures Act 1985 which requires under Section 17 all instruments to be fair and just, and so in principle could be subject to inspection and enforcement by local authority trading standards departments.

Ms Walley: To ask the Secretary of State for Trade and Industry what recommendations of the International Organisation of Legal Metrology since 2001 relating to liquid motor fuels have *(a)* been and *(b)* not been implemented. [134564]

Mr. Timms: No OIML Recommendations relating to liquid motor fuels have been published since 2001.

Ms Walley: To ask the Secretary of State for Trade and Industry how liquefied petroleum gas dispensers are controlled to ensure accurate measuring of the quantity of fuel delivered by suppliers to motor fuel retailers. [134565]

Mr. Timms: Liquefied petroleum gas (LPG) dispensers are not specifically prescribed for trade purposes in the UK. These instruments are therefore not currently subject to type examination or individual verification. They are however, subject to the general provisions of the Weights and Measures Act 1985 which requires under Section 17 all instruments to be fair and

just, and as such could be subject to inspection and enforcement by local-authority trading standards departments.

A review of regulatory provisions covering measuring instruments under the Act takes place on a regular basis, normally every three years, and with the ever increasing commercial use of LPG dispensers these will be an important issue for discussion and debate in the next review.

The National Weights and Measures Laboratory has the regulatory responsibility on behalf of my right hon. Friend the Secretary of State for Trade and Industry and operates under a three year work programme. One of the proposed projects in the next programme (2005–08) will be the regulatory review.

Ms Walley: To ask the Secretary of State for Trade and Industry what studies she has carried out since 2001 into the number of retail petrol sites required in the UK to ensure the maintenance of adequate supplies of fuels to *(a)* urban and *(b)* rural areas; and if she will make a statement. [134566]

Mr. Timms: Since 2001 my Department has not carried out any specific studies of the number of petrol sites required to maintain adequate supplies of transport fuels. However the Downstream Oil Industry Forum (DOIF), which consists of all sectors of the oil industry and relevant Government Department, is currently considering a related issue of the service to motorists in rural areas.

As part of this work the Countryside Agency is carrying out a mapping exercise of rural petrol sites using different thresholds for volumes of annual fuel throughput. This exercise will help inform the discussions of the Forum.

The Department also continues to work in close collaboration with the industry and other Government Departments to ensure that robust and effective emergency plans are in place in the event of any possible disruption to supplies of oil.

Ms Walley: To ask the Secretary of State for Trade and Industry if she will list the national suppliers of motor transport fuels in the UK in *(a)* 1997 and *(b)* 2003. [134567]

Mr. Timms: The Department does not maintain records of national suppliers of bulk motor transport fuels. However, the Department is aware of the following suppliers both in 1997 and 2003.

1997

Refiners:

BP
Conoco
Elf
Esso
Fina
Murco
Phillips
Shell
Texaco
Total

Importers:

Futura
Mabanaft
Greenergy

2003

Refiners:

BP
Chevron Texaco
ConocoPhillips
Esso
Murco
Petroplus
Shell
Total

Importers:

Futura
Emir8
Mabanaft
Greenergy

Ms Walley: To ask the Secretary of State for Trade and Industry what road tanker meter measuring systems are required for the delivery of motor transport fuels to retailers. [134568]

Mr. Timms: There is no requirement in place for road tanker meters to measure fuel deliveries to retailers. The measurement takes place during the tanker filling operation. These instruments are not subject to type examination and verification but are under the control of HM Customs and Excise.

Ms Walley: To ask the Secretary of State for Trade and Industry how many complaints have been received since June 2002 of oil companies delivering fuel to retailers at high temperatures. [134569]

Mr. Timms: The Department has received no complaints since June 2002. However, we are aware of oil industry concerns on the issue, and my officials held a meeting in March with all sectors of the industry to discuss these.

Ms Walley: To ask the Secretary of State for Trade and Industry what work has been carried out recently by the National Weights and Measures Laboratory and other government bodies into the delivery by oil supply companies of fuels to retailers at high temperatures. [134571]

Mr. Timms: NWML commissioned a report by NEL (National Engineering Laboratory) on 'Temperature Compensation of Liquid Fuels' in 1999. In response to the report NWML included five separate projects in its current work programme (2000–05). These projects comprise an investigation into possible legislative changes based on standard temperature accounting, the inclusion of sight gauges on road tankers, accuracy of service station stock records, sources and quantities of delivery losses including vapour recovery, and accuracy and legal tolerances of the meters in the supply chain.

Oil and Gas Industry

Sir Robert Smith: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact

of the draft EU constitution on her Department's powers to regulate the exploitation of oil and gas reserves from the UK continental shelf. [R] [135323]

Mr. Timms: The Department has made an assessment of the potential impact of the draft Constitution on the Department's powers to regulate recovery of hydrocarbons from the UK continental shelf. This assessment notes that Article III-157 of the draft EU Constitutional Treaty would give the EU competence in energy matters related to the establishment of the internal market, including natural resources, with voting by qualified majority. Also, that Article III-130(2)(c) provides for unanimity on:

> "measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply".

Post Office

Mr. Andrew Turner: To ask the Secretary of State for Trade and Industry what her definition is of urban for the purpose of the Post Office's network reinvention scheme. [135406]

Mr. Timms: The decision to classify a post office branch as urban or rural is an operational matter for Post Office Ltd. The company classifies as rural any post office within a community of less than 10,000 inhabitants. Above that the post office is classified as urban. I understand that the company has a geographical mapping model that enables it to adopt a consistent approach to classification across the country.

Printer Cartridge Recycling

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how many sites there are in *(a)* the UK and *(b)* Wales where printer cartridges are recycled. [134714]

Mr. Timms: The Department does not hold this information, however, the UK Cartridge Remanufacturers Association report that there are over 100 remanufacturers in the UK. The Cartridge World refilling franchise has 174 branches in the UK, four of which are in Wales.

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry what assessment she has made of whether Article 4 of the Waste Electronic and Electrical Equipment Directive *(a)* applies to the manufacturing of anti-reuse devices such as printer cartridges with clever chip technology and *(b)* will encourage manufacturers to design reusable cartridges. [134715]

Mr. Timms: The WEEE Directive applies to whole electrical and electronic products, not to individual components, sub-assemblies or consumables. Printer cartridges fall into this latter category.

The Government are currently planning UK implementation of the WEEE Directive, with the aim of publishing detailed proposals later this autumn for consultation. This will include consideration of reuse issues.

Redundant Workers (Re-employment)

Mr. Wills: To ask the Secretary of State for Trade and Industry how many redundant workers over 41 years found employment within *(a)* one week, *(b)* one month, *(c)* three months and *(d)* six months after being made redundant in each of the last five years. [134934]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Michael Wills, dated 30 October 2003:

As National Statistician, I have been asked to reply to your recent question on people aged over 41 years who have been made redundant.

The attached table gives estimates, from the Labour Force Survey, of the number of people aged over 41 years who were made redundant in the twelve month period ending August of each year from 1999 to 2003. The LFS does not collect information about the length of time it takes for people to become re-employed after being made redundant. However, the table also shows the proportion of people, made redundant in the three months prior to their LFS interview, who were in employment again at the time of interview.

People aged over 41 who have been made redundant
United Kingdom, not seasonally adjusted

September to August	*People made redundant (thousands)*	*Re-employment rate (percentage)* [1]
1998–99	321	38.7
1999–2000	287	36.3
2000–01	275	41.8
2001–02	333	40.6
2002–03	286	40.3

[1] The proportion of people, made redundant in the three months prior to their Labour Force Survey interview, who were in employment again at the time of interview.

Note:
These LFS estimates have not been interim-adjusted to reflect the 2001 Census results

Source:
ONS Labour Force Survey

Solar Industry

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry how much income she estimates the delays in introducing new criteria to the clear skies grants has cost the UK solar industry; and if she will make a statement. [134542]

Mr. Timms: The Department needed to balance the early availability of grants against the need to adhere to European regulations. We endeavoured to keep stakeholders informed of any delays. It is not possible to put a financial estimate on this delay but preliminary evaluation of the scheme has shown that many people who were considering installation before they were aware of the grant availability still continued with their installation.

No such estimate has been made. Efforts were made to keep stakeholders informed of delays, which reflected the need to take account of European regulations.

Sub-post Offices

Diana Organ: To ask the Secretary of State for Trade and Industry how many sub-post offices closed in England and Wales in *(a)* 1998, *(b)* 1999, *(c)* 2000, *(d)* 2001, *(e)* 2002 and *(f)* 2003 to date. [134203]

Mr. Timms: I am advised by Post Office Ltd. that details of net post office closures in the United Kingdom broken down by region/country are available only from March 2000 and were as follows:

	Number
England	
2000–01	395
2001–02	204
2002–03[1]	295
Wales	
2000–01	68
2001–02	26
2002–03[2]	18

[1] Including 85 closures under the urban reinvention programme.
[2] Including nine closures under the urban reinvention programme.

Before March 2000, Post Office Ltd. maintained records of net closures on a nationwide basis only and were as follows:

	Number
1997–98	243
1998–99	233
1999–2000	382

I understand that Post Office Ltd. produces information on post office closures on a quarterly basis. There were 248 net closures of post offices in England and 26 net closures in Wales to the end of June 2003, the latest quarter for which figures are currently available, of which 206 in England and 15 in Wales were under the urban reinvention programme.

Mr. Steen: To ask the Secretary of State for Trade and Industry what steps the Government are taking to maintain sub-postmasters' incomes at and above the rate of inflation; and if she will list the average increase in sub-postmasters' incomes in each of the last five years. [134852]

Mr. Timms *[holding answer 28 October 2003]:* The income of sub-postmasters is derived firstly from payments made to them by Post Office Ltd. for carrying out work on its behalf, and secondly, from the sales made by any private retail business, which they run alongside the post office.

Payments from Post Office Ltd. are typically split into two parts: a fixed payment irrespective of volumes of work handled, and product payments which are directly driven by volume of work in their branch.

The income a sub-postmaster receives therefore will be dependent not simply on rate increases, but also on volumes of Post Office Ltd. work handled and by the turnover of any private business.

The future ability of Post Office Ltd. to improve the payments it makes to sub-postmasters is dependent on the success of its current plan to turnaround the financial fortunes of the company. The steps the Government are taking to support this process include investment of some £480 million in banking technology to expand the capability of Post Office Ltd. and £450 million funding to support the rural network until 2006.

I understand from the company that over the last five years, Post Office Ltd. has made awards to increase the rates at which the fixed payments are made as follows:

	Percentage
1999–2000	[1]2.1
2000–01	2.2
2001–02	2.3
2002–03	2.3
2003–04	3.0

[1] Lump sum payment.

In addition to this, there have also been a series of increases to individual product payment rates as well as the payment of various unconsolidated lump sums.

HEALTH

Ambulance Services

David Davis: To ask the Secretary of State for Health what estimate he has made of the number of deaths where the lateness of an ambulance was a factor in each year since 1997. [134665]

Ms Rosie Winterton *[holding answer 27 October 2003]:* This information requested is not collected centrally.

The latest information about ambulance performance is contained in the Department of Health Statistical Bulletin "Ambulance Services, England 2002–03".

Copies of the bulletin have been placed in the Library and are also available at www.doh.gov.uk/public/sb0313.htm

Ashford (Middlesex) Hospital

Mr. Wilshire: To ask the Secretary of State for Health pursuant to his answer of 14 October 2003, *Official Report*, column 212W, on Ashford (Middlesex) Hospital, if he will estimate how many of the 8,555 patients would have been treated over the five year period covered by the contract with Mercury Health Ltd. if the private sector treatment centre did not exist. [134057]

Mr. Hutton *[holding answer 23 October 2003]:* The treatment centre at Ashford plans to provide 8,555 procedures over the five years of the contract. Of this, it is estimated that 2,775 procedures are additional and 5,780 procedures will be transferred from the national health service to the new treatment centre. This transfer of patients to the new treatment centre will allow the trust to treat more patients and reduce waiting times in accident and emergency at St. Peter's Hospital (Surrey) by freeing up capacity in the hospital.

In addition, treatment centres are dedicated surgery units that are able to offer patients scheduled procedures at pre-booked times, protected from the pressures of emergency and seasonal demands.

Atkins Diet

Chris Grayling: To ask the Secretary of State for Health what guidance he is giving to hospital trusts regarding patients' requests to follow the Atkins diet while in hospital. [133933]

Mr. Hutton: Decisions relating to specific dietary needs for patients are made by hospital dieticians in consultation with the patient and, where appropriate, nursing and medical staff.

Government advice on nutrition is that people should eat a healthy, balanced diet. They have no plans to issue any guidance relating to the provision of the Atkin's diet in hospitals.

Clinical Trials Directive

Mr. Laurence Robertson: To ask the Secretary of State for Health on what items the EU Clinical Trials Directive will require trials to be carried out; and if he will make a statement. [135002]

Ms Rosie Winterton *[holding answer 28 October 2003]:* The European Directive on the conduct of clinical trials was adopted in February 2001. The main aim of the Directive is to simplify and harmonise procedures across the Community while ensuring the protection of trial subjects and providing a safe environment for the development of new medicines. Member states are required to implement fully the Directive by 1 May 2004.

The scope of the Directive is wide and the UK Regulations will apply to all clinical trials on medicinal products for human use conducted in the UK, including academic and healthy volunteer studies, with the exception of non-interventional trials.

The former Health Minister my noble Friend the Lord Hunt of Kings Heath invited the Medical Research Council (MRC) and the Academy of Medical Sciences to co-ordinate a report on the impact of the Directive on academic studies. The impact assessment, prepared by the MRC with the active support of others including Cancer Research UK, the National Co-ordinating Centre for Health Technology Assessment and a number of academic experts formed the basis for a response to the Medicines and Healthcare products Regulatory Agency (MHRA) consultation on the draft regulations to implement the Directive into UK law earlier this year.

In responding to concerns, and to provide an environment in which patients are protected but high quality research is not inhibited, the Government have taken steps to attempt to influence the Commission in its consideration of a Commission Directive on Good Clinical Practice (GCP) and also in reviewing guidance that the Commission published earlier this year.

In another initiative, the Department and the MRC have announced a joint project to work with experts to find practical solutions to the issues identified in the impact assessment. Details of the project can be found on www.ncchta.org/eudirective/index.asp.

With our careful exploration of the impact on publicly funded research and organisations that support it and delays in the Commission finalising the GCP Directive and other guidance, the United Kingdom's implementing regulations are not expected to be made until early in 2004.

Further information on the scope of the Directive and the proposed UK implementing regulations is available on the MHRA's website www.mhra.gov.uk on the Clinical Trials Directive pages.

Epsom and St Helier Hospitals

Chris Grayling: To ask the Secretary of State for Health pursuant to the answer of 14 October 2003, *Official Report*, column 217W, on Epsom and St. Helier hospitals, which minister has responsibility for the South West London Strategic Health Authority. [135278]

Mr. Hutton: I have regional responsibility for London which includes, the South West London Strategic Health Authority.

Foundation Hospitals

Mr. Gordon Prentice: To ask the Secretary of State for Health from whom the Government received the original idea of foundation hospitals; and if he will make a statement. [134607]

Mr. Hutton: The development of national health service foundation trusts came out of the system of earned autonomy which was developed in conjunction with three-star NHS trusts who were asked to identify the barriers staff and management face and to list the freedoms that would allow staff to deliver improvements to patients more quickly.

General Practitioners

Chris Grayling: To ask the Secretary of State for Health how many full-time equivalent practice-based general practitioners there have been in London in each of the past five years. [133723]

Mr. Hutton: The number of full-time equivalent practice-based general practitioners in London in the last five years is shown in the table.

General medical practitioners: in London Strategic Health Authorities; October 1997 to June 2003

	All GPs (excluding GP retainers) [1]
September 1997	4,225
September 1998	4,212
September 1999	4,198
September 2000	4,217
September 2001	4,212
September 2002	4,288
June 2003	4,399

[1] Practitioners (excluding GP Retainers) include GMS Unrestricted Principals, PMS Contracted GPs, PMS Salaried GPs, Restricted Principals, Assistants, GP Registrars, Salaried Doctors (Para 52 SFA) and PMS Other.
Whole-time equivalents are estimated based on results from the 1992–93 GMP Workload Survey
Full time = wte, Half time = 0.6 wte, Job share = 0.65 wte and three-quarter time = 0.69 wte. 1997 to 1999 data is as at 1 October each year.
Source:
Department of Health General & Personal Medical Services Statistics.

Chris Grayling: To ask the Secretary of State for Health how many registered general practitioners will be involved in out-of-hours services in London after the implementation of the GP contract; and how many were involved under the old arrangements. [133735]

Mr. Hutton: Under the current national general medical services (GMS) contract, all general practitioners are responsible for the care of their registered patients for 24 hours each day of the week. Regulations now allow GPs to transfer this responsibility during the out-of-hours period to accredited providers or to delegate it to other GPs. Under the new GMS contract, which is to be introduced from April 2004, GPs will be able to opt out completely from responsibility for care during the out-of-hours period. Primary care trusts are currently working with their local GPs to establish how many intend to exercise this option.

Integrated Care

Chris Grayling: To ask the Secretary of State for Health when he expects to publish the interoperability standards for the new integrated care record services. [133920]

Mr. Hutton: The interoperability standards for the integrated care records service (JCRS) are part of an evolutionary process that began publicly with the output based specification (OBS), available at www.doh.gov.uk/ipu/programme/index.htm.

The OBS requires conformance to various standards, for example, Health Language 7 (HL7) Version 3 for interoperability and SNOMED for clinical terminology. In addition, specific interchange standards, for example, those required to enable an out-patient appointment to be booked electronically, are being developed in conjunction with HL7 (www.hl7.org.uk) and the United Kingdom information technology trade representative body, Intellect (www.intellectuk.org).

JCRS is also taking account of the interoperability standards published in the electronic Government interoperability framework (www.egif.gov.uk) by the Office of the e-Envoy.

Chris Grayling: To ask the Secretary of State for Health what the results have been of the Gateway reviews of the NHS Integrated Care System. [134282]

Mr. Hutton: New and large-scale procurement projects in central Government are subject to gateway reviews. The process examines a project at critical stages to provide assurance that it can progress successfully to the next stage. The review provides project teams with advice and guidance from fellow practitioners and in order to maintain the integrity of the advice, this is held to be completely confidential by both parties. The gateway review process is not an audit.

Recommendations are made to the senior responsible officer on good practice in key areas such as programme management, risk management and involving key stakeholders. The national programme is implementing any recommendations which arise from each stage in the gateway review.

The national information technology programme is fully committed to external reviews being undertaken on a timely basis.

Chris Grayling: To ask the Secretary of State for Health what estimate he has made of the cost of maintenance of the Integrated Care Records database in *(a)* 2003–04 and *(b)* 2004–05. [134283]

Mr. Hutton: The integrated care records service (ICRS) is one element of the National Programme for Information Technology in the national health service. Central funding for the National Programme for IT in the NHS is to be made available from the Spending Review 2002 as follows—£370 million in 2003–04, £730 million in 2004–05 and £1.2 billion in 2005–06.

The costs for the ICRS are being calculated as part of the on-going procurement and financial management processes within the Spending Review 2002 envelope.

Maintenance costs are subject to current procurement negotiations.

Chris Grayling: To ask the Secretary of State for Health what estimate he has made of the cost of establishing the database for Integrated Care Records System; and how long he expects the inputting of the records to take. [134284]

Mr. Hutton: The integrated care records service (ICRS) is one element of the national programme for information technology in the national health service. Central funding for the national programme for IT in the NHS is to be made available from the Spending Review 2002 as follows—£370 million in 2003–04, £730 million in 2004–05 and £1.2 billion in 2005–06.

The costs for the ICRS are being calculated as part of the on-going procurement and financial management processes within the SR 02 envelope.

Exact costs are subject to current procurement negotiations. Due to commercial confidentiality and sensitivity, it would not be in the public interest to reveal the details of the negotiations and the potential costs.

The content of the ICRS databases will be generated initially from information already held within NHS systems. This process will be undertaken by local service providers as part of the initial implementation phase during 2004.

The ICRS is not about entering historical data but about improving the capture, use and quality of current data and future support to patient care.

Chris Grayling: To ask the Secretary of State for Health if he will place in the Library the definition of the requirements for potential vendors of the NHS Integrated Care System. [134285]

Mr. Hutton: The initial output based specification for the integrated care record service was published in May 2003 and a revised and updated version providing refinements to the specification was published in August 2003.

These had been previously issued to short-listed suppliers to enable them to submit proposals in the national information technology programme procurement process and made available on the Department's website at www.doh.gov.uk/ipu/programme/index.htm.

Copies of both documents will be placed in the Library, but it must be noted that this document is a dynamic set of requirements and specifications that is subject to on-going review and updating.

Chris Grayling: To ask the Secretary of State for Health whether patients will be required to contribute to the cost of creating their electronic patient records on the NHS Integrated Care System. [134286]

Mr. Hutton: Patients will not be required to contribute towards the costs of their records on the integrated care records service.

Chris Grayling: To ask the Secretary of State for Health what discussions he had with outside bodies *(a)* in the UK and *(b)* abroad about the introduction of an integrated care records system. [134357]

Mr. Hutton: Discussions have taken place with numerous stakeholders across Government Departments and the national health service through Royal Colleges, the NHS Confederation and other professional and representative bodies.

The recent meetings of the national clinical advisory board and the patient advisory board are major steps to improving the direct engagement and involvement of key clinical stakeholders and patient and carer representatives.

The national clinical advisory board is chaired by Professor Peter Hutton, Chairman of the Academy of Medical Royal Colleges. It consists of representatives from some 30 branches of the health service, including general practices, consultants, nurses, dentists, health visitors, midwives and pharmacists. It will meet every three months but will carry out work in between in sub-committees, providing the national programme with structured input from health care professionals.

The public advisory board is chaired by Marlene Winfield OBE, Head of Public Engagement for the national programme for information technology. The membership is made up of individuals drawn from groups such as the Patients Association, the Long-term Medical Conditions Alliance, Help the Aged, Mencap, Islington Health and Race Forum, Carers UK, the National Consumer Council and the Consumer's Association. It will initially meet every two months and will help to give detailed and structured input into the national programme.

Discussions are on-going with the health departments of Wales, Scotland and Northern Ireland. Finally we have held discussions with other jurisdictions including but not limited to the United States of America and several European countries.

Medical Staff

Chris Grayling: To ask the Secretary of State for Health how many *(a)* medical and clinical staff and *(b)* other types of staff were employed in the NHS in London in the most recently available survey of staffing. [133740]

Mr. Hutton: The number of medical and clinical and other types of staff employed in the national health service in London at the latest available date is shown in the table.

Hospital, Public Health Medicine, Community Health Services (HCHS) and General and Personal Medical Services: Medical and professionally qualified clinical staff and all other types of staff in the London[1] area

England at 30 September 2002	*Number (headcount)*
All London staff[1]	186,755
All Doctors[2]	19,990
Other Professionally qualified clinical staff	82,093
Other staff	84,672

[1] Figures for London based on the North West London, North Central London, North East London, South East London, and South West London Strategic Health Authority areas and the London Ambulance Service NHS Trust.
[2] Excludes medical Hospital Practitioners and medical Clinical Assistants, most of whom are GPs working part time in hospitals.
Source:
Department of Health medical and dental workforce census

Medicines (Printed Information)

Mr. Todd: To ask the Secretary of State for Health what steps he is taking to ensure that patients are provided with printed information on medicines dispensed to them. [132492]

Ms Rosie Winterton: There is a legal obligation on dispensing doctors and pharmacists to supply appropriate information to patients when dispensing medicines in the form of patient information leaflets or information included on the packaging itself. Since 1 January 1999, all licensed medicines in the United Kingdom have approved leaflets and labels and there has been a range of developments in recent years which have helped to ensure patients receive appropriate information. These include guidance for hospitals on dispensing medicines in original packs at the outset of a patient's stay that will be sufficient for discharge.

Also, in August 2002, the Medicines Control Agency, which was the predecessor to the Medicines and Healthcare Products Regulatory Agency, and the Department issued joint guidance on how compliance with the requirement to include appropriate written information to patients may be achieved.

Multiple Sclerosis

Mr. Burstow: To ask the Secretary of State for Health if he will publish an update of the information supplied to the hon. Member for Sutton and Cheam by the Sheffield University School of Health Related Research concerning the implementation of the risk sharing scheme for MS sufferers. [134065]

Dr. Ladyman *[holding answer 27 October 2003]:* Latest returns show that around 6,300 patients are currently receiving treatment with a disease modifying treatment for their multiple sclerosis. Around 300 patients each month are starting treatment.

NHS Treatment (Non-UK Nationals)

Chris Grayling: To ask the Secretary of State for Health (1) what estimate he has made of the number of non-UK nationals treated by the NHS in London each year since 1997; [133736]

(2) what estimates he has made of the cost to the NHS in London of health tourism in 2002–03.

Mr. Hutton: The National Health Service (Charges to Overseas Visitors) Regulations 1989, as amended, places a duty on national health service trusts to establish whether a patient is eligible for free NHS hospital treatment and if not to levy a charge for any treatment provided. Trusts are not required to submit data on the numbers of overseas visitors treated or the costs of doing so, not least because overseas visitors, as defined by the charging regulations, are not automatically "health tourists".

Northwick Park Hospital

Keith Vaz: To ask the Secretary of State for Health what the 2003–04 budget is for Northwick Park Hospital, Kenton; what the level of staffing is at the intensive therapy unit at the hospital; how many respiratory consultants there are at the hospital; how many patients have died in the ITU at Northwick Park hospital since 1 January; and what plans there are to move the high dependency unit closer to the ITU at Northwick Park Hospital. [133483]

Mr. Hutton: Northwick Park is one of the hospital units that form North West London Hospitals National Health Service Trust. The Trust's baseline budget for 2003–04 is £239 million.

Information on the level of staffing at the intensive therapy unit at Northwick Park Hospital is not collected centrally. Information from North West London Hospitals NHS Trust is that the intensive treatment unit (ITU) at Northwick park has nine nurses, one outreach nurse, an ITU junior doctor on call at all times (six on full shift rota, comprising four clinical fellows), one anaesthetic senior house officer, one anaesthetic specialist registrar. One additional anaesthetic resident registrar covers obstetrics, theatres and intensive care unit. One anaesthetic consultant is dedicated to intensive care unit cover.

In addition, physiotherapists are on call at all times. A daily dietetics ward round is carried out and speech and language therapists are available if necessary.

Information on medical staff within respiratory medicine is collected by NHS trust rather than by individual hospital unit and is shown in the table.

Hospital medical staff within the respiratory medicine specialty at North West London Hospitals NHS Trust

Numbers (headcount)

	September 2002	*June 2003*
All staff	20	[1]—
of which		
Consultant	6	7

[1] denotes not applicable. June 2003 data is taken from the mini census which collected consultants only.

Note:
Data as at 30 September or 30 June.

Source:
Department of Health medical and dental workforce census

Information from North West London Hospitals NHS Trust is that there have been 73 deaths in the ITU since January 2003. There are no current plans to move the high dependency unit closer to the ITU at Northwick Park.

Post-operative Deaths

Mr. Hoban: To ask the Secretary of State for Health what research has been carried out into comparative post-operative death rates between England and other OECD countries. [129651]

Mr. Hutton *[holding answer 19 September 2003]:* Although full international comparisons of health status and health outcomes are well developed in many areas, such as cancer and coronary heart disease mortality, there has been almost nothing equivalent on the subject of post-operative mortality. There are occasionally specific studies comparing individual hospitals, but the Department of Health is not aware of any systematic studies comparing post-operative mortality rates between countries.

Riversdale Hospital

Mr. Goodman: To ask the Secretary of State for Health when the Commission for Health Improvement will visit Riversdale Hospital in High Wycombe; when the Commission will report on its findings; and if he will make a statement. [135033]

Ms Rosie Winterton *[holding answer 28 October 2003]:* Riversdale Hospital is part of Buckinghamshire Mental Health National Health Service Trust. The Commission for Health Improvement (CHI) is currently conducting a clinical governance review of the trust.

CHI is scheduled to publish its report by the end of the year.

EDUCATION AND SKILLS

Humanities Teaching

16. **Mr. Heath:** To ask the Secretary of State for Education and Skills if he will make a statement on the teaching of humanities in schools. [135247]

Mr. Stephen Twigg: In schools, humanities are normally taught through the separate subjects of geography and history. These are compulsory for all pupils aged 5 to 14. After the age of 14 they are optional but we are introducing a statutory entitlement at KS4 (ages 14 to 16) for all pupils to study a course in the humanities.

Drugs Education

17. **Ann Winterton:** To ask the Secretary of State for Education and Skills what recent guidance his Department has issued to schools on drugs education. [135248]

Mr. Stephen Twigg: The Department is currently updating its guidance to schools on all matters relating to drugs with a view to issuing new guidance in February 2004. This document will revise and consolidate existing guidance from the Department, specifically "Circular 4/95: Drug Prevention and Schools" and "Protecting Young People: Good practice in drug education in schools and the youth service" which was published in 1998.

Tuition Fees

18. **Tony Lloyd:** To ask the Secretary of State for Education and Skills if he will make a statement on proposals to introduce top-up fees for university courses. [135249]

Alan Johnson: From 2006/07, we are proposing to allow higher education institutions to charge variable fees of between £0 and £3,000 per year per course, subject to their having an Access Agreement approved by the Office for Fair Access. We intend to abolish up-front fees in 2006: instead students can defer paying their fees until after they graduate. Graduates will only start making repayments on their student loan once they are earning over £15,000, and then at a rate linked to their income.

We will continue to provide a means-tested grant to cover the standard tuition fee (£1,125 in 2003/04), and propose to introduce from 2004 a new additional grant of up to £1,000, as part of a package of measures to ensure that more young people continue to take up higher education opportunities. Access Agreements will focus on what institutions are doing to encourage more people from disadvantaged backgrounds to apply: they will be required to say how they will recycle a proportion of their additional fee income into bursaries and other financial support to students from poorer families.

Vocational Training

19. **Mr. Bercow:** To ask the Secretary of State for Education and Skills if he will make a statement on vocational training for school children aged between 14 and 16. [135250]

Mr. Ivan Lewis: The Government are committed to a far-reaching agenda for change in the curriculum for 14 to16-year-olds.

We have already introduced new GCSEs in vocational subjects and more are intended to follow. We are using our 14 to 19 Pathfinders to test new ways to deliver progression for pupils post-16. One of the key issues my right hon. Friend has asked Mike Tomlinson's 14 to 19 Working Group to consider is a stronger and more coherent vocational offer across the whole 14 to 19 phase. The group's recommendations are due in summer 2004.

GCSE (Specialist Schools)

Ms Dari Taylor: To ask the Secretary of State for Education and Skills what assessment he has made of the performance of specialist schools in achieving 5 A* to C grades at GCSE compared to the national average; and if he will make a statement. [135244]

Mr. Miliband: Based on provisional data, in 2003, specialist schools averaged 56.1 per cent. of pupils achieving five or more GCSEs at grades A*-C, compared to the national average of 48.7 per cent[1]. This is one of the reasons why we want every school that is ready to take on the challenge of specialist status.

[1] Specialist schools cover the 979 maintained, mainstream schools which were operational specialists as at September 2002, with 2003 GCSE/GNVQ results.

Source:
SFR 29/2003, 8 October 2003: GCSE/GNVQ Examination Results for Young People in England, 2002/2003 (Provisional), Tables 1 and 2. http://www.dfes.gov.uk/rsgateway/DB/SFR/s000419/index.shtml

GMOs

Mr. Meacher: To ask the Secretary of State for Education and Skills if he will list the trial sites where GMOs are being released into the environment, including in each case the six-figure grid reference. [133406]

Mr. Morley: I have been asked to reply.

There are currently five active consents allowing companies to undertake clinical trials of GM bacteria for the development of vaccines in England. The sites of each release are set out in the table. There are currently no field trials of genetically modified crops taking place in the UK.

Company	*Type of GMO*	*Site of release*	*Ordnance survey grid reference*	*Consent reference*
Acambis Research Ltd.	GM bacterium	St. Bartholomew's Hospital and The London School of Medicine and Dentistry, London	TQ 346 816	02/R35/1
Acambis Research Ltd.	GM bacterium	Chiltern Clinical Research Unit, Slough, Berkshire	SU 983 793	03/R35/2
Acambis Research Ltd.	GM bacterium	St. Bartholomew's Hospital and The London School of Medicine and Dentistry, London	TQ 346 816	03/R35/3
MicroScience Ltd.	GM bacterium	St. George's Hospital Medical School, London	TQ 269 712	02/R37/01
MicroScience Ltd.	GM bacterium	BIBRA International Ltd, Carshalton, Surrey	TQ 275 621	02/R37/02

Graduate Employment

Mr. Brady: To ask the Secretary of State for Education and Skills what estimate he has made of the percentage of graduates who are employed in jobs requiring a graduate qualification three years after graduation. [134340]

Mr. Charles Clarke: Survey evidence suggests that, three years after graduation 65 per cent. of employed graduates are in jobs for which their academic qualifications are a prerequisite. A further 14 per cent. of graduates undertake jobs which do not necessarily require a degree but nevertheless make use of their graduate level knowledge or skills. Therefore, around 80 per cent. of employed graduates utilise their undergraduate degrees to a greater or lesser extent three years after graduation[1].

Although around 20 per cent. of graduates are employed in non-graduate jobs at this point, research following earlier cohorts of graduates up to seven years after they have graduated[2] suggests that the proportion falls to around 10 per cent. for men and 15 per cent. for women, as graduates settle further into the labour market. Furthermore, the rate at which graduates move

out of non-graduate occupations in the early years following their graduation was similar for 1995 graduates and for those graduating 15 years earlier (1979/1980).

[1] Elias, P. and Purcell, K. (1999) 'Moving On: Graduate Careers Three Years After Graduation' DfEE research report.

[2] Elias, P. and Purcell, K. (forthcoming) 'Researching Graduate Careers Seven Years On. Research Report No. 1' DfES research report.

Graduate Employment Premium

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the graduate employment premium for lifetime earnings in comparison with *(a)* those with two Level 3 qualifications who do not enter university and *(b)* the overall cohort of school-leavers. [134123]

Mr. Charles Clarke: The information is not available in the exact form requested. Previous analyses of the Labour Force Survey (LFS) estimate that first degree graduates earn on average around 120,000 more—in present value terms—over their working lives than those with two or more A-levels[1].

An equivalent estimate comparing the lifetime earnings of graduates with the population as a whole is not available. However, separate analyses of the LFS show that individuals with first or sub degree qualifications earn on average around 50 per cent. more than non-graduates[2]. The 50 per cent. premium is measured in a different way from the £120,000 lifetime earnings differential. In particular the comparator groups and methodologies used differ. However, both estimates provide evidence that individuals with Higher Education qualifications earn considerably more than those without.

[1] DfES analysis of Spring 2002 Labour Force Survey data. The analysis involved constructing a lifetime earnings stream for first degree graduates and comparing it against the lifetime earnings of A-level holders. Both earnings streams were discounted, adjusted for real earnings growth and other factors affecting earnings, other than the qualification itself. The difference between the two earnings streams summed to £120,000.

[2] DfES analysis of Summer 2001-Spring 2002 Labour Force Survey data. The analysis involved taking the ratio of average earnings of all first and sub degree holders to the average earnings of all non-graduates, which equalled 50 per cent.

Grammar Schools

Sir Teddy Taylor: To ask the Secretary of State for Education and Skills if he will make a statement on the future of grammar schools. [134093]

Mr. Miliband: Our position on selection by academic ability at 11 is clear—we do not wish to see it extended. Where grammar schools currently exist, we continue to support local decision making.

This can take place either through the process of a parental petition and ballot, or the publication by the school's governing body of statutory proposals to end selection. We have made clear that local authorities have a responsibility to look at standards in their area, and they may also publish statutory proposals to alter the pattern of school places.

Higher Education

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what proportion of higher education students are drawn from the lowest third of families measured by household income. [135243]

Alan Johnson: The requested data are not available.

The data we currently collect for student support purposes is not based on household income since current arrangements assess the income of natural parents only. From 2004 we are moving to a new assessment based on household income.

Physics Teachers

Bob Spink: To ask the Secretary of State for Education and Skills how many teachers were in training specialising in physics in each of the last five years for which information is available. [135459]

Mr. Miliband: I refer the hon. Gentleman to the Answer that I gave on 27 October 2003, *Official Report*, columns 69–70W.

Post-compulsory Learning

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on progress on the development of a national credit framework for qualifications in post-compulsory learning. [134984]

Mr. Ivan Lewis: Following the commitment given in "21st Century Skills Realising Our Potential" to developing a credit framework for adults, we have written to both the Qualifications and Curriculum Authority (QCA) and the Learning and Skills Council (LSC) on 9 September 2003. The QCA will continue to deliver the reform programme on unitisation of all qualifications within the National Qualifications Framework (NQF) and then work with awarding bodies to assign credit values to the full range of units in the NQF. The LSC has been asked to review the credit systems currently operating outside the NQF and to identify how the application of credit to this other provision might drive quality and flexibility in further education and how such credit might be developed to provide progression into the NQF and higher education.

Special Educational Needs Tribunal

Jonathan Shaw: To ask the Secretary of State for Education and Skills what reasons were given by the President of the Tribunal for allowing the Special Educational Needs Tribunal hearing to be heard in public on the last six occasions. [135314]

Mr. Charles Clarke: Regulations provide for SENDIST hearings to be in private unless:

(a) both parties request a public hearing, in which case the tribunal has no discretion;

(b) the President orders that the hearing should be in public.

The President of the Special Educational Needs and Disability Tribunal has never exercised his discretion to order that a hearing should be in public.

Teacher Vacancies

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many vacant head teacher posts existed in *(a)* primary schools, *(b)* secondary schools, *(c)* special schools and *(d)* all schools, expressed as percentage of the total number of head teachers, in each year since 1997, broken down by local education authority. [133679]

Mr. Miliband: The information requested has been placed in the Library.

Work Placement

Mr. Pickthall: To ask the Secretary of State for Education and Skills how many fatalities there have been among trainees on work placement since the learning and skills councils took over responsibilities, broken down by learning and skills council in the North West. [134278]

Mr. Ivan Lewis: There has been one fatality among trainees on work placement in the North West since the Learning and Skills Council took responsibility for work based learning in April 2001. This took place in the area covered by Greater Manchester Learning and Skills Council. The Department takes the health and safety of learners very seriously and is working with the Learning and Skills Council to ensure that robust arrangements are in place. Any fatality is a matter of serious concern and we are considering what lessons can be learned to ensure that learners in the learning and skills sector are safe learners.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security situation in northern Afghanistan. [133761]

Mr. Mullin: The Minister of State at the Foreign and Commonwealth Office, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), returned from a visit to Mazar-e Sharif in northern Afghanistan where he saw evidence that steady progress is being made towards stabilising the security situation there. In general there have been fewer security problems in the north of Afghanistan than in the south. But there have been long-standing tensions between various factions, most notably between the leaders of the two biggest factions. The Afghan Government moved quickly to defuse the most recent flare-up between them earlier this month, supported by the UN and the UK-led Provincial Reconstruction Team (PRT) based in Mazar-e Sharif. The Afghan Interior Minister then brokered a comprehensive peace agreement covering five northern provinces. Implementation of this is being monitored by the UN and the UK PRT. The Afghan Government have now reached agreement with the two commanders on merging their factional forces under neutral and central government command. A number of senior personnel in local civilian and police posts have been replaced by new appointees, which will contribute further to weakening local power bases.

Algiers Agreement

Mr. Tynan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent steps he has taken to ensure that *(a)* Ethiopia and *(b)* Eritrea comply with their commitments under the Algiers Agreement. [134586]

Mr. Mullin: In my meetings with the Ethiopian ambassador on 16 October and the Eritrean ambassador on 11 September, I stressed the need for both parties to comply with their commitments under the Algiers Agreement. I also made clear to both parties that the Boundary Commission decision is legally binding and that they should engage in dialogue to address the issues between them.

EU Constitution

Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms he plans to establish to allow for the UK to withdraw from its obligations under the EU Constitution Treaty. [134009]

Mr. MacShane: None. The UK will honour its international treaty obligations until such time as Parliament decides to repeal the Acts that give effect to them.

Hong Kong

Diana Organ: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the development of democracy in Hong Kong. [134201]

Mr. MacShane: The Basic Law of the Hong Kong Special Administrative Region (SAR) contains provisions regarding the methods of selecting the Chief Executive of the SAR and the formation of the Legislative Council. The Basic Law (Annexes I and II) provides for possible changes to these methods from 2007 with the "ultimate aim" being the election of the Chief Executive and all members of the Legislative Council by universal suffrage.

The SAR Government have recently announced that they will start consulting the public about constitutional reform in early 2004. We welcome this. We have made it clear that we hope that the SAR Government will make early progress towards the Basic Law's ultimate aims of universal suffrage, at a pace in line with the wishes of the Hong Kong people.

Iran

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Syria about the arrest and deportation to Iran of *(a)* Mr. Ebrahim Khodabandeh and *(b)* Mr. Jamil Bassam. [134674]

Mr. MacShane: Jamil Bassam and Ebrahim Khodabandeh are not British nationals, so the UK has no legal right of consular access. After the two men were detained in Syria, our embassy in Damascus repeatedly asked the Syrian authorities for information, but the Syrian authorities did not respond to any of the embassy's four formal notes.

Mr. Austin Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to *(a)* visit and *(b)* secure the return to Britain of (i) Mr. Ebrahim Khodabandeh and (ii) Mr. Jamil Bassam, both held in prison in Tehran; and what representations he has made to the Iranian Government about their treatment and rights. [134675]

Mr. MacShane: Jamil Bassam and Ebrahim Khodabandeh are not British nationals, so the UK has no legal right of consular access. Our Embassy in Tehran has made it clear to the Iranian Government that we are taking a keen interest in the human rights of these two men. On 5 August Iranian authorities told our Embassy that Mr. Bassam and Mr. Khodabandeh were well, that they continued to be held during investigations and that the Iranian judicial authorities had noted our call for due process. We have urged the Iranian Government on a number of occasions to allow a visit by the International Committee of the Red Cross. We are not aware that one has taken place.

Iraq

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs what forums will be used to prosecute crimes against humanity that occurred in Iraq under Saddam Hussein's regime. [134217]

Mr. MacShane: The Governing Council is developing the idea of a Special Iraqi Tribunal to prosecute those suspected of serious human rights abuses under the former regime. No final decision has yet been reached.

Mr. Djanogly: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on investment in Basra International airport; and who is responsible for its *(a)* fabric and *(b)* reconstruction. [134863]

Mr. MacShane: UK military forces are currently responsible for operations at Basra airport, including maintenance of essential facilities. The Iraqi Ministry of Transport and the Coalition Provisional Authority are considering reconstruction and investment.

Mr. Djanogly: To ask the Secretary of State for Foreign and Commonwealth Affairs when it was originally intended to open Basra International airport to non-governmental commercial and passenger flights; why it has remained closed to such flights; and when it is now expected to open for them. [134864]

Mr. MacShane: It has always been our intention that Basra airport should be opened to commercial aviation as soon as possible, once the relevant security and other requirements have been met.

Israel

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what investigations he has undertaken to establish whether *(a)* components manufactured in the UK have and *(b)* equipment manufactured in the UK has been used by the Israeli authorities in (i) their military strike in Syria, (ii) incursions into refugee camps in Gaza and (iii) other activities in the Palestinian areas since the resignation of Abu Mazen. [134657]

Mr. MacShane: We have not carried out specific investigations following these incidents but we routinely tour the Occupied Territories, often in difficult and dangerous conditions, to assess the situation on the ground and the activities of the Israel Defence Forces, including the equipment they use.

However, when considering licence applications for the export of controlled goods we make risk assessments at the licensing stage, including assessments about the proposed end-users and potential end-use of the proposed export. We would not issue a licence unless we were fully satisfied that the equipment would not be misused. Many UK exports have been components for pieces of technology embedded in other systems and are therefore not very visible. The UK has not sold main equipment such as tanks, aircraft, warships or artillery to Israel since May 1997.

Since the outbreak of the violence in the Occupied Territories in September 2000, we have taken account of Israeli military tactics in our licensing decisions. The Consolidated EU and National Arms Export Licensing Criteria clearly sets out our commitment to take account of the risk that exports might be used for either internal repression, prolonging an armed conflict or affecting regional stability.

Malaysia

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Malaysian high commissioner concerning the remarks of the Malaysian Prime Minister on 18 October; and if he will make a statement. [134508]

Mr. Mullin: I refer my hon. Friend to the answer the Minister of State at the Foreign and Commonwealth Office, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) gave to the hon. Member for Moray (Angus Robertson) on 28 October 2003, *Official Report*, columns 186–87W.

Dr. Mahathir's comments about Jews in his speech to the Organisation of the Islamic Conference Summit on 16 October were totally unacceptable. My hon. Friend summoned the Malaysian high commissioner on 17 October, and made our position clear. I said it was particularly regrettable that some welcome messages in Dr. Mahathir's speech—such as negotiation as the right path to peace, and the futility of terrorism—had been overshadowed by these comments.

Nicaragua

Jane Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the closure of the British embassy in Managua. [135017]

Mr. Rammell: The British embassy in Managua will close by the end of March 2004. This decision was as a result of budgetary constraints which led us to review how we could maintain our diplomatic presence in Central America in a more cost-effective way. The Government remain committed to maintaining a substantive relationship with Nicaragua. I confirmed this to the Nicaraguan Foreign Minister when he visited London on 23 October. We are seeking agreement for the British ambassador to San José as non-resident

ambassador to Nicaragua. DFID will retain its presence in Nicaragua and the intention is that their Senior Representative will assume the role of Chargé d'Affaires.

Somalia

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the progress of the Somali Peace Conference in Kenya; what assistance his Department has *(a)* offered and *(b)* given to the conference; and if he will make a statement. [134720]

Mr. Mullin: Despite a number of difficulties, there have been some positive outcomes to the Somalia reconciliation talks, including a ceasefire agreement and significant dialogue among the parties. The United Kingdom, through the Foreign and Commonwealth Office and the Department for International Development, has provided support to the conference running costs, to the African Union ceasefire monitoring process, to satellite broadcasting of the proceedings, and to other facilitation activities. We expect to give further support to enable Somalis to take forward any satisfactory outcome of the conference.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he, *(b)* members of his Department and *(c)* representatives of the United Kingdom Government have had since August with representatives of the governments participating in the Somali Peace Conference; what problems have been highlighted (i) to him and (ii) by him; and if he will make a statement. [134721]

Mr. Mullin: I discussed the progress of the reconciliation talks with Foreign Minister Musyoka of Kenya earlier this month. An official from our High Commission in Nairobi contributes by acting as an observer to the conference, undertaking regular discussions with other members of the international community, Somali leaders and representatives of the facilitating "frontline states". The principal recent concern of all international observers has been the need to ensure inclusiveness in the conference. We have been pressing all parties to address this issue.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with representatives of the Government of Djibouti regarding its decision of 19 October to withdraw from the Somali Peace Conference in Kenya; what issues were raised by the Government of Djibouti; and if he will make a statement. [134722]

Mr. Mullin: Our First Secretary at the British High Commission in Nairobi responsible for Somali affairs has discussed Djibouti's withdrawal with their envoy to the talks. Their principal concerns about the management of the conference and the lack of inclusiveness of Somali representation there were addressed in Kampala last week during the summit of IGAD, the regional intergovernmental body for the Horn of Africa. I understand that, as a result, Djibouti is reconsidering its position.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of *(a)* the security situation, *(b)* the political situation and *(c)* social stability in (i) Somaliland and (ii) the rest of Somalia since 1997; and if he will make a statement. [134717]

Mr. Mullin: Somaliland organised successful local and Presidential elections, in 2002 and 2003 respectively, which have consolidated security and stability in the area. However, in recent weeks there have been three murders of Western expatriates in Somaliland, including most recently on 20 October the murder of two British schoolteachers in the town of Sheikh. We continue to monitor the security situation in Somaliland closely. At present we advise against travel to the Sool and Sanaag regions of Somaliland, and against all travel to other parts of Somalia.

Elsewhere in Somalia the situation remains unsettled without any form of effective Government or prospect of early elections. The area is principally run by armed factions and there is little stability or security.

Turkey

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 16 October 2003, *Official Report*, column 336W, on Turkey, if he will make a statement on Turkey's plans for the reconstruction of Iraq presented to him on 25 September; what plans had been presented earlier; and how the latest plan differed to the earlier ones. [134426]

Mr. MacShane: Since 25 September, the Turkish Government have agreed in principle to deploy troops to Iraq for a period of one year as a contribution to stability during reconstruction in that country. No final decision on deployment has been made.

UN Arms Embargoes

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) pursuant to his answer of 6 October 2003, *Official Report*, column 1117W, on UN arms embargoes, whether dialogue still continues on the Berlin-Bonn process; [135108]

(2) on UN arms embargoes, whether the Government have plans to call on Security Council members to restart discussions on the Berlin-Bonn process. [135109]

Mr. MacShane: The Government are committed to the use of sanctions, when necessary, that are appropriately targeted and effectively implemented and enforced. The UK regularly discusses how to improve sanctions measures with other UN member states. We do not, however, plan to call for the Bonn-Berlin process to be re-started as that initiative has concluded and its findings were published in 2001. This document serves as a valuable point of reference, which the Government use when considering the use of arms embargoes and travel and aviation related sanctions.

UN Sanctions

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 6 October 2003, *Official Report*, column 1118W, on UN sanctions, what discussions the UK has had with other Governments about restarting this initiative. [135112]

Mr. MacShane: The UK has had no discussion with other Governments about restarting this initiative.

West Bank/Gaza Strip

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of *(a)* the extent of demolition and destruction of infrastructure in (i) the West Bank and (ii) the Gaza Strip in 2003 and *(b)* the cost of repair to housing and infrastructure due to damage associated with actions by the Israeli Defence Forces; and if he will make a statement. [134429]

Mr. MacShane: Various agencies, including the World bank and United Nations, do maintain audits of destruction and damage to Palestinian infrastructure resulting from Israel Defence Forces (IDF) action. The Office of the Special Co-ordinator in the Occupied Territories (UNSCO) estimates that 2,986 Palestinian homes have been destroyed, and 29,197 homes partially destroyed or damaged, in the West Bank and Gaza Strip between October 2000 and August 2003. These figures do not take into account the demolition or destruction of other civil and private Palestinian property, or infrastructure, including water supplies, roads and cultivated land. Reliable figures for this year are not yet available. It is also difficult to give an accurate figure for the total cost of repair to Palestinian infrastructure.

Reports by these agencies and other NGOs indicate widespread damage and destruction to Palestinian infrastructure throughout the Occupied Territories. I also refer the hon. Member to the answer I gave him on 29 October 2003, *Official Report,* column 282W. We have raised our serious concerns with the Government of Israel and will continue to do so.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs when the British High Commission in Zimbabwe last visited final recipients of food aid delivered through the UK's bilateral aid programme; and if he will make a statement. [135208]

Mr. Mullin: The Department for International Development (DFID) is responsible for monitoring the implementation of the food aid which is part of the UK's bilateral aid programme for Zimbabwe. DFID staff are in very close contact with United Nations World Food Programme (WFP) and Non-Governmental Organisations (NGOs), and receive regular reports from those who are responsible for delivering food aid. DFID and High Commission staff also make regular field visits as part of this process. A senior London-based DFID official visited a feeding scheme between 20 and 23 October 2003, and High Commission staff and a senior visiting FCO official plan to visit another scheme later this month.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture Research

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs what the level of government funding was for research into *(a)* organic agriculture, *(b)* conventional agriculture and *(c)* GM agriculture in each year since 1990. [133851]

Mr. Morley: The table shows spending on research by Defra against the categories requested from 200102 and, where data for earlier years are available, from MAFF and DETR.

£000

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Organic farming	411	573	833	867	931	1,116	908	1,481	2,039	2,087	2,127	1,809
Conventional agriculture[1]	80,368	86,714	84,819	83,963	84,863	83,644	84,641	86,032	80,265	81,004	82,947	82,546
GM risk assessment (ex-DETR)	—	—	—	—	—	316	263	296	427	1,681	1,885	2,578
GM risk assessment (ex-MAFF)	—	—	—	—					439	471	525	625
GM food/-non-food products	—	—	—	—		1,769	1,876	2,718	2,602	3,246	3,223	2,842

[1] Agriculture figures include R&D expenditure on arable crops, livestock, plant and animal health, horticulture, environmental protection (agriculture).

Abandoned Vehicles

Mr. Battle: To ask the Secretary of State for Environment, Food and Rural Affairs how many abandoned vehicles were collected in Leeds in 2002–03; what the average length of time was from notification to collection; and if she will make a statement. [132740]

Mr. Morley: 1,707 abandoned vehicles were removed and destroyed in Leeds in 2001–02, the most recent year for which data are available from the Municipal Waste Management Survey. Information on the length of time from notification to a local authority of an abandoned vehicle to its collection is not collected as part of the survey.

John Cryer: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of SI2002/746 on the London Borough of Havering's ability to deal with abandoned vehicles. [133266]

Mr. Morley: Local authorities' performance in dealing with abandoned vehicles is assessed annually through the Municipal Waste Management Survey, which since 2000–01 has recorded the number of abandoned vehicles reported by each local authority.

The first data covering the period following the introduction of SI2002/746 will be available in summer 2004, when the Municipal Waste Management Survey 2002–03 is published.

Bathing Water Directive

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of proposals to establish a national water

bill collection system to pay to meet the costs of the coastal and bathing water clean-up under the EU Bathing Water Directive. [135143]

Mr. Morley: The Government have no plans for national water charges. The costs of water services in each area reflects the regional or local costs of providing those services in a sustainable way. Any national system of bills to pay for some or all of water companies' obligations would involve cross-subsidy of some companies by the customers of others. This would reduce the incentives and responsibility on companies to deliver services efficiently.

In taking decisions on environmental programmes, we will continue to take into account the individual circumstances and levels of charges in each company area.

Committee on Radioactive Waste Management

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she will announce the membership of the new Committee on Radioactive Waste Management; [134262]

(2) when she will announce her decision on the future of the radioactive waste management Committee. [134263]

Mr. Morley: An announcement will be made shortly.

Communal Composting

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she has taken to ensure the continuation of communal composting schemes. [132655]

Mr. Morley: The UK has made use of its discretion under Article 11(1)*(b)* of the Waste Framework Directive (75/442/EEC as amended by 91/156/EEC) to provide an exemption from the licensing requirements of Article 10 for composting operations. Licence exemptions are a less onerous form of control than licences and are provided to encourage the recycling of waste.

The current composting exemption restricts the location of composting operations either to the place where the waste is produced or where the final composted material is to be used. We have recently carried out a consultation exercise on the revision of this exemption. The proposed revision would allow waste to be collected from numerous sources and, after composting, to be distributed. We also propose to widen the current exemption to include screening, chipping, shredding, cutting, pulverising or storage of the waste as part of a composting operation. One of the aims of the review is to encourage the recycling of waste by composting by ensuring that the regulatory controls are applied to communal and other composting operations in a way which is proportionate to the risk to the environment and human health.

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with her European counterparts on the introduction of licensing requirements for communal composting schemes; and if she will make a statement. [132656]

Mr. Morley: The lists of waste disposal and recovery operations that currently require a licence are set out in Articles 9 and 10 of and Annexes IIA and IIB to the Waste Framework Directive (75/442/EEC as amended by 91/156/EEC). Composting is included in Annex IIB. The European Commission is currently conducting a consultation exercise on a Communication entitled "Towards a thematic strategy on the prevention and recycling of waste". In the light of a study being undertaken on behalf of the Commission, the Communication proposes a review of the Annex IIA and IIB lists. The UK attended a workshop held by the Commission in July 2003 to discuss its study; and UK intends to submit a response to the Commission's Thematic Strategy consultation which ends on 30 November 2003.

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of communal composting schemes in the UK; and what estimates she has made of the number of schemes likely to pay for an exemption from licensing. [132657]

Mr. Morley: The Department has recently carried out a consultation exercise in England and Wales on the revision of the current licensing exemption for composting. A regulatory impact assessment (RIA) was published as part of this consultation exercise and is available on the Department's website. The RIA records that the proposed revision will principally affect about 90 sites operated by members of the Community Composting Network (CCN); other establishments or undertakings which are not part of CNN may be affected but it has not been possible to estimate their number; and that 30 of the 90 CNN sites will not pay exemption charges because they compost less than 10 tonnes of waste a year.

Deposit Schemes

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent progress she has made in her investigation of deposit schemes operating in other European countries, with particular reference to Denmark. [134503]

Mr. Morley *[holding answer 27 October 2003]:* As a first step, we have commissioned consultants to review existing deposit and return or recycle schemes in Europe, the USA, Canada, Australia and New Zealand. We expect this study to be completed in the new year.

EU Directives

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what EU directives have an impact on *(a)* energy efficiency, *(b)* waste minimisation, *(c)* marine pollution, *(d)* air quality, *(e)* climate change, *(f)* renewable energy, *(g)* fly-tipping, *(h)* packaging, *(i)* end of life vehicles, *(j)* the disposal of hazardous waste, *(k)* incineration, *(l)* recycling, *(m)* water quality, *(n)* coastal erosion, *(o)* fuel poverty, *(p)* flood defence, *(q)* wind power use, *(r)* domestic waste management, *(s)* industrial waste management, *(t)* landfill, *(u)* greenhouse gas emissions and *(v)* timber procurement. [133259]

Mr. Morley: A great many EC Directives apply in the field of the environment and will consequently have an impact on the areas *(a)* to *(v)* listed. Some of these will be specific to those areas while others will be of horizontal application and will impact on many of those areas, such as the Directives on environmental impact, assessment or conservation of natural habitats. All may be found by running appropriate textual searches on the EC's legislation website (www.europa.eu.int/eur-lex/en/search/index.html).

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Government are negotiating on draft EU directives with regard to *(a)* energy efficiency, *(b)* waste minimisation, *(c)* marine pollution, *(d)* air quality, *(e)* climate change, *(f)* renewable energy, *(g)* fly-tipping, *(h)* packaging, *(i)* end of life vehicles, *(j)* the disposal of hazardous waste, *(k)* incineration, *(l)* recycling, *(m)* water quality, *(n)* coastal erosion, *(o)* fuel poverty, *(p)* flood defence, *(q)* wind power use, *(r)* domestic waste management, *(s)* industrial waste management, *(t)* landfill, *(u)* greenhouse gas emissions and *(v)* timber procurement. [133260]

Mr. Morley: The Government are currently negotiating on the following draft EU Directives and other legislation.

Marine pollution

A proposal for a Directive on ship-source pollution and on the introduction of sanctions, including criminal sanctions, for pollution offences;

Air quality

A proposal for a Directive relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air;

Climate change and greenhouse gas emissions

A proposal for a Decision for a monitoring mechanism of the Community greenhouse gas emissions and the implementation of the Kyoto Protocol;

A proposal for a Directive amending the Directive establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms;

A proposal for a regulation on certain fluorinated gases;

Packaging

A proposal for a Directive amending Directive 94/62/EC on packaging and packaging waste;

Water quality

A proposal for a Directive on the quality of bathing water;

A proposal for a Directive on the protection of groundwater against pollution;

At this time, there are no current negotiations on the other categories raised in the question.

European Emissions Trading Scheme

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the implementation of the European Emissions Trading Scheme. [133256]

Mr. Morley: The EU Emissions Trading Scheme is due to start on 1 January 2005 and is one of the policies being introduced across Europe to tackle emissions of carbon dioxide and other greenhouse gases in order to combat the serious threat of climate change.

The Directive requires members states to implement the Scheme by 31 December 2003. We have consulted publicly on the UK's draft Implementing Regulations and will be continuing work on these in the coming months.

All member states are also required by the Directive to let the Commission have their National Allocation Plan by 31 March 2004. In order to meet this deadline we are intending to publish the first draft of our plan for consultation in early December 2003. The Plan will set out the overall cap on emissions for installations within the traded sector and the way that we propose to allocate this cap between industry sectors.

The UK are likely to be among the first to publish a draft National Allocation Plan. Defra are working hard with others and are confident that we will meet the deadlines involved. I believe that this provides a clear signal that the Government are committed to achieving its target of reducing greenhouse gas emissions by 20 per cent by 2010.

Fuel Poverty

Simon Hughes: To ask the Secretary of State for Environment, Food and Rural Affairs how many fuel poverty households there are in each London authority area; and what her estimate is of the number of children living in fuel poverty households. [135164]

Mr. Timms: I have been asked to reply.

The available information from the English House Condition Survey indicates that in 2001, there were 148,000 fuel poor households in London. This is based on fuel poverty defined as occurring when a household needs to spend more than 10 per cent. of its income (including housing benefit and income support for mortgage interest) on all fuels in order to maintain a satisfactory heating regime.

More detailed breakdowns for the London area are not available as the sample size for the survey is not large enough to enable reliable detailed regional estimates of fuel poverty to be produced.

In England in 2001 there were 1.7 million households in fuel poverty. Of these, 210,000 contained children.

These figures are available at: www.dti.gov.uk/energy/consumers/fuel_poverty/index.shtml

Gas Boilers

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for implementing the inspection of gas boilers below 100kW to limit their *(a)* carbon dioxide emissions and *(b)* energy consumption. [133584]

Mr. Bradshaw: Article 8 of the Energy Performance of Buildings Directive requires:

(a) the regular inspection of boilers of an effective rated output of 20 kW to 100 kW. This requirement applies to boilers fired by non-renewable liquid or solid fuels, but leaves it to member states to decide whether to apply the requirement to boilers using other fuels, such as gas. A one-off inspection of heating installations older than 15 years with a rated output of over 20 kW is also required; or

(b) the provision of advice to users on the replacement of boilers. We are currently considering which of the above options to adopt, and if we choose to proceed with option *(a)* whether to include boilers fired by the other fuels such as gas in the regular inspection arrangements. We will be seeking views from the heating industry and other interested parties on this.

GM Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to her answer of 23 October 2003, if she will list the scientific studies published on *(a)* horizontal gene transfer, *(b)* the effect of growth promoters on gene suppression and gene hot spotting and *(c)* allergenicity; and where these studies have been peer reviewed. [135074]

Mr. Morley: The GM Science Review (at http://www.gmsciencedebate.org.uk/report/default.htm) published in July 2003 reports the current state of knowledge on horizontal gene transfer, allergenicity and the potential for generating recombination hot spots, and lists relevant publications and scientific studies. The Science Review does not cover in depth the effect of growth promoters on gene suppression as this issue is not relevant to the GM crops currently under consideration for approval. We do not maintain a list of such publications.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* time limits there are and *(b)* timetable is in place for her Department's decision-taking relating to the (i) process of licensing GM crops and (ii) releases of genetically modified seeds into the environment. [135138]

Mr. Morley: Case-by-case decisions on applications to release GM crops for commercial cultivation are governed by EC Directive 2001/18. This sets out clear timescales for each stage of the decision-making process. Before a GM crop can be granted consent for commercial importation or cultivation, its release is subjected to an assessment by all EU member states to ensure that it poses no significant risk to human health or the environment. If the UK is the lead competent authority, then it has 90 days to assess the application for compliance with the requirements of the Directive. If the UK is not the lead competent authority, then it has 60 days to forward any comments on applications where another member state has forwarded a favourable opinion to the Commission. As decisions are subject to collective EU agreement, it is not possible to say when a decision on a specific application might be taken, but we do not expect any final decisions before early 2004.

For releases into the environment (i.e. for purposes other than placing on the market), the Directive requires the relevant competent authority to assess applications and respond to the applicant within 90 days. The 90-day clock, however, is stopped for any periods of time during which the competent authority is awaiting further information. There are currently no field trials of genetically modified crops taking place in the UK nor any application being assessed by the Department.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what *(a)* discussions she has had with and *(b)* advice she has received from the insurance industry in respect of liability for GM contamination of non-GM farmland. [135140]

Mr. Morley: We have not had any discussions with, or received advice from, the insurance industry on this subject. We will consider it when we have received the report due from the Agriculture and Environment Biotechnology Commission on co-existence and liability.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs whether she has set a timetable for public consultation on the reports from *(a)* the Advisory Committee on Releases to the Environment, *(b)* the Agriculture and Environment Biotechnology Commission and *(c)* other commissioned bodies which have either reported or are yet to report on work intended to inform her Department about the use of GM crops. [135145]

Mr. Morley: With regard to *(a)*, ACRE'S advice on the results of the Farm Scale Evaluations will inform our assessment of the relevant crops as each application for consent is considered. To assist its deliberations, ACRE will be holding two open meetings to take evidence from other experts and stakeholders. The first of these will be in London on 25 November 2003 and the second in Edinburgh on 4 December 2003. Details are on the Defra website. There is separate provision in Directive 2001/18/EC for the public to be consulted on applications for the marketing of GM crops.

With regard to *(b)*, we will consider how to proceed once we have received the AEBC's report on coexistence and liability.

With regard to *(c)*, we do not envisage any further public consultation exercises at this stage to inform our policy on GM crops. We will decide our policy in the light of all the available information, including the report of the GM public debate.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* earliest and *(b)* latest possible date is for the publication of the Government response to the report on the public consultation on GM science, GM Nation. [135146]

Mr. Morley: The Government are committed to responding to the GM public debate. No decision has yet been taken on timing, but we anticipate publishing our response in early 2004.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what decisions relevant to future assessments as to the appropriateness of licensing GM crops she plans to make before her Department has responded to the GM Nation report. [135148]

Mr. Morley: As decisions are subject to collective EU agreement under Directive 2001/18, it is not possible to say when decisions might be taken. There are currently 21 Part C marketing applications being processed across the EU, 12 of which include cultivation. The UK is not the lead member state for any of the applications for cultivation and nor are we presently considering any such applications on which other member states lead. 10 of the 12 applications are still at the initial stage of being assessed by the lead member state. Positive assessments were forwarded on the other two applications earlier this year and the UK submitted reasoned objections. The UK will be required to respond to any favourable assessments provided by other member states as they are received. We do not expect any final EU decisions on any application before early 2004.

Hunting/Fishing

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for changes to the regulatory framework for *(a)* fishing and *(b)* shooting other than those resulting from the Hunting Bill, if enacted. [133516]

Mr. Bradshaw: This Government have no plans to change the regulatory framework for fishing or shooting.

When contemplating changes to other legislation the Government consider carefully how best to achieve their aim while protecting other sports from damage that may result from any legal precedent set. However, there may be relatively minor changes that occur indirectly following amendments to certain related legislation. For example, the Environmental Protection (Restriction on the Use of Lead Shot) (England) (Amendment) Regulations 2003, introduces minor changes to the list of sites in Schedule 1 to The Environmental Protection (Restriction on the Use of lead Shot)(England) Regulation 1999. Specifically the New Forest, Avon Valley (Hereford) and River Derwent and Tributaries (Cumbria) and Stanford Training Area, are removed from the list of sites as not being important to waterfowl; the Tweed Estuary is reinstated to the list because it has significant importance for these species. These changes come into force on the 31 October 2003. From this date it will be legal to use lead shot in the New Forest providing people are not shooting species listed on Schedule 2 of the 1999 Regulations, such as ducks and geese.

Persistent Chemicals

Mr. Gordon Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment her Department has made of the need to tighten controls on persistent chemicals. [134190]

Alun Michael: The UK Government have been working with the European Commission and stakeholders to develop proposals for a new regulatory regime to tighten controls on substances that are very persistent and very bioaccumulative, as well as those that are persistent, bioaccumulative and toxic. The need for a more precautionary approach to managing the risks from these chemicals is set out in the UK Chemicals Strategy, published in 1999. This can be found on Defra's website at: http://www.defra.gov.uk/environment/chemicals/ukpolicy.htm

It will be some time before the new EU regulatory system is up and running. In the meantime, we intend to press ahead with encouraging voluntary action in the UK as envisaged in the UK Chemicals Strategy. The Chemical Stakeholder Forum was set up under the Strategy to advise on action to address people's concerns about chemicals. The Forum's criteria for identifying chemicals of concern includes those that are very persistent and very bioaccumulative, as well as those that are persistent, bioaccumulative and toxic. Details of the Forum's activities can also be found at the above website address.

Further information about the forthcoming EU regulatory proposals and the Government's position on these can be found at: http://www.defra.gov.uk/environment/chemicals/eufuture.htm

Pollution (Landfill)

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the number of incidences of pollution from landfill sites in each of the last five years; and how many *(a)* fines and *(b)* prosecutions have resulted. [131905]

Mr. Morley: Information on the number of incidences of pollution from landfill sites is available only from 2000 onwards.

The details are as follows:

In 2000 there were 1,157 incidents;

In 2001 there were 2,018 incidents;

In 2002 there were 994 incidents; and

To date in 2003 there have been 448 incidents recorded.

Those incidents have resulted in fines totalling £239,500 from 23 successful prosecutions. It should be noted that each prosecution could be for more than one offence.

Power Stations (Waste)

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the definition of coal fired power station ash as waste. [133254]

Mr. Morley: The definition of waste in force in the United Kingdom is the definition in Article 1(a) of the Waste Framework Directive (as amended). It provides that waste means,

> "... any substance or object ... which the holder discards or intends or is required to discard."

Whether or not a substance such as power station ash is discarded as waste is a matter which must be determined on the facts of the case and the interpretation of the law is a matter for the Courts. The European Court of Justice has issued several judgments on the interpretation of the definition of waste and the meaning of "discard".

It rests, in the first place, with the producer or holder of a substance to decide whether it is being discarded as waste. The Environment Agency is designated as a "competent authority" for the purposes of the Directive and is responsible for the application of its controls to substances discarded as waste. Power station ash discarded as waste is discussed in the Government's "Waste Strategy 2000" (paragraphs 8.139–8.143) (Cm 4693–2).

Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs when she will announce her decision on the Environment Agency's proposal on the future regulation of disposals of radioactive waste from British Nuclear Fuels plc Sellafield. [134264]

Mr. Morley: The Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Health—the responsible Ministers under the Radioactive Substances Act 1993—are currently considering the Environment Agency's proposed decision following its review of the radioactive discharges from the Sellafield site. They will make an announcement about the decision they reach on the Agency's proposal as soon as possible once the full assessment has been completed.

Waste Incineration Directive

Alistair Burt: To ask the Secretary of State for Environment, Food and Rural Affairs what recent representations she has received on the Waste Incineration Directive 2000/76/EC. [134367]

Mr. Morley *[holding answer 27 October 2003]:* The Department has received 45 responses to the consultation on Guidance on Directive 2000/76/EC which requested responses by 16 May 2003. Four Parliamentary Questions and two items of Ministerial Correspondence have been received since that date.

Alistair Burt: To ask the Secretary of State for Environment, Food and Rural Affairs what consultation is taking place in relation to the implementation of Waste Incineration Directive 2000/76/EC; and when this consultation began. [134368]

Mr. Morley *[holding answer 27 October 2003]:* "Guidance on Directive 2000/76/EC on the incineration of waste" was published for consultation by my Department and the Welsh Assembly Government on 7 February 2003 following the entry into force on 28 December of The Waste Incineration (England and Wales) Regulations 2002. Responses were requested by 16 May and the Department is considering the draft guidance in the light of the 45 responses received.

Alistair Burt: To ask the Secretary of State for Environment, Food and Rural Affairs, what the Government's policy is on the size of incineration systems affected by Waste Incineration Directive 2000/76/EC; and if she will make a statement. [134381]

Mr. Morley *[holding answer 27 October 2003]:* The Waste Incineration Directive applies to incineration plant that fits the description of the terms "technical unit" or "plant" which are used in the Directive. Draft guidance on the meaning of these terms is given in "Guidance on Directive 2000/76/EC on the incineration of waste" which the Department and the Welsh Assembly Government published for consultation on 7 February 2003.

Waste Management

Mr. Swire: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the impact of *(a)* licensing requirements and *(b)* notification fees on government targets on waste management. [132658]

Mr. Morley: The waste recovery operations that require a licence are set out in Article 10 of and Annex IIB to the Waste Framework Directive (75/442/EEC as amended by 91/156/EEC) and have been in force in the UK since May 1994. Composting is included in Annex IIB to the Directive.

Member states have discretion under Article 11(1)(b) of the Directive to adopt "general rules" providing exemptions from the licensing requirements of Article 10. The Department has recently carried out a consultation exercise in England and Wales on the revision of the current licensing exemption for composting. A regulatory impact assessment was published as part of this consultation exercise and is available on the Department's website. Licence exemptions are a less onerous form of control than licences and they are provided to encourage the recycling of waste and the attainment of recycling targets.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on *(a)* the incineration of hazardous waste in cement kilns and *(b)* the importation of such waste for that purpose. [133106]

Mr. Morley: Cement kilns and other co-incineration plants can play a significant role in the treatment of hazardous waste. Evidence given to the House of Commons EFRA Select Committee inquiry on hazardous waste last year suggests that cement kilns have capacity to deal with significantly more hazardous waste than at present. I am keen to ensure that all treatment options for hazardous waste are considered, and that there should be a diversity of management options available. The UK Management Plan for Exports and Imports of Waste sets out Government policy in relation to the export and import of hazardous waste, including for the incineration of waste in cement kilns. The plan is currently under review in the light of recent European case law, and the on-going review of the Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to encourage waste collection authorities to segregate waste paper from organic material in the waste stream. [133116]

Mr. Morley: The Government have set challenging targets (Statutory Performance Standards) for recycling and composting for all local authorities in England and Wales. It is up to each authority to decide which

materials to collect, and in what manner, in order to meet those targets, based on local conditions. Their decision will be informed by the strength of the market for each material in the local area, and any quality requirements imposed by processors.

We are committed to reviewing the recycling and composting targets in 2004, in light of the progress made by local authorities in meeting their 2003–04 Statutory Performance Standards.

Water Efficiency

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to encourage water efficiency in the *(a)* home and *(b)* commercial sector. [135470]

Mr. Morley: The Water Bill, currently before Parliament, contains a range of measures to advance water conservation. I have also asked Ofwat and the Environment Agency to review jointly the current and potential contribution that water efficiency can make to balancing the supply and demand for water. In addition to this more strategic work, Government are already engaged in a number of activities to encourage water efficiency in different sectors. Envirowise provides advice and guidance to businesses to promote water minimisation, and the Enhanced Capital Allowance scheme has recently been extended to include sustainable water use technologies. I am also considering the feasibility of introducing a product labelling scheme to help domestic consumers identify water efficient fittings and appliances. This will complement the existing duty on water undertakers to promote the efficient use of water by their customers.

Water Sewers

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the causes of misconnections to surface water sewers. [135129]

Mr. Morley: Under section 106 of the Water Industry Act 1991, anyone wishing to make a connection to a public sewer must notify the relevant sewerage undertaker. If a sewerage undertaker is not informed of a proposal to connect, and a connection is subsequently made, the undertaker can, under section 109 of the Water Industry Act 1991, close the communication and recover any reasonable costs incurred.

Assessments of the causes of unlawful connections to public sewers are a matter for sewerage undertakers, on a case by case basis.

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the number of misconnections to surface water sewers and the environmental impact this has had in the last five years. [135130]

Mr. Morley: Under section 106 of the Water Industry Act 1991, anyone wishing to make a connection to a public sewer must notify the relevant sewerage undertaker. If a sewerage undertaker is not informed of a proposal to connect, and a connection is subsequently made, the undertaker can, under section 109 of the Water Industry Act 1991, close the connection and recover any reasonable costs incurred.

Assessments of the numbers of unlawful connections to public sewers are a matter for sewerage undertakers.

The Environment Agency's role is to grant consents for discharges from sewers and to monitor pollution incidents. Where pollution from sewers is detected, the Agency can take action either against the sewerage undertaker or in co-operation with the undertaker against an illegal discharger to the sewer as appropriate. Normally the Agency would expect the sewerage undertaker to take appropriate enforcement action using its powers under the Water Industry Act 1991. The environmental impacts of unlawful connections to public sewers are a matter for the Agency.

Written Answers to Questions

Monday 3 November 2003

SOLICITOR-GENERAL

Criminal Justice Board (Nottingham)

Mr. Allen: To ask the Solicitor-General if she will make a statement on the work of the Crown Prosecution Service with the Nottingham Criminal Justice Board. [135225]

The Solicitor-General: The Chief Crown Prosecutor for CPS Nottinghamshire is a very active member of the Local Criminal Justice Board and chairs two of its sub groups. One of these, which includes Victim Support, has engineered considerable improvements for dealing with vulnerable and intimidated witnesses. The group are now pioneering a system to provide updates and guidance to victims about their cases.

The Chief Crown Prosecutor also leads a group which is working on ways to improve communications between the agencies and the community. A regular bi-monthly bulletin is to be published for MPs and community groups which will explain the work of the board and the progress it is making in dealing with the offences that disrupt and disturb local communities. On behalf of the board, the Chief Crown Prosecutor is also leading an initiative to ensure all schools in Nottinghamshire are aware of the work and structure of the Local Criminal Justice Board.

The Crown Prosecution Service is also a major contributor to the board's delivery group which is tasked with narrowing the justice gap, bringing more persistent offenders to justice, and decreasing the cracked and ineffective trial rate.

Domestic Violence

Mr. Bercow: To ask the Solicitor-General if she will make a statement on her policy on prosecution of offences arising from domestic violence. [135228]

The Solicitor-General: The CPS handles around 13,000 cases involving domestic violence each year which are conducted in accordance with the Crown Prosecution Service revised policy on prosecution of cases of domestic violence issued in November 2001. The policy focuses on the safety of the victim and children, while holding abusers accountable for their actions.

EU Fraud

Miss McIntosh: To ask the Solicitor-General what mechanism she has for co-operating with the EU authorities in prosecuting fraud cases involving EU funds. [135229]

The Solicitor-General: Member states may request mutual legal assistance in gathering evidence by invoking the European Convention on Mutual Legal Assistance 1959. The UK prosecuting authorities can similarly seek assistance from other member states.

The United Kingdom Central Authority (UKCA) at the Home Office receives incoming requests for assistance. The Metropolitan Police, the Serious Fraud Office and Customs and Excise would gather evidence in England and Wales in response to an incoming request.

The European Community institutions established the European Anti Fraud Office (Office Europeen de lutte antifraude—OLAF) in 1999 as a successor to the Task Force for the co-ordination of fraud prevention (UCLAF). It is an independent body, but remains part of the European Commission. This is the principle authority with responsibility for investigating fraud involving EU funds.

Football (Prosecutions)

Bob Russell: To ask the Solicitor-General how many professional footballers have been charged in the past 12 years for *(a)* acts of violence and *(b)* disorderly behaviour during matches. [135230]

The Solicitor-General: The Crown Prosecution Service holds no central records on the occupation of defendants in criminal cases or on particular offences

Iraq

Glenda Jackson: To ask the Solicitor-General, pursuant to her answer of 20 October, *Official Report*, column 352W, on Iraq, to the hon. Member for Medway, what constituted the effects in UN Security Council Resolutions 678 and 687 which, combined with Resolution 1441, provided a legal base for the use of force in Iraq. [134468]

The Solicitor-General: I refer the hon. Member to the answer I gave the hon. Member for Stone on 17 March, *Official Report*, column 515W. This set out the written answer given by the Attorney General in the House of Lords on the same day, which explained how, in his view, authority to use force against Iraq existed from the combined effect of resolutions 678, 687 and 1441.

Anti-terrorism, Crime and Security Act

Mr. Simon Thomas: To ask the Solicitor-General how many allegations of bribery of a foreign public official have been passed to the Serious Fraud Office since 14 February 2002; and how many of these allegations have resulted in an investigation; and whether any charges or arrests have been made under Part 12 since that date. [132361]

The Solicitor-General: Part 12 of the Act came into force in February 2002. The Act is not retrospective and to prosecute under the provisions of Part 12, all elements of the overseas offence must have taken place after February 2002. The very nature of such offences is that they can take some time to surface, and as such a period where no prosecutions are instituted is to be expected.

There have been no specific referrals made to the SFO where bribery of a foreign public official is the sole or principle allegation, or where it has been appropriate to invoke powers under the Anti-Terrorism, Crime and Security Act 2001. As such no investigations have been commenced where the focus has been on Part 12 offences.

PRIME MINISTER

Iraq

Mr. Sayeed: To ask the Prime Minister whether the Chiefs of Staff expressed unease to him in March regarding the proposed war against Iraq. [136075]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Linlithgow (Mr. Dalyell) on 16 September 2003, *Official Report*, column 635W.

Madrid Initiative

Mr. Jenkin: To ask the Prime Minister (1) if he will make a statement about the Madrid Initiative in response to Pakistan's capacity to export nuclear weapons; [135390]

(2) what discussions he has had with his Madrid Initiative counterparts regarding Pakistan's capacity to export nuclear weapons. [135391]

The Prime Minister: The first meeting of the Proliferation Security Initiative was held in Madrid on 12 June. Subsequent meetings were held in July, August and October in Brisbane, Paris and London respectively.

The Proliferation Security Initiative aims to counter the proliferation of weapons of mass destruction, their delivery systems and related materials by any state or non-state actor. No specific countries have been identified as primary targets of the Initiative.

We regularly urge all states to sign, ratify and abide by the obligations of all treaties and conventions covering the development of such weapons.

Official Buildings

Norman Baker: To ask the Prime Minister if he will list the buildings within a mile of Parliament for which the staff of 10 Downing street have responsibility, giving in each case the date of acquisition; and whether acquisition was in each case *(a)* as a result of a departmental transfer and *(b)* a new acquisition by the Government; and what the buildings are used for. [134421]

The Prime Minister: None.

CONSTITUTIONAL AFFAIRS

County Courts (Security)

Mr. Love: To ask the Parliamentary Secretary, Department for Constitutional Affairs what measures are being taken to improve the safety and security of staff working in county courts. [134914]

Mr. Leslie: The DCA and Court Service take the health, safety and security of its employees very seriously. The Department has minimum security standards for county courts. The purpose of these standards is to ensure that appropriate security arrangements exist to protect staff, judiciary and court users. The Department undertakes a rolling programme of inspections to ensure that standards are being met. Security reviews also take place following any major incident. The standards are kept under review to ensure that they properly take account of any new or emerging risks and threats. The Department also has a rolling programme of fire safety and general health and safety inspections to ensure that its buildings are safe and all relevant legislation is being complied with.

Edmonton County Court

Mr. Love: To ask the Parliamentary Secretary, Department for Constitutional Affairs, if he will make a statement on the progress made in reconstructing Edmonton County Court since September. [134915]

Mr. Leslie: On 1 September 2003, a suspected arson attack resulted in extensive damage to Edmonton County Court. Following an extensive programme of replacement and improvements, the court was able to fully re-open for business on 13 October 2003.

To alleviate the fears of court users and help prevent damage to the building by similar future attacks, a number of security improvements, including the installation of CCTV cameras, are being put in place.

EDS

Dr. Cable: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list payments made to EDS in respect of the courts' computer systems in each of the last five financial years; and if he will make a statement. [134231]

Mr. Leslie: The following net payments were made to EDS in the last five financial years in respect of the courts' computer systems (LOCCS contract):

	£ million
1998–99	5.92
1999–2000	14.35
2000–01	24.9
2001–02	33.4
2002–03	17.5

The pattern of expenditure reflects the wide-ranging programme, beginning in 1999, to modernise the Department's work, to increase its efficiency and provide better customer service, which has varied the level of payments from year to year. This programme included the provision of new services, such as:

modifications to the court case management system to include a module for family work;

modernisation of the jury summoning system;

modern IT support for the Judiciary; and,

the Money Claims Online project.

Privy Council Judicial Committee

Lady Hermon: To ask the Parliamentary Secretary, Department for Constitutional Affairs, what countries use the Judicial Committee of the Privy Council as their final court of appeal; how many cases have been heard by the Judicial Committee from each of these countries in each of the past five years; and if he will make a statement. [134824]

Mr. Leslie: The Judicial Committee of the Privy Council is the final court of appeal for the independent Commonwealth countries listed in the first column of the table, as well as for the United Kingdom overseas territories and Crown dependencies. The table shows the number of appeals from the countries concerned disposed of by the Judicial Committee in each of the five years up to 2002. Some of these appeals were disposed of without a hearing.

Number of appeals

Country	*1998*	*1999*	*2000*	*2001*	*2002*	*Total*
Antigua and Barbuda	2	—	1	2	—	5
The Bahamas	4	2(1)	3	3(1)	5	17(2)
Barbados	—	2(1)	—	2	—	4(1)
Belize	4(1)	2(1)	1(1)	3(1)	1	11(4)
Brunei[1]	2	—	—	—	—	2
Dominica	—	—	2(1)	—	1	3(1)
Grenada	2	—	1	4(1)	2	9(1)
Jamaica	9	7(1)	10	4	8(1)	38(2)
Kiribati[2]	—	—	—	—	—	—
Mauritius	3	3	4(1)	2(1)	3(1)	15(3)
New Zealand[3]	6(1)	10(4)	8(2)	16(3)	14(1)	54(11)
St. Christopher and Nevis	—	1	—	1	2	4
St. Lucia	—	1	3(2)	—	2	6(2)
St. Vincent and the Grenadines	2	—	4(1)	1	1(1)	8(2)
Trinidad and Tobago	8	15(1)	8(1)	8(1)	14(3)	53(6)
Tuvalu	—	—	—	—	—	—

[1] An appeal lies from the Court of Appeal of Brunei to the Sultan and Yang di-Pertuan, in civil cases only. By agreement between Her Majesty and the Sultan these appeals are heard by the Judicial Committee who report their opinion to him instead of to Her Majesty.
[2] The appeal lies only in constitutional cases affecting a Banaban.
[3] New Zealand has recently legislated to abolish the appeal for all cases heard by the Court of Appeal of New Zealand after the end of 2003.
Note:
Figures in brackets (included in the total annual figure given) are for appeals disposed of without a hearing. These were mostly dismissed for non-prosecution or withdrawn.

Rape Cases

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action he has taken to remove circuit judges from the list of those permitted to try rape cases in the last two years. [134939]

Mr. Leslie: Section 75 of the Supreme Court Act 1981 states that the Lord Chief Justice, with the concurrence of the Lord Chancellor, can, by means of a practice direction, determine the cases or classes of cases suitable for allocation to High Court Judges, Circuit Judges and Recorders. From time to time successive Lord Chief Justices have issued such practice directions. In October 2001, the current Lord Chief Justice, Lord Woolf, issued a practice direction entitled 'Directions by the Lord Chief Justice for the Classification of the business of the Crown Court and Allocation to Crown Court Centres'. This Practice Direction again determined that all High Court Judges and those Circuit Judges and Recorders, approved for that purpose by the Senior Presiding Judge, with the concurrence of the Lord Chief Justice, can hear rape cases.

Judges trying rape cases are, of course, under constant public scrutiny. Where problems about judicial conduct become apparent to the Court of Appeal, the papers are referred to the relevant Presiding Judge, or to the Senior Presiding Judge personally. Any complaints, as well as any information suggesting possible inappropriate judicial behaviour, are immediately investigated, and reports in the media of judicial behaviour which, if correct, would give rise to concern, are checked for correctness and completeness by the Presiding Judges. It is, of course, open to the Lord Chief Justice, acting on his own initiative, or on the recommendation of the Senior Presiding Judge, to remove any individual authorisation. The Lord Chief Justice has not had occasion to do this in the last two years.

TRADE AND INDUSTRY

Banking Services

Linda Gilroy: To ask the Secretary of State for Trade and Industry what recent discussions she has had with clearing banks about the need to ensure their services are accessible to people who wish to conduct their business on a face-to-face basis and the role which post offices and sub-post offices can play in achieving this. [135016]

Mr. Timms: None. This is a commercial matter for the banks. Banking and other financial services are central to the Post Office's strategy for the future of the network. With almost 17,000 offices, Post Office Ltd has one of the largest retail networks of any organisation in Europe and the Government's investment of £480 million on computerising the post office network means that the Post Office can achieve a new role as a convenient place for people to do their banking

Universal banking services which successfully went live on 1 April, and these services together with Post Office Ltd's plans for an expansion of network banking

(commercial arrangements between the Post Office and individual banks providing access to standard bank accounts at post office counters) should lead to a substantial increase in the number of people using post offices for banking transactions.

CDs

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what steps her Department is taking to protect the interests of consumers from copy protected music CDs. [133410]

Ms Hewitt: Rights owners must be able to use technology to protect their works against unauthorised copying and be free to issue their products, such as music CDs, in copy-protected format. However, these products should be identifiable as such, and we welcome music industry guidelines which recommend clear labelling as regards compatibility with various types of consumer equipment on which the CDs could be expected to be playable.

Electricity

Mr. Tynan: To ask the Secretary of State for Trade and Industry if she will list, for each of the last five years, applications for construction of new electricity generation capacity for which her approval has been *(a)* sought and *(b)* given, broken down by (i) type, (ii) size and (iii) proposed or actual in-service date. [132433]

Mr. Timms: The following is the information requested:

Application	*Applied*	*Approved*	*Size(MW)*	*Type*	*Status*
Raventhorpe	8 May 1998	15 November 2000	450	CCGT	Not built
Isle of Grain	18 May 1998	15 November 2000	1,200	CCGT	Not built
Langage	9 June 1998	15 November 2000	1,010	CCGT	Not yet started
Stoke-on-Trent	28 September 1998	14 May 1999	58	CHP GT	Not available
Cantley	3 February 1999	9 December 1999	70	CHP GT	Not available
Beglan Bay	23 April 1999	16 July 1999	525	CCGT	2003
Belvedere	29 September 1999	—	70	Wates	Public inquiry
South Killingholme	23 November 2000	22 March 2001	700	CHP CCGT	2003
Halewood	29 August 2000	4 April 2001	70	CHP GT	Not available
Trafford Park	15 September 2000	10 May 2001	65	CHP GT	Not available
Avonmouth	19 October 2000	14 September 2001	180	CHP GT	Not built
Cefn Croes	24 July 2000	23 May 2002	60	Onshore	Not yet started
Heathrow Airport	2 January 2001	—	65	CHP GT	To be decided
Carrington	5 February 2001	18 July 2002	65	CHP GT	Not available
Scroby Sands	5 March 2001	17 April 2002	78	Offshore	Under construction
Sheffield	25 April 2001	—	65	CHP GT	To be decided
Marchwood	8 November 2001	28 November 2002	860	CCGT	Not yet started
Hatfield Colliery	9 April 2001	5 August 2003	430	Coal IGCC	Not yet started
North Hoyle	18 February 2002	31 July 2002	90	Offshore	Under construction
Rhyl Flats	25 March 2002	12 December 2002	150	Offshore	Not yet started
Barrow	31 May 2002	10 March 2003	108	Offshore	Not yet started

Miss McIntosh: To ask the Secretary of State for Trade and Industry what contingency plans her Department has to prevent power failures in the United Kingdom. [134126]

Mr. Timms: I would refer the hon. Member to the answer I gave to her on Tuesday 14 October 2003, *Official Report*, column 118W.

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry what steps she is taking to ensure continuity of electricity supply; and if she will assess the likely effect on companies and individuals of widespread power cuts. [134236]

Mr. Timms: I would refer the hon. Member to the answer I gave to the hon. Member for the Vale of York on Tuesday 14 October 2003, *Official Report*, column 118W.

Euro

Keith Vaz: To ask the Secretary of State for Trade and Industry how many speeches she has made since June 2003 supporting entry into the euro. [131719]

Ms Hewitt: I refer my right hon. Friend to the answer given by the Financial Secretary on 14 October 2003, *Official Report*, column 142W.

European Power Networks (Balkans)

Harry Cohen: To ask the Secretary of State for Trade and Industry what progress has been made on European power networks for the Balkans; what remains to be done; when it is expected to be completed; and if she will make a statement. [135441]

Mr. Timms: Following proposals from the Commission, the countries of the South-East Europe electricity market signed a Memorandum of Understanding—the Athens Memorandum—in November 2002 which would create a single electricity market in the area by 2005, with rules reflecting those of the EU's internal market. The Memorandum also set up a number of institutions collectively called the 'Athens Process'. The agreement paves the way for the eventual integration of the regional electricity market into the wider European one.

The process is taking place in close co-operation with all international donors active on a regional basis and the Stability Pact.

Information Technology

Mr. Rosindell: To ask the Secretary of State for Trade and Industry in what ways her Department is promoting the use of information technology solutions as a replacement for paper work. [135509]

Mr. Timms: The DTI is promoting the use of information technology solutions in a number of ways, both in conveying key messages to the business community and in the way the Department itself enables its own business processes. UK Online for Business was launched in September 2000 with the aim of promoting the benefits of information and communication technologies. The programme provides impartial advice on how e-business can help businesses reduce costs and increase efficiency by integrating their internal processes and working with customers and suppliers online. This core use of ICT and the more specific usage of e-business technologies to engage, for example, in e-procurement, accounts and collaborative design will provide business with the real potential to reduce and replace paper work.

The DTI is working with industry to establish a UK Oil Portal on the world wide web, which will enable all business processes associated with granting consents, approvals and regulatory reporting across all Government Departments to be undertaken electronically in a secure manner.

DTI's Export Control Organisation (ECO) has a number of in-house databases and makes constant use of electronic records when processing licence applications and in responding to requests for information from Government Ministers, Parliament and exporters. The ECO has also recently introduced a facility to enable applications to be made over the Internet.

Internally, at DTI we are making increasing use of online internal business processesfor our finance and personnel systems, and use our intranet for mainstreamcommunication to staff. We have had an electronic document and records management system for all our five thousand headquarters staff since April 2003, replacing the previous paper system.

Internet Access

Mr. Byers: To ask the Secretary of State for Trade and Industry how many *(a)* households (i) have internet access and (ii) have broadband access, and how many *(b)* businesses have (1) internet access and (2) broadband access, broken down by (A) constituency and (B) postcode. [134488]

Mr. Timms *[holding answer 27 October 2003]:* In the second quarter of 2003, 12.0 million (48 per cent.) of households in the UK were connected to the internet from the home, according to the latest ONS statistics published on 30 September 2003. Oftel's research found that 65 per cent. of SMEs had internet access at end August 2003. Oftel publishes data on the combined total take-up of broadband by UK homes and businesses. At end September 2003, there were over 2,628,100 broadband subscribers, of which 2,341,000 were residential broadband subscribers and 288,000 were business broadband subscribers. Oftel monitors the UK narrowband and broadband markets. The findings are published regularly on its website http://www.oftel.gov.uk. Statistical data on take-up of the internet in the UK is published regularly by the ONS on its website http://www.statistics.gov.uk.

Data broken down by constituency and postcodes level are not available.

Mineworkers' Pension Scheme

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry when she will decide whether to extend the eligibility criterion for the lump sum payment to certain members of the Mineworkers' Pension Scheme from five years' service to four years and six months' service; and if she will make a statement. [135589]

Mr. Timms: The intention of the scheme to help those MPS members on the lowest pensions who left British Coal before or shortly after 1975 is to address the problem of retired mineworkers who receive very low pensions in spite of lengthy service in the industry. For this reason, mineworkers with less than five years contributory service were excluded. I have no plans to revisit these criteria.

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry when the tracing exercise to locate members of the Mineworkers' Pension Scheme for whom no contact details are known will be completed; and if she will make a statement. [135590]

Mr. Timms: It is expected the tracing exercise will be completed by the end of the summer 2004.

Mobile Telephone Calls

Mr. Rosindell: To ask the Secretary of State for Trade and Industry how much was spent on mobile telephone calls by her Department in the last financial year. [135506]

Ms Hewitt: Responsibility for the provision of mobile telephones for official purposes and for payment of the associated call charges was devolved to individual directorates, agencies and NDPBs at the end of March 1993. Since August 1997, the DTI has increasingly made use of the central Mobile Telecommunications contract managed by the Office for Government Commerce. This contract provides a call-off arrangement for DTI users at advantageous prices ensuring that the Department obtains good value for money. Due to the devolved responsibility for mobile telephone management the only information that can be provided at non-disproportionate cost is the total expenditure with DTI's main suppliers of mobile telephony. From the information currently available, expenditure last year was £342,964 which included both equipment and call charges.

Post Office Card Account

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry which bank supports the Post Office card account; at what location customers' details are kept with this bank; which other banks were considered for support of card accounts; and if she will make a statement. [135593]

Mr. Timms: These are matters that fall within the day-to-day responsibility of Post Office Ltd. and I have therefore asked the Chief Executive to reply direct to the hon. Member.

Renewable Energy Grants

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry if she will recognise Solartwin as a new technology in relation to the awarding of Clear Skies grants. [135893]

Mr. Timms: Solartwin was recognised as an innovative technology when it was developed with a DTI SMART award funding. Solartwin has been on the list of Clear Skies approved products for some months now.

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry for what reasons the Clear Skies Grant Scheme requires the use of digital thermometers. [135894]

Mr. Timms: The Clear Skies criterion does not stipulate the use of a digital thermometer where a differential temperature controller is used that can be set to limit the temperature of the water in the cylinder. Systems that do not employ this type of controller are required to use a digital thermometer as these give the clearest indication the system is working efficiently and also due to the high temperatures that can be reached give the most accurate temperature readings, therefore acting as a safety device to ensure individuals do not touch the system in error and get burnt in the process.

Stamp Duty Land Tax

Mr. Prisk: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of increases in Stamp Duty Land Tax on her policies for promoting business, trade and industry; and if she will make a statement. [135609]

Ruth Kelly: I have been asked to reply.

The Government has introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas. This will provide a major boost to businesses investing in commercial premises in those areas.

In addition the changes I announced on 20 October to the structure for charging Stamp Duty Land Tax on the rental element of new leases will assist small and medium-sized enterprises and business start-ups.

Telephone Exchanges

Mr. Flook: To ask the Secretary of State for Trade and Industry which body owns telephone exchanges in Great Britain. [135327]

Mr. Timms *[holding answer 30 October 2003]:* With the exception of Kingston upon Hull, local telephone exchanges in the UK are owned by BT. In the Kingston upon Hull area, they are owned by Kingston Communications.

Cable Companies also have facilities in areas where they have a network presence.

Mr. Flook: To ask the Secretary of State for Trade and Industry (1) whether a regulatory assessment has been made of the costs of upgrading telephone exchanges to broadband exchanges; and if she will make a statement; [135328]

(2) which body is responsible for ensuring that companies other than British Telecom are not asked to pay an uncompetitive price for upgrading telephone exchanges to make them broadband enabled; [135329]

Mr. Timms *[holding answers 30 October 2003]:* Telephone exchanges can be upgraded for broadband by their owners, or by other telecommunications providers by means of local loop unbundling. In pursuit of its broadband target, the Government is keen to see as many exchanges as possible upgraded for broadband. Nonetheless, decisions on upgrading are a commercial matter for the companies concerned.

WALES

Bechtel

Malcolm Bruce: To ask the Secretary of State for Wales if he will list the contracts for consultancy and work carried out by Bechtel in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [133580]

Mr. Touhig *[holding answer 22 October 2003]:* The Wales Office was established in 1999. Bechtel have not been contracted to carry out any consultancy work for the Wales Office since then.

Stamp Duty Land Tax

Mr. Prisk: To ask the Secretary of State for Wales what assessment he has made of the impact of increases in stamp duty land tax on economic regeneration policies in Wales; and if he will make a statement. [135613]

Ruth Kelly: I have been asked to reply.

The Government has introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas. There are 363 wards in Wales which qualify for this relief, representing the bottom 42 per cent. of areas in the national index of deprivation. The measure provides a major boost to businesses investing in commercial premises in Wales.

TRANSPORT

Air Travel

Mr. Maude: To ask the Secretary of State for Transport if he will publish the results of the SPASM computer model run on the assumptions that air travel would by 2030 pay the same rates of tax as those currently applicable to car travel. [135183]

Dr. Howells: The modelling shows that, with aviation fuel taxed at the same rate as motor vehicle fuel and with VAT imposed on all flights departing from UK airports, the number of passengers using UK airports would rise from 180 million in 2000 to around 315 million in 2030. This assumes that the increase in tax causes the same percentage decrease in demand for air travel.

Mr. Maude: To ask the Secretary of State for Transport when the responses from the public to the consultation on the Future of Air Transport in the United Kingdom will be made available for public inspection. [135192]

Dr. Howells: We have received over 400,000 responses to the consultation. These are being analysed, and an index and retrieval system is being developed. We shall make the responses available before the end of this year, except where consultees have explicitly requested confidentiality.

Responses from some key stakeholders are already in the public domain, and can be viewed on the relevant web sites.

Gatwick Airport

Mr. Maude: To ask the Secretary of State for Transport pursuant to the answer of 11 September 2003, *Official Report*, column 372W, on runway capacity, what the net economic benefit would be from building a new wide spaced runway at Gatwick, counting only benefits to UK residents. [135219]

Dr. Howells: The net economic benefits, to UK residents only, of building a new wide spaced runway at Gatwick, over and above the benefits from maximum use of existing capacity at south east airports, is approximately £2 billion, assuming all costs and benefits are discounted at 3.5 per cent. from 2000 to 2060. This estimate also takes into account a three year delay in benefits and includes a 44 per cent. increase in costs to reflect the risk in estimating costs for engineering works.

Highways Agency

Mr. Todd: To ask the Secretary of State for Transport what costs the Highways Agency has borne in dealing with illegal occupations of its land at Foston, Derbyshire in the last 12 months. [134709]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highway's Agency, Mr. Stephen Hickey, to write to my hon. Friend.

Letter from Stephen Hickey to Mr. Mark Todd, dated 3 November 2003:

The Transport Minister, David Jamieson, has asked me to reply to your recent Parliamentary Questions asking what costs have been incurred in dealing with illegal occupation of land at Foston, Derbyshire, in the last 12 months.

The total cost is not yet known as the Agency have not yet had the site cleared and have not received all invoices for the legal costs.

To date they have incurred Solicitors fees of £3559. This figure will rise as they had to apply to Derbyshire County Court for a Writ of Restitution to enforce the earlier eviction notice.

The total cost of securing the site with concrete blocks is £1,800, the blocks will remain following the site clearance until the land is tenanted.

We are working closely with the Environment Agency to ensure that the land is thoroughly cleared of any debris. It is estimated that the clearance of the land will cost approx £24,000.

Piracy

Mr. Hancock: To ask the Secretary of State for Transport how many British registered ships have been the subject of attack by pirates in each half year for the last five years; in which areas of the world these attacks have taken place; what the cost in *(a)* human, *(b)* freight and *(c)* shipping terms has been; and what steps he is taking to deal with the problem. [134964]

Mr. Jamieson: The number of British registered ships that have been the subject of attack by pirates since 1998, and the areas of the world where these attacks have taken place, are as follows:

	January to June	*July to December*
1998		
Americas	3	—
Indian Sub-Continent	1	—
South East Asia	—	2
1999		
South East Asia	—	1
South America	1	1
2000		
Africa	1	—
Americas	—	2
Far East	—	1
South East Asia	1	2
2001		
Indian Sub-Continent	1	—
South East Asia	1	2
2002		
Africa	3	1
Americas	1	3
Far East	2	—
Indian Sub-Continent	1	1
South East Asia	3	2
2003		
Africa	2	—
Americas	2	—
Far East	1	—
South East Asia	4	—

Note:
These figures are for the British Fleet, and include the United Kingdom, Crown Dependencies and Dependent Territories combined fleets.

There have been no reported instances of any seafarers being killed on a British ship during the period, and no British ships have been stolen. Ship equipment, stores, personal effects and cash have been stolen during attacks but an exact inventory is not held centrally.

Concerted action by the international community is the key to addressing the problem. The UK has participated in several counter piracy seminars in "hotspot" areas, has prepared and issued Codes of Practice for the investigation of piracy incidents and the registration of "phantom" (stolen) ships, and raised the matter at international events, including the United Nations General Assembly.

The UK Government meet the maritime industry on a regular basis to discuss how best the UK can continue to help tackle the problem of piracy. In November 2002 revised counter piracy advice was re-issued to all UK seafarers, and we have also issued advice on measures and equipment to assist ship operators.

The new IMO requirements for ships to have internationally agreed security measures in place by July 2004 will also help to protect them from piracy attacks.

Road Safety (Child Pedestrians)

Mr. Chope: To ask the Secretary of State for Transport how many child pedestrians were injured on roads, broken down by local highway authority, in each of the last three years. [134754]

Mr. Jamieson: The information requested has been placed in the Libraries of the House.

Vehicle Licensing

Mr. Gardiner: To ask the Secretary of State for Transport what procedures are in place at the DVLA to stop documents being stolen when they are being returned to the DVLA because the addressees have moved. [135119]

Mr. Jamieson: DVLA expects to issue approximately 16 million vehicle registration documents and over six million driving licences this year. On past experience, less than half of 1 per cent. of this (around 110,000 items) mail will be found by Royal Mail to be undeliverable and will be returned to the Agency.

Undelivered mail is opened under secure conditions at DVLA and the contents dealt with according to strict handling procedures. A check of DVLA records is made to compare the name and address shown with that provided by the customer. If a contact telephone number is present, the customer is contacted. Where discrepancies are identified, the problem is corrected and documents re-sent. If no error has been made, the documents are held securely for a time to allow the customer to contact the Agency. Where no further contact is received, the documents are destroyed under secure conditions.

Undelivered identity documents, e.g. passports and birth certificates, are collected by staff from a specific team. Where no address discrepancies are present, these documents are also held securely pending contact from the customer. Where no contact is forthcoming, documents are returned to their issuing authorities, the relevant embassies or to the Home Office as appropriate.

West Coast Main Line

Mr. Tynan: To ask the Secretary of State for Transport when he expects modernisation of the West Coast main line *(a)* to commence and *(b)* to be completed. [134588]

Mr. McNulty: Work to upgrade the West Coast Main Line is already under way. Completion is currently projected by 2007–08.

NORTHERN IRELAND

Delayed Discharges

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to extend the Community Care (Delayed Discharges etc.) Act 2003 to Northern Ireland; what steps he is taking to tackle the issue of delayed discharges from hospitals in Northern Ireland; and if he will make a statement. [134831]

Angela Smith: I am not planning to extend the provisions of the Community Care (Delayed Discharges etc.) Act 2003 to Northern Ireland or to introduce equivalent legislation in Northern Ireland. The Department of Health, Social Services and Public Safety has made it a requirement on Health and Social Services Boards to invest part of the annual additional allocations for community care services to ensure timely discharge from acute care in hospital. Furthermore the Secretary of State's Draft Priorities and Budget paper, which is currently out for consultation, proposes a new target for the Health and Personal Social Services designed to reduce the maximum waiting time for community care services for people who are medically fit for discharge so that by March 2006 no assessed person should wait for more than eight weeks in an acute hospital, other than in exceptional circumstances.

Loyalist Decommissioning

Mr. Hancock: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress made in decommissioning arms held by Loyalist terrorists. [134962]

Jane Kennedy: In 2003 the Loyalist Commission, along with the UDA representatives, met the Independent International Commission on Decommissioning. The Prime Minister has stated clearly that the IICD will resolutely continue to pursue complete decommissioning by all paramilitary organisations, helping to bring about a permanent end to paramilitary activity in all its forms.

Mr. Hancock: To ask the Secretary of State for Northern Ireland what estimate he has made of the amount of arms and ammunition held by Loyalist terrorists. [134975]

Jane Kennedy: Under Part II, Paragraph 1a of the Code of Practice on Access to Government Information "Information whose disclosure would harm national security or defence", it would be inappropriate for the Government to comment as the information requested by the hon. Member is only available from intelligence sources.

The Government and the Independent International Commission on Decommissioning will resolutely continue to pursue complete decommissioning by all paramilitary organisations in order to bring a complete and permanent end to paramilitary activity in all its forms.

Police (Northern Ireland) Act

Lady Hermon: To ask the Secretary of State for Northern Ireland what the total cost has been of changes brought about by the Police (Northern Ireland) Act 2000; and if he will make a statement. [134820]

Jane Kennedy: The Police (Northern Ireland) Act 2000 provides the legislative framework for the implementation of the changes recommended in the report of the Independent Commission on Policing. These include the creation of the Policing Board, the setting up of District Policing Partnerships, changes to

the planning arrangements, provisions relating to recruitment and severance, and the legal basis for both the Oversight Commissioner and the RUC GC Foundation. Given the range of direct and indirect costs, it would not be practical to place a specific figure on the total amount incurred as a result of the legislation.

Police Ombudsman

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how much has been spent on the Police Ombudsman's office in Northern Ireland since 6th November. [136072]

Jane Kennedy: The Police Ombudsman reports the cost of running her office in each financial year since its formation is as follows:

	£
2002–02	[1]7,821,378
2003–03	6,858,897

The Police Ombudsman advises that from 1 April to 30 September 2003 the cost of running the office has been £3,104,907.

[1] This figure represents expenditure by Police Ombudsman's Office from its establishment on 6 November 2000 until 31 March 2002.

Provisional IRA

Mr. Dodds: To ask the Secretary of State for Northern Ireland what his assessment is of the Provisional IRA's capacity to carry out *(a)* targeting, *(b)* intimidation and *(c)* racketeering activities in Northern Ireland. [134633]

Jane Kennedy: Under Part II, Paragraph 1a of the Code of Practice on Access to Government Information (Information whose disclosure would harm national security or defence), it would be inappropriate for the Government to comment as the information requested by the hon. Gentleman is only available from intelligence sources.

We now call on all paramilitary organisations to bring a complete and permanent end to paramilitary activity in all its forms.

Research and Development

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many *(a)* successful and *(b)* unsuccessful applications were received for the Department of Enterprise, Trade and Investment's Research and Development programmes in each of the last three years; and what the total amount was of funding allocated for research and development programmes. [133869]

Mr. Pearson: Since 1 April 2000 the Innovation, Research and Technology Division of Invest Northern Ireland (and the predecessor agency, the Industrial Research and Technology Unit), supported 1,038 applications and rejected 143 applications for research and development activities. A total of £77,524,907 in grants was offered to successful applicants. Details are provided in the following table.

	Successful applications	*Rejected applications*
2000–01	304	83
2001–02	293	86
2002–03	310	47
2003–04	131	25
Total	1,038	143

[1] As of 21 October 2003

Road Gritting

Mr. Dodds: To ask the Secretary of State for Northern Ireland if he will change the decision to reduce the gritting of roads and streets in North Belfast. [134634]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Gentleman in response to this question. A copy of the letter will be placed in the Library.

Stamp Duty Land Tax

Mr. Prisk: To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of increases in stamp duty land tax on economic regeneration policies in Northern Ireland; and if he will make a statement. [135611]

Ruth Kelly: I have been asked to reply.

The Government has introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas. There are 237 wards in Northern Ireland which qualify for this relief, representing the bottom 42 per cent. of areas in the national index of deprivation. The measure provides a major boost to businesses investing in commercial premises in Northern Ireland.

FOREIGN AND COMMONWEALTH AFFAIRS

Chagos Islands

Peter Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs what the nationality and residential status are of the Chagos islanders; who is responsible for their well-being on arrival in the UK; and if he will nominate a Minister to meet hon. Members and concerned county councils to discuss provision of services and their costs for the islanders. [131664]

Mr. Rammell: By virtue of the British Overseas Territories Act 2002, most Chagossians, together with most of the inhabitants of the other Overseas Territories, became British citizens (as well as Overseas Territories citizens) on the commencement of the Act on 21 May 2002. They thereby acquired the right to enter and take up residence in the UK. As regards their entitlement to state services the Chagossians who have come to the UK have the same rights, and are treated in the same way, as other British citizens coming here from overseas.

The Chagossians were advised that, on arrival in the UK, they would not automatically be eligible for the whole range of state benefits and that they should

therefore have sufficient funds at their disposal to support themselves until they had fulfilled the required habitual residence test.

Ministers would be pleased to meet hon. Members and concerned county councils, at the appropriate time, to discuss these matters.

Afghanistan

Mr. Djanogly: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the payment system to poppy growers in Afghanistan *(a)* last year and *(b)* this year; which countries met the cost of the system; and how much in sterling each paid; how many growers took part; how much each poppy grower received; and what the take-up rate was. [134865]

Mr. Rammell: In 2002, the Afghan Government considered it appropriate to offer a one-off programme of compensation payments to opium poppy farmers on the basis that the poppy crop had been planted during the Taliban regime. The UK provided financial assistance worth £21.25 million in order to support the new regime's commitment to tackle drugs production but it was the responsibility of the Afghan authorities to administer the system of payments. We understand from the Afghan authorities that they provided compensation of $1,750 per hectare. Information about the total number of farmers who took part is not available. The Afghan Government estimated that 17,000 hectares of poppy were destroyed.

In 2003, the Afghan Transitional Authority ran a non-compensated eradication programme through the Province Governors. The UK was not involved in this programme. There has not been any estimate of the amount of poppy destroyed.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134689]

Mr. Mike O'Brien: In the UK the Foreign and Commonwealth office maintains official residential accommodation for my right hon. Friend the Foreign Secretary at No 1 Carlton Gardens. The spend each year on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs since 1997 is as follows:

£

	1997–98	*1998–99*	*1999–2000*	*2001–01*	*2001–02*	*2002–03*
Maintenance	19,093	3,510	24,561	15,918	1,245	4,089
Renovation	3,354	15,246	—	—	—	—
Council tax	202	325	350	375	410	491
Running costs—rent	15,225	25,180	27,300	54,000	54,000	54,000
Utilities	6,637	8,049	1,620	4,723	5,251	3,971
Total	44,511	52,309	53,831	75,016	60,906	62,551

A downward rent review in 1995 resulted in a credit of £46,200 being received for overpaid rent during the 1997–98 period. A rent review in April 2000 resulted in a rate increase.

EU Intergovernmental Conference

Mr. Andrew Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the evidential basis used to support the statements in A Constitutional Treaty for the EU: The British Approach to the European Union Intergovernmental Conference, Cm 5934, that *(a)* outside the EU the UK would have less, not more, control of its economy, *(b)* the proposed constitution is no more than a tidying-up exercise, *(c)* the proposed constitution is arguably the most significant development since the foundation of the EEC and *(d)* the national Governments of member states remain in control. [135455]

Mr. MacShane: In relation to point *(a)* the full quotation from the White Paper makes our position clear: "Outside the EU, we would have less, not more, control of our economy—because to continue to trade with the Union, we would still have to be bound by its rules. But we would end up with much less say in shaping them." On point *(b)*, the White Paper does not contain any such statement. On point *(c)*, the White Paper does not say this. My right hon. Friend the Prime Minister comments in his foreword that the enlargement of the EU to 25 member states "will arguably be the most significant development since the foundation of the EEC". Concerning point *(d)*, the White Paper provides the basis for this statement as follows: "The Union's powers clearly derive from the member states; and the draft Treaty preserves the principle that the most important decisions on EU issues are taken, by unanimity, by the Governments of member states."

Great Lakes Region

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his Answer of 22 October 2003, *Official Report*, column 615W, on the Great Lakes Region, what monitoring took place of the Interim Emergency Multinational Force; and what monitoring is taking place of the UN Organisation Mission in the Democratic Republic of Congo Ituri Brigade. [135215]

Mr. Mullin: The actions of the Interim Emergency Multinational Force (IEMF) was monitored and evaluated by the Political and Security Committee of the EU. The IEMF's operations were also discussed by EU member states.

The work of the Ituri Brigade of the UN Organisation Mission in the DRC (MONUC) is regularly monitored by the UN's Department of Peacekeeping Operations in New York and by the UN Security Council through

regular reporting. MONUC also provides weekly briefings to diplomatic missions in Kinshasa. Representatives from our embassy regularly visit the region and discuss the situation there with the UN Secretary General's Special Representative.

Guantanamo Bay

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent progress has been made in discussions between the USA and UK Governments regarding the British detainees at Guantanamo Bay; and whether the possibility of repatriation remains under discussion. [135181]

Mr. Mullin: Discussions between the Government and the US Administration about the British nationals detained at Guantanamo Bay continue. A number of options are still being considered, including the possibility of repatriation.

Iraq

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs from which country the information on Iraq's alleged attempt to procure uranium from Niger was obtained; and whether he has asked that country if its details may be publicly released. [133399]

Mr. Mike O'Brien: As has been said before in response to questions on this subject, the Government will not identify the source of the information received. The information was passed to the Government in confidence by the Government of another state, and is therefore covered under Exemption 1(c) of the Code of Practice on Access to Government Information.

We did seek authority from the originators to release the information to UN inspectors. This permission was not granted. We subsequently urged the Government concerned to make the information available themselves.

Kosovo

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what action has been taken to pursue those responsible for the murder in the summer of two Serbian boys by snipers in Kosovo; and if he will make a statement. [135437]

Mr. Mike O'Brien: My right hon. Friend the Minister of State at the Foreign and Commonwealth Office (Denis MacShane) issued a press statement on behalf of the Government on 14 August condemning the attack.

The NATO-led force in Kosovo (K-FOR) and the UN Peacekeeping Mission (UNMIK) immediately launched efforts to pursue those responsible. The Special Representative of the UN Secretary-General (SRSG) established a special investigative team. K-FOR deployed 300 troops, tracker dogs, and increased ground and air patrols. UNMIK police set up mobile reserve units to conduct random vehicle checkpoints, and vehicle and foot patrols targeted with the specific aims of interdicting movement of persons with weapons and checking for criminals.

The UK fully supports the ongoing efforts of UNMIK Police and K-FOR to find the perpetrators of this terrible attack.

St. Helena

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs when the last ministerial visit from his Department to St. Helena was; and when the next one will be. [135658]

Mr. Rammell: St. Helena has never had a visit by a Foreign and Commonwealth Office Minister. There are no current plans for an FCO ministerial visit to the island.

Mr. James Miller

Nick Harvey: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to persuade the Israeli Government to disclose to Mrs. Sophy Miller the Israeli Defence Force report into the killing of her husband Mr. James Miller. [135025]

Mr. Mullin: This issue has been raised with the Israelis on a number of occasions, most recently by my Noble Friend the Baroness Symons of Vernham Dean during her recent visit to Israel. The Israelis explained that the results of the General Command Inquiry will be one of the sources used for the Military Police investigation which we and James' family have been pressing for, and could therefore not be released prematurely. The Military Police investigation is now underway and the Israeli Government have assured us that the full results will be presented to the family.

Somalia

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the UK Government have had with the leaders of the Somalialand region of Somalia about their aspirations for an independent state. [132249]

Mr. Mullin: I met with senior members of the Somaliland administration/authorities on 3 October. They referred to Somaliland's aspiration to be an independent state. The UK Government have no plans at present to recognise an independent Somaliland.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government has taken to support independent broadcasters broadcasting to Zimbabwe from outside Zimbabwe. [135209]

Mr. Mullin: We have made clear our support for strong, independent media reporting on Zimbabwe. The Government works with a variety of civil society and media organisations in and outside Zimbabwe to this end. We do not publish details of our co-operation with such organisations.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has raised the issue of Zimbabwe with the South African Government during their recent visit to the UK; and if he will make a statement. [135210]

Mr. Mullin: My right hon. Friend the Foreign Secretary and I had useful discussions about Zimbabwe with Foreign Minister Zuma and other South African participants in the recent London conference.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy *(a)* to unilaterally strengthen sanctions against Zimbabwe and *(b)* to seek the strengthening of sanctions against Zimbabwe by the EU. [135216]

Mr. Mullin: We keep our policy on sanctions against Zimbabwe under regular review. We favour multilateral sanctions wherever possible because these have a greater practical impact and send a stronger political signal.

The EU sanctions on Zimbabwe were imposed in response to serious violations of human rights and the rule of law. The present sanctions expire in February 2004. We and our EU partners will decide then, in the light of the situation in Zimbabwe, whether to maintain or amend the present arrangements.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press for the extension of EU targeted sanctions on senior Zanu PF officials to include spouses and children. [135221]

Mr. Mike O'Brien: When EU sanctions against Zimbabwe come up for renewal in February 2004 we and our EU partners will assess whether the Zimbabwe Government continues to engage in serious violations of human rights and of the rule of law. If the EU judges that the situation in Zimbabwe has deteriorated further it may consider extending the sanctions. It would choose to extend them in such a way as to have maximum impact on the decision makers in the Zimbabwe Government. Extending them to relatives of those on the sanctions list (within the limits of other relevant international obligations, for instance the Convention on the Rights of the Child) remains a possibility.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 21 October 2003, *Official Report*, column 537W, on the Zimbabwe cricket tour, what advice was given to the England and Wales Cricket Board by his Department's officials on the matter of the political situation in Zimbabwe. [135369]

Mr. Straw: FCO officials have not provided ECB officials with detailed briefing on the current political situation in Zimbabwe. The basic facts about this are in any event in the public domain. The ECB has not requested such a briefing so far in advance of the England cricket team's tour of Zimbabwe which is scheduled for late 2004. FCO officials have informed ECB officials about some key dates coming up in relation to Zimbabwe. They will continue to respond to requests from the ECB and other organisations for information on the political situation inside Zimbabwe and on safety and security issues.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Abandoned Vehicles

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs how many abandoned cars have been removed by local authorities in England in each of the last five years; and at what estimated cost to public funds. [133528]

Mr. Morley: Information on abandoned vehicles was collected for the first time in the Municipal Waste Management Survey covering the financial year 2000–01. Data up to the latest year for which they are available are shown in the following table:

Financial year	*Number of abandoned vehicles removed*	*Estimated cost (£ million)* [1]
2000–01	230,000	Between 6.9 and 11.5
2001–02	293,000	Between 8.79 and 14.65

[1] Based on estimated disposal costs of between £30 and £50 per vehicle.

Beef Exports

Ian Lucas: To ask the Secretary of State for Environment, Food and Rural Affairs what the value was of United Kingdom exports of beef to the United States of America in each year since 1997. [133983]

Mr. Bradshaw: The table shows the value of United Kingdom exports of beef to the United States of America since 1997.

United Kingdom Beef Exports to United States of America

	£
1997	6,904
1999	3,175
2000	3,160
2001	13,537

Note:
There were no UK exports of beef to the United States in the years 1998, 2002 and 2003 (January to July).
Sources:
1. HM Customs and Excise.
2. Data prepared by Statistics (Commodities and Food) Consultancy Trade and IT, ESD and Defra.

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the steps the Government is taking to encourage the resumption of beef exports. [134668]

Mr. Bradshaw: It has been possible since 1 August 1999 to export UK beef under the stringent rules of the Date-based Export Scheme (DBES). Beef exports resumed in September 2002 following the ending of foot and mouth disease restrictions and changes to the rules of DBES to make it easier for companies to participate. To date there are four slaughterhouses in the Scheme.

We submitted papers to the European Commission in support of our case for further changes to the DBES and our request for restrictions to be lifted so that the UK can trade on the same basis as other member states in April 2003 and June 2003 respectively. These papers as updated are currently being considered by the European Food Safety Authority (EFSA). In addition, we have extended the period of rebates on DBES eligibility checks and Meat Hygiene Service supervision charges until the end of June 2004 for slaughterhouses entering the Scheme before the end of 2003. We have also identified with industry a number of key markets so that lobbying can be targetted effectively.

Common Agricultural Policy

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to use regional average payments to implement the Common Agricultural Policy reforms; and if she will make a statement. [134125]

Mr. Bradshaw: The deadline for responses to our consultation exercise on whether to adopt the regional average payment model of the Single Payment Scheme ended on 24 October 2003. Those responses will help inform our decisions on this matter, which we hope to announce within the next few months.

Departmental Energy Efficiency

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs how much *(a)* electricity and *(b)* other energy her Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans she has to reduce usage; and if she will make a statement. [135052]

Mr. Bradshaw: The answer in respect of parts *(a)* and *(b)* parts (i) and (ii) for all Government Departs is shown in the attached table. Due to a number of uncertainties about the future structure of the Department arising from the Review of Rural Delivery and the Independent Review of Public Sector Relocation it is not possible to make accurate estimates of projected energy use in future years.

A number of measures are in place to reduce energy usage. From 1 November, all new contracts by central government department must meet minimum energy efficiency standards as well as value for money, when purchasing certain types of product. Types of products that must meet energy efficiency criteria include IT equipment, gas boilers, white goods (e.g. fridges and washing machines), televisions, lighting systems and light-bulbs.

All but the smallest Defra sites work to reducing energy below a site-specific benchmark. Energy audits are regularly commissioned for those above benchmark and remedial action is taken as necessary, On-going energy efficiency awareness campaigns seek co-operation from staff in economy of use.

In addition, new targets for energy use on the Government Estate are being developed under the Framework for Sustainable Development on the Government Estate. Targets will be based on current Government policy on energy use and Will be published before the end of the year.

			Weather Corrected[1] Energy Consumption (GWh)		*Weather Corrected[1] Energy Consumption (kWh/m2)*	
Department	*Year*	*Floor Area (m^2)*	*Fossil*	*Electricity*	*Fossil*	*Electricity*
Cabinet Office[2,3]	1997–98	96,230	16.1	8.1	168	84
	1996–99	96,230	12.0	9.3	125	97
	1999–2000	96,230	11.9	10.0	124	104
	2000–01	65,222	12.4	9.9	190	151
	2001–02	126,495	20.7	15.7	164	124
Department of Constitutional Affairs[4]	1997–98	744,310	116.0	66.3	156	89
	1996–99	743,200	119.1	67.7	160	91
	1999–2000	738,050	102.7	64.4	139	87
	2000–01	734,896	101.5	62.5	138	85
	2001–02	733,546	84.6	85.1	115	89
Department of Culture, Media and Sport[5]	1997–98			-		
	1998–99			-		
	1999–2000	13,270	0.4	3.5	33	261
	2000–01	13,270	0.4	3.5	33	261
	2001–02	13,270	0.4	3.5	33	261
Department for Education and Skills[6]	1997–98	108,009	12.9	20.1	119	186
	1998–99	104,020	10.6	19.3	102	186
	1999–2000	105,901	14.7	19.6	139	185
	2000–01	102,913	14.7	20.6	143	200
	2001–02	102,913	15.9	19.3	155	188
Department for the Environment, Food and Rural Affairs[7]	1997–98	176,715	26.5	15.9	150	90
	1998–99	190,424	27.1	17.2	142	90
	1999–2000	192,565	23.4	15.8	122	81
	2000–01	199,817	24.8	16.9	124	84
	2001–02	221,455	31.6	21.1	143	95
Department for the Environment, Food and Rural Affairs Laboratories[7]	1997–98	146,205	63.3	31.5	433	216
	1998–99	148,198	59.0	30.7	398	207
	1999–2000	158,542	61.6	31.9	389	201
	2000–01	155,761	80.8	28.3	519	162
	2001–02	157,795	91.4	26.4	579	168
Department of Health	1997–98	62,757	7.1	12.3	113	196
	1998–99	62,757	9.1	13.4	145	213
	1999–2000	62,757	8.8	14.1	140	224
	2000–01	62,757	7.2	13.6	116	216
	2001–02	62,757	6.4	13.1	103	209

Department	Year	Floor Area (m^2)	Weather Corrected[1] Energy Consumption (GWh)		Weather Corrected[1] Energy Consumption (kWh/m2)	
			Fossil	Electricity	Fossil	Electricity
Department for International Development[8]	1997–98	21,608	3.8	3.0	175	141
	1998–99	21,608	3.8	3.1	174	144
	1999–2000	21,611	44	3.1	205	142
	2000–01	23,402	4.5	3.4	194	147
	2001–02	21,911	4.2	4.0	194	183
Department of Trade and Industiy[9]	1997–98	256,480	253	30.4	98	118
	1996–99	249,320	241	29.6	97	119
	1999–2000	255,233	264	30.8	111	121
	2000–01	217,829	25.6	33.0	118	152
Department of Transport, Local Government and the Regions[10,11] (excluding QEII Conference Centre	1997–98	489,563	744	50.3	152	103
	1998–99	514,291	644	52.5	125	102
	1999–2000	480,728	65.6	51.5	136	107
	2000–01	398,306	57.6	50.9	145	128
	2001–02	390,457	69.0	54.8	173	137
QEII Conference Centre	1997–98	27,088	44	6.7	163	247
	1998–99	27,088	4.7	8.6	174	317
	1999–2000	27,081	44	8.1	162	299
	2000–01	27,000	45	6.6	166	244
	2001–02	27,000	5,6	6.7	206	249
Department for Work and Pensions[12]	1997–98	2,347,775	502.1	237.3	214	101
	1998–99	2,221,950	441.4	226.2	199	102
	1999–2000	2,268,462	479.1	224.4	211	99
	2000–01	2,399,225	436.2	229.7	182	96
	2001–02	2,401,337	4456	248.7	186	104
Foreign and Commonwealth Office[13,14]	1997–98	105,530	236	17.9	224	169
	1998–99	105,530	20.0	16.8	190	159
	1999–2000	87,307	15.4	17.4	176	199
	2000–01	107,071	142	20.2	132	189
	2001–02	85,213	152	16.9	178	199
Home Office (excluding Prisons)	1997–98	186,497	485	24.6	260	133
	1998–99	193,205	46.2	27.4	239	142
	1999–2000	232,655	506	36.2	217	156
	2000–01	286,009	603	44.1	211	154
	2001–02	332,041	798	50.0	240	151
Prisons[15]	1997–98	2,927,474	1,342.6	240.8	459	82
	1998–99	2,644,588	9642	233.6	365	88
	1999–2000	3,073,966	1,186.3	268.0	386	87
	2000–01	3,111,213	1,112.8	280.4	358	90
	2001–02	3,208,001	1,127.9	272.8	352	85
Inland Revenue[16]	1997–98	1,020,692	181,0	87.0	177	85
	1998–99	1,275,808	175.5	112.3	138	88
	1999–2000	1,145,105	174.9	163.6	153	143
	2000–01	1,145,105	1749	163.6	153	143
	2001–02	1,582,551	2175	175.2	137	111
Ministry of Defence[17,18,19,20,21,22,23] (excluding Army Overseas other than Germany	1997–98		5,758.6	1,798.1	N/A	N/A
	1998–99		6,525.7	1,772.7	N/A	N/A
	1999–2000		5,155.7	1,846.5	N/A	N/A
	2000–01		4,997.1	1,873.8	N/A	N/A
	2001–02		4,733.5	1,667.3	N/A	N/A
Army Overseas other than Germany[17]	1997–98					
	1998–99					
	1999–2000					
	2000–01					
	2001–02		85.2	386		

Notes:

[1] All data for fossil/heating energy is weather corrected to the 1990–91 20 year degree day average This is for consistency sincere old campaign was weather corrected to the 1990–91 20 year average and the new campaign to the 1999–00 20 year average. This explains any differences between these figures and those published in the new campaign.

[2] The Cabinet Office had four agencies transferred out of its control between 1999–2000 and 2000–01

[3] The Cabinet Office had nine Regional Government Offices transferred to its estate between 2000–01 and 2001–02

[4] Previously the Lord Chancellor's Department

[5] The Department for Culture, Media and Sport have inconsistencies in their data for 2000–01 and so 2001–02 was used as their base year for the new campaign. This explains why their figures are the same for 1999–2000 to 2001–02 These inconsistencies also mean it is not meaningful to compare 2001–02 with data prior to 1999–2000

[6] DFES use some heat that is produced by a CCL exempt source. This has been included with the fossil fuel

[7] Department for Environment, Food and Rural Affairs energy performances for the Main Estate and Laboratories in 2001–02 include consumptions from the additional buildings and longer worked hours by staff dealing with the foot and mouth emergency The Main Estate also reflected additional fully air-conditioned buildings as part of a new Agency in DEFRA.

[6] The Department for International Development moved offices during 2001–02, therefore their floor area for this year has been calculated based on the proportion of the year they were in each office
[9] The Department for Trade and Industry had 3 Regional Government Offices transferred out of their estate in 2001–02
[10] The Department for Transport, Local Government and the Regions previously known as Department for the environment, Transport and the Regions.
[11] The Department for Transport, Local Government and the Regions had six Regional Government Offices transferred out of their estate in 2001–02
[12] The Department for Work and Pensions is the result of an amalgamation of the Department of Social Security and Employment Services which occurred in full in April 2002. Therefore previous separate returns for the two departments have been added together to allow comparison.
[13] The Foreign and Commonwealth Office returns for 2000–01 include their Wilton Park executive agency for the first time. This accounts for approximately 4 per cent. of the increase.
[14] In 2000–01 the Foreign and Commonwealth Office brought back into use the Old Admiralty Building, progressively relocating staff from 8 Cleveland Row, Cromwell House, 1 Palace Street and 20 Victoria Street. It retained reporting responsibilities for the vacated buildings until March 2001.
[15] It was not possible to report consistently on a small proportion of prisons throughout the three years This was mainly due to missing or incomplete data on those specific prisons.
[16] Inland Revenue 1999–2000 data was fell to be too inconsistent to be used in the comparison, therefore 2000–01 has been used in its place.
[17] The Army included energy consumption from overseas bases other than Germany for the first time in 2001–02; therefore this is entered separately
[18] For the new campaign the financial year 2001–02 is the baseline for the Army and this figure has been applied retrospectively to 1999–2000 and 2000–01 but with energy consumption from 2 sites of the Joint Helicopter Command (Odiham and Benson) removed from the 1999–2000 and 2000–01. This therefore takes into account the fact that these two sites were transferred from the RAF to the Army in April 2001.
Actual figures for these two sites have been used since they were recorded by the RAF prior to their transfer, hence the Army retrospective figure is not the same across these three years.
[19] The Civil estate of the MOD figures do not include the London offices, with the exception of 3–5 Scotland Yard This is due to difficulties in obtaining the data as these buildings are run under PFI contracts.
[20] The civil estate of the MOD have not been able to provide figures prior to 2001–02, therefore this is being used in previous years to allow comparisons 1997–98 and 1998–99 have been entered using figures from the last year the Civil estate completed a return
[21] Defence Logistics Organisation were not in existence prior to 2000–01, therefore the figures for 2000–01 have been used in 1999–2000 to allow comparison
[22] In July 2001 the Defence Research Agency was split into DSTL and a private company, QinetiQ Therefore since July 2001 consumption in buildings used by QinetiQ have not been included
[23] The RAF have made significant savings in 2001–02 in part due to the transfer of two Joint Helicopter Command sites (Odiham and Benson) to the Army in April 2001

Environmental Targets

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what targets the Government have set for *(a)* energy efficiency in the UK, *(b)* waste minimisation, *(c)* marine pollution, *(d)* air quality, *(e)* climate change, *(f)* renewable energy, *(g)* fly-tipping, *(h)* packaging, *(i)* end of life vehicles, *(j)* the disposal of hazardous waste, *(k)* incineration, *(l)* recycling, *(m)* water quality, *(n)* coastal erosion, *(o)* fuel poverty, *(p)* flood defence, *(q)* wind power use, *(r)* domestic waste management, *(s)* industrial waste management, *(t)* landfill, *(u)* greenhouse gas emissions and *(v)* timber procurement. [133258]

Mr. Morley: Government's targets and goals include the following:

On climate change, greenhouse gas emissions, and energy efficiency *(e, u, a)*, the UK Climate Change Programme is designed to deliver our Kyoto Protocol target to reduce greenhouse gas emissions to 12.5 per cent. below 1990 levels by 2008–12, as well as set us on a path towards our domestic goal of a 20 per cent. reduction in carbon emissions by 2010. The Government stated in the Energy White Paper our expectation for more than half the emissions reductions in the Programme to come from energy efficiency. In the White Paper, the Government also accepted the Royal Commission on Environmental Pollution's recommendation that the UK should put itself on a path towards a reduction in carbon dioxide emissions of some 60 per cent. from current levels by about 2050.

For renewable energy and wind power use *(f, q)* the Government's aim is that by 2010, 10 per cent. of the UK's electricity should be supplied from renewable sources and our aspiration is that by 2020, to double renewables' share of electricity from our 2010 target. There are currently no specific targets for particular forms of renewable energy such as wind power.

On fuel poverty *(o)* the goal of the Government and Devolved Administrations is the eradication of fuel poverty as far as reasonably practicable by 2016–18, and in England and Wales for vulnerable households by 2010. In addition, in England we have a target to reduce fuel poverty among vulnerable households by improving the energy efficiency of 600,000 homes between 2001 and 2004.

For domestic waste management, recycling and landfill *(l, r, t)* the targets are to recycle or compost 17 per cent. of household waste by 2003–04 and 25 per cent. by 2005–06 and, from the Landfill Directive, by 2010 to reduce biodegradable municipal waste landfilled to 75 per cent. of that produced in 1995; by 2013 to 50 per cent. and by 2020 to 35 per cent.

For waste minimisation and incineration *(b, k)* there are no set targets, but Government policy is to drive waste management up the waste hierarchy; this hierarchy has landfill at the bottom and minimisation at the top.

For packaging *(h)*, current (2002 and 2003) targets are 59 per cent. for recovery and 19 per cent. for material-specific recycling. A consultation on targets for 2004–08 has just closed.

For the disposal of hazardous waste and industrial waste *(j, s)*, the Waste Strategy 2000 set a target to reduce the amount of industrial and commercial waste sent to landfill to 85 per cent. of the 1998 level by 2005. This target includes hazardous waste.

On end of life vehicles, the End of Life Vehicles Directive has not yet entered into force in the UK. The main targets will be 85 per cent. of all ELVs reused or recovered and 80 per cent. reused or recycled by January 2006, rising to 95 per cent. reused or recovered and 85 per cent. reused or recycled in 2015.

There are currently no targets for fly-tipping *(g)*.

For air quality *(d)*, the Air Quality Strategy sets targets for carbon monoxide, lead, nitrogen dioxide, particles, sulphur dioxide, benzene and 1,3-butadiene.

For water quality *(m)*, the Government has targets that at least 91 per cent. of English rivers achieve their river quality targets by 2005; and that at least 97 per cent. of bathing waters in England meet the mandatory coliform standards in the 2005 bathing season.

For marine pollution *(c)*, the targets for reducing and eliminating marine pollution are generally those set out in the strategies on hazardous substances, radioactive substances and eutrophication agreed in the OSPAR Convention for the Protection of the Marine Environment of the North East Atlantic and relevant EC Directives.

For coastal erosion and flood defence *(n, p)*, targets are to aim, by the encouragement of sustainable defence measures (including timely and effective flood warning systems), to have no loss of life through flooding; and by investing £397 million over the Spending Review period (2003–06), to reduce the risk of flooding to life, to major infrastructure, environment assets and to some 80,000 houses.

On timber procurement *(v)* the UK Government are committed to, seek to procure products made from timber that has been legally felled and grown in a forest or plantation managed to sustain biodiversity, productivity, vitality and to prevent harm to other ecosystems and indigenous or forest dependent people. Targets for sustainable public procurement will be published in early 2004 as part of the Framework for Sustainable Development on the Government Estate.

Farm Values

Paul Flynn: To ask the Secretary of State for Environment, Food and Rural Affairs what changes have taken place in the last three years in the value of *(a)* farmland and *(b)* farms and farm buildings. [134667]

Mr. Bradshaw: Estimates are available only for the value, in the UK, of farm land and farm buildings combined. Statistics are also available on the average price of sales of farm land in England. The following tables show the most recent available data for each, in current and real terms (1995 prices).

Value of 'farm land and buildings' in the UK

£ million

	Current prices	*1995 prices*
1999	90,784	81,837
2000	92,767	81,218
2001	96,539	83,011
2002[1]	n/a	n/a

[1] Figures for 2002 will be published in "Agriculture in the United Kingdom" in March 2004

Annual average price[1] of agricultural land sold in England

£ per hectare

	Current prices	*1995 prices*
1999	6,652	5,994
2000	7,057	6,177
2001	7,328	6,299
2002	6,956	5,884

[1] Provisional

Fisheries

Mrs. Iris Robinson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will estimate the amounts of each fish species removed by fishing vessels other than those registered in the UK from each of the statistical fishing regions which fall within the UK's national waters, in each of the past five years. [133992]

Mr. Bradshaw: The information requested is available from data submitted by Member States and others to the European Commission on their landings offish from the ICES Divisions that surround the UK coast (Divisions IV, VI and VII), and a copy of results has been placed in the House of Commons Library.

GM Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs in relation to the farm scale evaluations of GM crops *(a)* which herbicides were used in the maize trials and whether these will continue to be legally available to farmers, *(b)* who was responsible for the independent measurement of maize yields and herbicide inputs and *(c)* whether comparisons between GM and non-GM maize yields were of crops using identical herbicide use. [134923]

Mr. Morley: All of the herbicides used in the GM crop farm-scale evaluations, both on the GM crops and the non-GM equivalents, are listed in full in the scientific papers published on 16 October 2003 (see Champion et al. 2003; "Crop management and agronomic context of the farm scale evaluations of genetically modified herbicide tolerant crops'"; *Philosophical Transactions of the Royal Society* (B). 358 (1439): 1801–1818. A copy of this journal has been placed in the Library. Three herbicides used in the maize trials have been withdrawn as part of the EU review programme of pesticide active ingredients. The herbicides Atrazine and Simazine can be used for a further 18 months. Cyanazine can be used until the end of December 2003.

The independent research team carrying out the evaluations audited the herbicide use by the farmers and monitored growth stages of the crops to compare yields. They concluded that the trials were conducted fairly. This approach and conclusion was endorsed by the

independent Scientific Steering Committee and again independently assessed and by the journal referees; see Champion et al. 2003 for more details.

Comparisons were not made using identical herbicide regimes as the purpose of the trials was specifically to assess the impact on wildlife of the different herbicide regimes used on the GM and non-GM crops.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list *(a)* Government-commissioned research and inquiries, *(b)* peer-reviewed research undertaken by others, *(c)* non-peer-reviewed research undertaken by others and *(d)* other information or sources of data upon which her Department will draw in making its decisions on the licensing of GM crops; and if she will set out for each item of work commissioned by her Department the date on which it was (i) commissioned and (ii) placed or expected to be placed in the public domain. [135139]

Mr. Morley: An application for consent to grow a GM crop must be supported by a dossier of information about the particular GM crop, its properties and behaviour. In considering whether to license a particular Genetically Modified Organism for release in the UK my Department seeks the advice of the Government's statutory advisers on the release of GMOs—The Advisory Committee on Releases to the Environment (ACRE). In making advice ACRE will consider the application and any available relevant information on the implications of the proposed release. This will include relevant data or literature whether commissioned by the Government or by others, and whether peer reviewed or not peer reviewed.

Details of Government-commissioned GMO related research work are available on our website at www.defra.gov.uk/environment/gm/research. This includes details of completed projects and links to download or order any published reports. In addition to those projects listed on the website the following table shows other Defra funded research projects currently under way and indicates when they are expected to be published.

The volume of GMO related work published by others, either in peer-reviewed or non-peer reviewed publications, is vast and continually growing. The body of literature was recently reviewed by the GM Science Review Panel as part of the GM Dialogue, and their final report is available at www.gmsciencedebate.org.uk. This report has been made available to ACRE. In addition ACRE members are kept informed of any new publications as and when they appear.

Defra research project	*Due for publication*
Modelling effects of herbicide and insecticide management	December 2003
Biodiversity effects of management associated with GM cropping systems	December 2003
Monitoring movement of herbicide resistance genes from farm scale evaluation field sites to populations of wild crop relatives.	December 2003
Gene Flow Monitoring from the FSE sites: Monitoring Gene Flow from the GM Crop to Non-GM Equivalent Crops in the Vicinity. Part 2: Oilseed Rape.	November 2003
The Potential Value of the FSE sites to assess the impact of GMHT crops on birds	November 2003

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs when the Agriculture and Environment Biotechnology Commission report on co-existence and liability of GM and non-GM seeds and crops will be published. [135141]

Mr. Morley: We expect this report to be published by the end of November.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with representatives of the organic farming and growing sectors on *(a)* co-existence with GM crops and *(b)* liability for cross-contamination of GM crops. [135142]

Mr. Morley: Defra Ministers and officials have had many discussions on GM crops with representatives of the organic sector. For example, the co-existence of GM and organic crops was considered at a meeting of the Organic Action Plan Group chaired by my hon. Friend the Parliamentary Secretary (Commons), on 17 September 2003, and I had a meeting on 29 October 2003 with several organic groups to hear their views on GM issues.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the weight she will give to the results of the GM Nation consultation exercise in making decisions on the future use of GM biotechnology. [135147]

Mr. Morley: GM biotechnology has a wide range of current and potential applications, for example, in the areas of health care, medicines, genomics, animal and plant health, food and agriculture. The results of the GM Nation? exercise will help to inform us in making policy decisions in these areas.

Magnox Power Stations

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs when she will announce her decision on the Environment Agency's proposed decision on the Magnox power stations; and whether the continued operation of the Magnox stations is justified in accordance with the requirements of European law (Article 6 of Council Directive 96/29/Euratom). [134265]

Mr. Morley: An announcement will be made as soon as possible.

GM Inspectorate

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs how many persons are employed in the GM Inspectorate in terms of *(a)* individuals and *(b)* whole-time equivalents; what the figures were in each of the last five years; what the total staff cost was in each of those years; what their functions were; and what assessment she has made of the achievements of the staff of the Inspectorate. [132456]

Mr. Morley: The Defra GM Inspectorate comprises inspectors based at the Central Science Laboratory and at the Health and Safety Executive (HSE). Prior to 2000 all the work was carried out by HSE inspectors. Details of staff numbers and costs for the last five years are in the table.

	HSE			*CSL*		
	Staff	*Whole-time equivalents (staff years)*	*Costs (£)*	*Staff*	*Whole-time equivalents (staff years)*	*Costs (£)*
1998–99	4	0.7	105,000	N/A	N/A	N/A
1999–00	4	1.1	76,434	N/A	N/A	N/A
2000–01	5	0.35	52,000	5	0.97	95,116
2001–02	5	0.2	21,600	5	3.10	222,490
2002–03	6	0.3	33,670	5	2.04	237,849
2003–04	5	0.76	—	4	3.71	—

The functions of the GM Inspectorate at CSL are primarily to monitor compliance in England and Wales with consents issued under Directive 2001/18 on the deliberate release of genetically modified organisms (GMOs) both for placing on the market of GMOs as or in products (Part C) and for any other purpose (Part B) and to ensure that the provisions of the Environmental Protection Act 1990 and related legislation are adhered to. The Inspectorate also conducts research to underpin its forensic work, and maintains links with inspectors elsewhere in the UK and throughout the EU.

The Inspectorate at HSE reports on the environmental aspects of contained uses of GMOs (other than GM micro-organisms) in England, Scotland and Wales, under the Environmental Protection Act 1990 and related legislation and monitors compliance with consents issued under Part B of Directive 2001/18 for clinical trials of GMOs.

The number of inspectors deployed reflects the numbers of consents and releases to be monitored, this varies from year to year. For example there are currently no GM crop trials taking place but there were over 120 crop trials in 2002.

The Inspectorates' performance is regularly monitored. A measure of their achievement is that there has been no evidence of harm to the environment from GM crop releases or from GMOs kept under contained use conditions. The Inspectorate at CSL publishes an annual report.

Noise Nuisance

Mr. Edwards: To ask the Secretary of State for Environment, Food and Rural Affairs if she will bring forward proposals to amend the statutory noise nuisance provisions of the Environmental Protection Act 1990 to include excessive noise from cars driven off road on public open spaces. [134394]

Mr. Bradshaw: The Government see no need to amend the existing provisions under the Environmental Protection Act 1990 which could be used to abate excessive noise from cars driven off road on public open spaces. Police lead on this issue as they have a wide range of relevant powers, and unlike local authority officers, are able to pursue offenders across ground.

From 1 January 2003 the police have new powers under sections 59 and 60 of the Police Reform Act 2002 to seize vehicles, which are being driven in a careless and inconsiderate manner, and in a way which causes alarm, distress or annoyance.

Radioactive Waste Management Advisory Committee

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to receive the Radioactive Waste Management Advisory Committee's Annual Report. [134074]

Mr. Morley: The Annual Report of the Radioactive Waste Management Advisory Committee for 2002–03 is likely to be submitted formally to the Secretary of State for Environment, Food and Rural Affairs, and to her Ministerial colleagues in the Devolved Administrations for Scotland and for Wales, in the latter part of November. It will be made public at the same time.

Regional Producers Ltd. (Wiltshire)

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs what Government support has been given in the last three years to Regional Producers Ltd. (Wiltshire); and what recent discussions she has held with Regional Producers Ltd. (Wiltshire) about their future viability. [133059]

Mr. Bradshaw: Regional Producers Ltd. (Wiltshire) was set up using funding from Business Link for Berkshire and Wiltshire and the South West of England Regional Development Agency. The Secretary of State for Environment, Food and Rural Affairs has had no discussions with Regional Producers Ltd. (Wiltshire) about their viability.

Renewable Energy

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of biofuel sold in the United Kingdom was recycled cooking oil in the last year for which figures are available. [134376]

Mr. Bradshaw: Currently, half of the two million litres of biodiesel sold each month in the UK comes from recycled vegetable oil. The remainder is imported and is manufactured from virgin rape seed oil.

Rural Affairs Forum

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many speakers from the private sector will address the Rural Affairs Forum's Conference on Rural Regeneration. [135592]

Alun Michael: The purpose of the Rural Affairs Conference is to enable people from every sector of rural interest to engage in a wide-ranging discussion of issues affecting rural communities and to advise the Government. The value of the Conference will derive largely from the discussion and debate among a number of people including Ministers and those with academic, business and public sector expertise. Professor Peter Midmore will offer his perspective on the changing countryside in the 21st century, while breakout groups will involve business representatives and will be led by

people including a representative of the Country, Land and Business Association and representative from Co-operatives UK.

Stamp Duty Land Tax

Mr. Prisk: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of increases in stamp duty land tax on her policy for rural economic regeneration and diversification; and if she will make a statement. [135610]

Ruth Kelly: I have been asked to reply.

The Government has introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas, including some rural areas. This will provide a major boost to businesses investing in commercial premises, including agricultural premises, in those areas.

In addition the changes I announced on 20 October to the structure for charging Stamp Duty Land Tax on the rental element of new leases will assist small and medium-sized enterprises such as smaller farms.

Surface Water

Bob Russell: To ask the Secretary of State for Environment, Food and Rural Affairs how much was allocated *(a)* in England and *(b)* to Essex County Council for surface water alleviation schemes in each of the last five years for which figures are available; how much is allocated in each case in 2003–04; and how much she expects to allocate in each case in 2004–05. [135166]

Mr. Morley: Funding for surface water alleviation schemes comes from several different sources.

Funding for local authority surface water alleviation schemes falls wihtin the Environmental, Protective and Cultural Services part of the local government finance settlement. Environmental, Protective and Cultural Services covers a wide range of services totalling more than £10 billion each year. Within this budget, no specific allocation is made for surface water alleviation schemes, but the proportion attributed on average is very small.

Defra provides grant aid to the flood and coastal defence operating authorities—the Environment Agency, local authorities and (in areas with special drainage needs) internal drainage boards—to assist with their capital works and related projects and studies to manage the risk of flooding from watercourses and the sea. Grant paid to all authorities in England (in cash terms) is set out as follows. The figures in the table include items such as contributions to the Environment Agency for their work on flood warning including public awareness, catchment flood management plans and the new National Flood and Coastal Defence Database. They exclude supplementary credit approvals for local authorities and grant for projects to manage coastal erosion although significant flood risk benefits often arise from the latter.

	£ million
1998–99	35.0
1999–2000	34.8
2000–01	34.8
2001–02	57.9
2002–03	78.4
2003–04	80.0

For 2004–05 the total allocation is £137 million but the split between flood defence and coastal erosion is still being considered.

No grant has been paid to Essex County Council although substantial sums have been paid to the Environment Agency and district councils for projects in Essex.

Highways authorities and water companies also have responsibilities for some types of surface water alleviation schemes.

Coastal Defence

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many coastal defence projects using timber are under way; how much funding her Department has provided for these projects; and what measures have been taken to ensure that this timber is from sustainable sources. [134504]

Mr. Morley *[holding answer 27 October 2003]:* Defra does not collect information on the materials used by operating authorities in coastal defence projects and it would involve disproportionate cost to do so.

Defra's guidance to operating authorities on the use of resources is that care should always be taken to minimise any detrimental impacts on biodiversity and the wider environment. It is preferable to use resources that are abundant rather than those that are scarce, and to use those resources as efficiently as possible. In addition, where timber is used, Defra encourages operating authorities to obtain tropical and native timbers from certified and sustainable sources.

[illegible]er Procurement

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs what form she plans the central point of expertise on Government timber procurement (CP[illegible]) will take; how it will function; and who will s[illegible] it. [134557]

Mr. Morley: Plans for a central point of expertise on timber (CPET) are not yet finalised. I will make a further statement when the key decisions have been taken.

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs what responses her Department received to its consultations on the establishment of a central point of expertise on Government timber procurement regarding what type of central point of expertise on timber procurement should be established; and how she plans to act on these recommendations. [134558]

Mr. Morley: The concept of a central point of expertise on timber (CPET) was one of the recommendations made by consultants ERM in their scoping study report published on 6 August 2002. That

report was made in the light of consultations with stakeholders, primarily at a meeting on 25 March 2002. A second consultation meeting was held on 2 September 2002 and written comments were received from various interested parties too. A record of the two meetings can be viewed on the Tropical Forest Forum's website at http://www.forestforum.org.uk/tradeb.htm

The recommendation for a CPET, which was broadly agreed by the stakeholders, suggested that the service could be provided either by a suitably qualified civil servant or by a commissioned service contract to an appropriately qualified consultant. Stakeholders generally held the view that they should be involved in the key decisions taken by a CPET to ensure transparency and a degree of independence.

Early in 2003 Defra held discussions with potential service providers to discuss how a commissioned service could be set up, how it would operate and what key outputs it would be expected to deliver. Following those discussions Defra has been considering the options available to ensure that the CPET would provide best value for money given the resources available. I will make a further statement when the key decisions have been taken.

Ms Walley: To ask the Secretary of State for Environment, Food and Rural Affairs pursuant to the answer of 1 September 2003, *Official Report*, column 860W, on timber, what progress has been made in the establishment of a central point of expertise on Government timber procurement (CPET); what funding has been allocated to the CPET; and when the CPET will be operational. [134577]

Mr. Morley: Since 1 September the Government have been reviewing options for establishing a central point of expertise on timber (CPET). Decisions on funding will be made when that review is completed and the CPET will be established as soon after that as possible.

CABINET OFFICE

Bechtel

Malcolm Bruce: To ask the Minister for the Cabinet Office if he will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [135902]

Mr. Alexander: The Cabinet Office and COI have had no contracts for consultancy and other work with Bechtel since 1997.

DEFENCE

Suez Medal

20. **Laura Moffatt:** To ask the Secretary of State for Defence if he will make a statement on the time scale for awarding the Suez medal to veterans. [135563]

Mr. Caplin: I am delighted to be able to tell my hon. Friend that the first medals to eligible Suez veterans were presented on 27 October. Over 12,000 applications have been received so far. All medals will be issued as quickly as possible and it is anticipated that over 900 will have been despatched by the end of this week in time for them to be worn on Remembrance Sunday.

Ms Dari Taylor: To ask the Secretary of State for Defence when Suez medals will be awarded to veterans. [135554]

Mr. Caplin: I am delighted to be able to tell my hon. Friend that the first medals to eligible Suez veterans were presented on 27 October. All medals will be issued as quickly as possible and it is anticipated that over 900 will have been despatched by the end of this week in time for them to be worn on Remembrance Sunday.

Sierra Leone

21. **Mrs. Curtis-Thomas:** To ask the Secretary of State for Defence if he will make a statement on the role of his Department in Sierra Leone. [135564]

Mr. Ingram: The United Kingdom has played, and continues to play, a prominent role in helping to restore peace in Sierra Leone. We remain committed to help establish a peaceful and stable Sierra Leone which is no longer at risk from internal and external armed conflict. We are also working closely with the Government of Sierra Leone in support of their wider Security Sector Reform programme and in support of the UN mission; UNAMSIL.

Iraq

22. **Ross Cranston:** To ask the Secretary of State for Defence if he will make a statement on the current security situation in Iraq. [135565]

Mr. Hoon: Although recent attacks in Iraq have received wide coverage, we should not forget that much of the country is remarkably stable. The vast majority of attacks against the coalition are concentrated in a limited area in and to the North West of Baghdad. Coalition forces, under US leadership, are working hard to counter these threats and will not be deflected from that mission. Across the country, meanwhile, increasing numbers of Iraqi police are on patrol, reconstruction continues and normal civil activities are pursued without incident.

The situation in the British area of responsibility also remains generally calm, although vigilance is still required in the face of occasional incidents.

23. **Tom Brake:** To ask the Secretary of State for Defence if he will make a statement on the security situation in Iraq. [135566]

Mr. Hoon: I refer the hon. Member to the answer I gave earlier to my hon. Friend the Member for Dudley, North (Ross Cranston).

24. **Bob Spink:** To ask the Secretary of State for Defence how many Service personnel are deployed in Iraq. [135567]

Mr. Hoon: There are currently around 11,000 UK Service personnel serving in Iraq.

Mr. Llwyd: To ask the Secretary of State for Defence what the total cost is of munitions used by the armed forces in Iraq over the last 12 months; and if he will make a statement. [135379]

Mr. Ingram: The total cost of operations in Iraq during financial year 2002–03 has been published in the Departmental Resource Accounts for that year. The detailed costs of munitions consumed over the latter part of the last 12 months are still being calculated and I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Tynan: To ask the Secretary of State for Defence what recent assessment he has made of the morale of United Kingdom personnel serving with Headquarters, Combined Joint Task Force, in Baghdad. [130332]

Mr. Ingram: All Commanders constantly monitor morale as part of their duties. Within the Combined Joint Task Force-7 Headquarters in Baghdad, morale is assessed to be good.

Mr. Tynan: To ask the Secretary of State for Defence what secure rest and relaxation facilities are available to off-duty United Kingdom military personnel in Baghdad. [130331]

Mr. Ingram: Servicemen in Baghdad are never off-duty, but the Baghdad Support Unit has been specifically set up to provide the support needed by all British Forces in Baghdad. Given the operational circumstances, all personnel are relatively comfortably accommodated. All United Kingdom staff have access to elements of the Operational Welfare Package including internet, welfare phones, radio, TV and sports equipment. Rest and Relaxation (R&R) is taken out of theatre, in either the UK or Germany.

Mr. Rosindell: To ask the Secretary of State for Defence what steps are being taken to reduce the risk to coalition troops of attacks by former Ba'athist elements and other terrorist groups in Iraq. [132133]

Mr. Ingram: Force Protection is one of the highest priorities for United Kingdom Forces. Commanders on the ground employ appropriate Force Protection measures in accordance with threat assessments. The security situation is under constant review and Commanders adapt protection measures to reflect different circumstances. Coalition partners are responsible for the provision of their own force protection.

Astute Class Submarines

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the progress of the construction of the *(a)* second and *(b)* third units of the Astute Class. [134955]

Mr. Ingram: Construction of the second and third Astute Class submarines is proceeding in accordance with the agreed programme.

The keel of the second submarine, HMS Ambush, was laid on 22 October 2003 by the Minister for Defence Procurement, at BAE Systems' shipyard at Barrow-in-Furness. Construction is progressing well and we are confident that the same high levels of fabrication quality seen on HMS Astute will be achieved on HMS Ambush.

Construction of the third boat in the Class, HMS Artful, is underway, with the manufacture of hull rings and bulkheads progressing satisfactorily.

C130 Aircraft

Mr. Jenkin: To ask the Secretary of State for Defence what have been the *(a)* highest and *(b)* lowest monitored mission readiness rates for RAF C130 aircraft of each type in the past three years. [134484]

Mr. Ingram: The required Readiness States for C130 Force Elements in each of the last three years have been met.

As monitored mission readiness rates is not a term with a precise military definition, I have interpreted this as serviceability rates, figures for which arebased on a snapshot of serviceability taken at 8:00 am each day. For the C-130J, these figures start from May 2002, when all aircraft had entered service; for the C-130K, they start from November 2001, as prior to this time a number of aircraft were out of service but awaiting return to Lockheed Martin.

	Highest serviceability rate (percentage)	*Lowest serviceability rate (percentage)*
C-130J	69	46
C-130K	76	37

Mr. Jenkin: To ask the Secretary of State for Defence what problems have been experienced with the engines of the RAF's C130J aircraft; and if he will make a statement. [134485]

Mr. Ingram: The Hercules C-130J aircraft is powered by the Rolls-Royce Allison turbo prop engine. Some problems with the engine turbine blades have been identified when the engine is operated at maximum continuous power for long periods. Work is continuing with Lockheed Martin and Rolls-Royce to identify a solution.

Chartered Airlines

Mr. Jenkin: To ask the Secretary of State for Defence which airlines have been chartered to fly British forces personnel to deployments in each of the past three years. [134460]

Mr. Ingram: During the past three financial years and during the current financial year to date, British Forces personnel have been deployed on aircraft chartered from the airlines set out below:

Financial Year 2000–01
Air 2000
Air Atlanta
Air Holland
Air Mediterranee
Airtours and Fly Fti
British Midland
British World Airways
Channel Express
Citybird
Corsair
EAAC

Emerald Airways
Excel Airways
Hapag Lloyd
JMC
Lauda Air
Maersk
Monarch
Northwest Airlines
Prime Airlines
Royal Brunei
Sobelair
Sterling European
Titan Airways

Financial Year 2001–2002
Air 2000
Air Atlanta
Air Scandic
Airtours and Fly Fti
Britannia
British Airways
British World Airways
Channel Express
Corsair
Cougar
EAAC
Excel Airways
Lauda Air
Maersk
Monarch
Mytravel
Prime Airlines
Royal Brunei
Titan Airways
Transavia
Virgin Express

Financial Year 2002–2003
Air 2000
Air Holland
Air Luxor
Astraeus
Britannia
British Airways
Corsair
EAAC
Euro Atlantic
Excel Airways
JMC
LTU INT
Maersk
Monarch
Mytravel
Prime Airlines
Sobelair
World Airways
Yes Linhas Aereas

Financial Year 2003–2004
Air 2000
Air Holland
Air Luxor
Air Plus Comet
Air Scandic
Britannia
Condor
Corsair
EAAC
Euro Atlantic
Excel Airways
Flyjet
Lauda Air
Maersk
Monarch
Mytravel
Sobelair
Titan Airways
Yes Linhas Aereas

Civilian Rescues

Mr. Greg Knight: To ask the Secretary of State for Defence (1) how many civilians in non-war situations have been rescued or aided by the British armed forces *(a)* in the United Kingdom and *(b)* elsewhere in each of the last five years; and what the total cost to public funds was; [129609]

(2) what plans he has to recover all or any of the cost of civilian rescues by the armed forces in non-war situations from *(a)* those rescued and *(b)* other third parties. [129610]

Mr. Ingram: The armed forces can rescue or aid civilians in a very wide range of circumstances, both at home and overseas.

With the exception of the RAF and Royal Navy's Search and Rescue (SAR) effort, information on the numbers of civilians rescued by the armed forces—for example during land-based peace keeping operations, or routine deployments by RN ships at sea—is not held centrally and could be provided only at disproportionate cost.

Although the military SAR teams' primary purpose is to recover aircrew from crashed military aircraft, over 90 per cent. of callouts each year are to civilian incidents. RAF and Royal Navy SAR units make an essential contribution to the search and rescue effort around the UK, forming part of the national UK SAR coverage throughout the year for air, land and maritime operations.

The following table gives the number of civilians assisted by Armed Forces Search and Rescue Units in the UK and abroad.

Civilians assisted by Armed Forces Search and Rescue Units

	1998	*1999*	*2000*	*2001*	*2002*
Co-ordinated by UK RCC[1]	1,137	1,108	1,254	1,134	1,171
Co-ordinated by overseas RCCs[1]					
Cyprus	21	15	11	3	0
Falklands	24	13	15	13	12
Co-ordinated by other overseas units	1	0	0	0	0

[1] RCC—Rescue Co-ordination Centre

MOD policy on charging is based on Chapter 23 of "Government Accounting" (GA). Goods and services provided to the department or other agency or authority

having policy and therefore financial responsibility should be charged for unless there are exceptional circumstances.

In 2001 MOD simplified its charging regime in the UK for MACC assistance, allowing emergency assistance to be given free where there is a danger to life (rather than only "immediate" danger which applied previously), and at full cost once the danger has passed. Emergency MACC is a rapid response by the Services to sudden disaster. Search and rescue tasks in support of the UK Ambulance Authorities for Medevac transfers, attract a charge at the "no-loss cost" rate, that is levied by the MOD to recover its out of pocket expenses. The basis for other charges for search and rescue tasks is currently under review.

It is not possible to provide detailed information on the costs charged for Military Aid to the Civil Community (MACC). Costs of individual operations are by and large reimbursed direct to the budgets which incurred the costs.

Courts Martial (Scotland)

Angus Robertson: To ask the Secretary of State for Defence if he will list the court martial trials conducted in Scotland since 1997; how many of these concluded in conviction of the accused; how many were dismissed; and if he will make a statement. [135201]

Mr. Caplin: The number of Service personnel tried by Courts-Martial held in Scotland since 1997 together with the number of convictions, acquittals and subsequent dismissals from the armed forces are as follows:

	Service personnel tried	*Convictions*	*Subsequent dismissal*	*Acquittals*
1997[1]	17	17	3	0
1998	22	17	6	5
1999	21	18	7	3
2000	14	11	2	3
2001	13	12	3	1
2002	16	12	6	4
2003	11	8	0	3

[1] RAF figures cover the period 1 April to 31 December 1997.

These figures do not indicate the number of offences committed in Scotland. The majority of cases are heard in permanent court centres, of which there is none in Scotland.

Cyprus

Bob Spink: To ask the Secretary of State for Defence what his *(a)* policy is and *(b)* procedures are in place for British (i) forces personnel and (ii) employees from the Sovereign base areas visiting the occupied areas of Cyprus. [135012]

Mr. Ingram: British Forces Cyprus Service Personnel, UK Based Civilians, authorised UK Officials and their dependants and specified close relatives are permitted to visit Northern Cyprus. Such personnel either cross as tourists or on passes arranged by the British High Commission. The procedures for issuing passes remain under review in the light of on-going political developments affecting the island.

Defence Spending

Kevin Brennan: To ask the Secretary of State for Defence what estimate he has made of defence spending per capita in each of the home countries of the United Kingdom in 2003–04. [135559]

Mr. Ingram: The Defence Aim is to deliver security for the people of the United Kingdom and the Overseas Territories by defending them, including against terrorism; and to act as a force for good by strengthening international peace and stability. We do this by providing a world-class national capability—not a specifically regional one. No estimate of the nature suggested has therefore been made.

Separated Service

Mr. David Stewart: To ask the Secretary of State for Defence if he will make a statement on the frequency of detached duties for *(a)* medical staff, *(b)* RAF regiment personnel and *(c)* catering staff. [133156]

Mr. Ingram: The Naval Service has introduced a maximum limit for separated service for junior rates of 660 days in a rolling three-year period, and to date, no-one has exceeded this limit. While Royal Navy medics and chefs are examples of current shortage categories and some personnel are stretched, the aim is that this will be balanced out over a three-year period.

The Army introduced Separated Service recording in December 2002, but will not have sufficiently mature information for release until mid-2004, by when there will have been a minimum of 12 months data for analysis. Information on the frequency of detached duties for medical staff is not held centrally and could be provided only at disproportionate cost. For catering staff, chefs are embedded in every deployable Army unit and again specific details on individuals are not held centrally.

The RAF introduced a Separated Service (SS) recording system on 1 April 1997 to monitor the amount of time personnel spend on detached duty. The levels of Separated Service[1] for operational reasons, from September 2002 to August 2003 for medical staff, RAF regiment personnel and catering staff were as follows:

[1] An incidence of Separated Service is recorded when an individual is absent from their parent unit for three nights or more.

	Branch/trade[1]		
	Medical	*RAF regiment*	*Catering*
Less than 90 days			
Number	417	832	411
Percentage	30.3	40.1	31.7
90 to 139 days			
Number	158	486	230
Percentage	11.5	23.7	17.8
Over 140 days			
Number	27	188	42
Percentage	1.9	9.2	3.2

[1] All figures include officers and other ranks.

European Rapid Reaction Force

Bob Spink: To ask the Secretary of State for Defence what recent discussions he has had with his EU counterparts on the European Rapid Reaction Force; and if he will make a statement. [135457]

Mr. Hoon: There is no European Army or standing European Rapid Reaction Force nor any EU agreement to create one. Forces are offered by EU Member states for EU crisis management operations on a voluntary, case-by-case basis. This is no different from the arrangements for NATO crisis management operations. Member states have, however, set themselves a Headline Goal to be able to deploy within 60 days, and sustain for at least one year, some 50–60,000 personnel on crisis management operations including smaller rapid response elements available and deployable at very high readiness. I discussed the improvement of European military capabilities, in particular the creation of a European Defence Agency for capability development, with my EU counterparts at the Informal meeting of EU Defence Ministers in Rome on 3–4 October.

Hawk 128

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the capability the Hawk 128 Advanced Jet Trainer will give the RAF to train pilots for the *(a)* Eurofighter Typhoon and *(b)* Joint Strike Fighter. [135547]The

Mr. Ingram: The Hawk 128 will provide RAF and Royal Navy pilots with a modern and highly capable training aircraft. This will ensure our future pilots are capable of meeting the demands of the next generation of highly capable frontline aircraft, such as Typhoon and Joint Strike Fighter.

HMS Cambeltown

Mr. Hancock: To ask the Secretary of State for Defence when his Department *(a)* will publish the report into HMS Cambeltown running aground in 2001 and *(b)* expects to announce the costs of (i) recovery and (ii) repair; and if he will make a statement. [134957]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Infantry Battalions

Mr. Carmichael: To ask the Secretary of State for Defence what plans he has *(a)* to disband and *(b)* to amalgamate Army infantry battalions. [133488]

Mr. Ingram: There is a continuing need to assess force structures in order to ensure that we have the balanced, flexible forces needed to meet the full range of operational contingencies. However, there are currently no plans to disband or amalgamate Army infantry battalions, nor are there plans to reduce the current overall strength of the Army. The White Paper to be published later this year will provide an updated statement of defence policy.

JTIDS Capability

Mr. Jenkin: To ask the Secretary of State for Defence which aircraft are fielded with joint tactical information and distribution system capability; what other types of aircraft will receive JTIDS capability; and when it will be installed in each type. [134462]

Mr. Ingram: The Joint Tactical Information and Distribution System (JTIDS) is operational on the following types of UK aircraft: Sentry E-3D, Tornado F3, Nimrod R, VC10 and Tristar Tanker aircraft and Sea King AEW. It is also being fitted on Typhoon, Nimrod MRA4 and Sentinel R Mkl. Installation is planned on Future Strategic Tanker Aircraft in 2005, Tornado GR4 and Harrier GR9 in 2006, A400M in 2007 and Joint Combat Aircraft in 2010. These dates can be up to two years before in service date to allow for integration and acceptance. Other future aircraft types are also expected to be fitted with this capability.

Low Flying

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many complaints he has received of low flying by RAF fast jets in each year since 2000. [135410]

Mr. Caplin: The number of complaints received by the Ministry of Defence Lower Airspace Complaints and Enquiries Unit for low flying by RAF fast jets over the last four calendar years was as follows:

	Number of complaints
2000	2,699
2001	2,612
2002	3,009
2003	[1]2,735

[1] Up to end September.

Mutual Defence Agreement

Alan Simpson: To ask the Secretary of State for Defence if he will list the joint working groups since 1997 conducted under the auspices of the 1958 Mutual Defence Agreement. [134906]

Mr. Caplin: Joint Working Groups conducted since 1997 under the auspices of the 1958 Mutual Defence Agreement have exchanged technical information on the following subjects:

Radiation Simulation and Kinetic Effects Technology
Energetic Materials
Nuclear Materials
Warhead Electrical Components and Technologies
Non-nuclear Materials
Nuclear Counter Terrorism Technology
Facilities
Nuclear Weapons Engineering
Nuclear Warhead Physics
Computational Technology
Aircraft, Missile and Space System Hardening
Laboratory Plasma Physics
Manufacturing Practices
Nuclear Warhead Accident Response Technology
Nuclear Weapon Code Development
Nuclear Weapon Environment and Damage Effects
Methodologies for Nuclear Weapon Safety Assurance

Nuclear Weapons

Mr. Keetch: To ask the Secretary of State for Defence what his Department's assessment is of the implications

for the long-term future effectiveness of the United Kingdom's nuclear weapons of the Comprehensive Test Ban Treaty. [133722]

Mr. Hoon: As was made clear in the Strategic Defence Review, Supporting Essay Five, Chapter 14, we will, for as long as Britain has nuclear forces, ensure that we have a robust capability at the Atomic Weapons Establishment to underwrite the safety and reliability of our nuclear warheads, without recourse to nuclear weapon test explosions or any other nuclear explosion. This approach is consistent with our continued support for the Comprehensive Test Ban Treaty.

Piracy

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the contribution that his Department is making to tackling piracy on the high seas. [134954]

Mr. Ingram: The Ministry of Defence acts in concert with the Foreign and Commonwealth Office and the Department for Transport in seeking to tackle both piracy on the high seas, and maritime armed crime, which takes place in states' territorial waters. The Defence Intelligence Staff is actively engaged with national and international defence intelligence and maritime security communities, as well as commercial shipping and other organisations, to promote wider awareness, understanding, and co-operation in dealing with this growing world wide problem. The Defence Intelligence Staff also produces reports and analyses, including the "Worldwide Threat To Shipping", published on the World Wide Web at http://www.rnreference.mod.uk.

In addition, under international law, the Royal Navy, like all other navies, is obliged to render assistance to other mariners. The RN deploys ships worldwide on a range of tasks, and in the event that a RN ship encounters a clearly defined case of piracy on the high seas, RN policy is to counter the incident and arrest those responsible in accordance with the appropriate rules of engagement. Commanding Officers on all RN ships are given guidance on the threat, and on recommended courses of action. Responses to individual incidents of maritime armed crime in territorial waters are a matter for the State which holds jurisdiction.

Private Alison Croft

Mr. McNamara: To ask the Secretary of State for Defence what the principal recommendations of the Board of Inquiry Report on the death of Private Alison Croft at Dalton Barracks in Abingdon, Oxfordshire, on 28 September 2002 were; when the Board was convened; when it was completed; and for how many hours it sat. [132190]

Mr. Ingram: The Board of Inquiry will not be convened until the Oxfordshire Coroner's inquest has ruled.

Private William Graham

Mr. McNamara: To ask the Secretary of State for Defence what the rank and regiment of officers provided legal representation for Private William Graham following the fatal shooting of Private Anthony Green. [132196]

Mr. Ingram: A civilian lawyer provided legal representation.

Procurement

Dr. Cable: To ask the Secretary of State for Defence (1) on which occasions since 1997 procurement decisions have been taken on the basis of criteria other than value for money; and if he will make a statement; [134132]

(2) what studies have been commissioned by the Deputy Chief of the Defence Staff (Equipment Capability) on the value for money of domestic procurement; and if he will make a statement. [134133]

Mr. Ingram: Information derived from all individual procurement decisions taken throughout the Department, of which there are many thousands each year, is not held centrally and could only be provided at disproportionate cost.

However, value for money is a fundamental factor in all our procurement decisions . In assessing value for money we take account of the long term implications of decisions, including their industrial and wider economic impact. As set out in the Government's Defence Industrial Policy we seek to maximise the economic benefit to the UK from our defence expenditure, a healthy and globally competitive defence industry and the development of a high value technologically-skilled industrial base, consistent with the Governments wider manufacturing strategy.

QinetiQ

Sir Michael Spicer: To ask the Secretary of State for Defence what plans QinetiQ has for its future operations at Defford in Worcestershire. [135466]

Mr. Caplin *[holding answer 30 October 2003]:* The Ministry of Defence retains a business interest in the Defford site and is discussing the future of the facilities there with QinetiQ.

Saudi Arabia

Norman Lamb: To ask the Secretary of State for Defence if he will make a statement on the *(a)* role and *(b)* activities of his Department's Saudi Arabian project office. [132896]

Mr. Ingram *[holding answer 20 October 2003]:* The Director General of the Saudi Armed Forces Project (DGSAP) and his staff are responsible for fulfilling the Ministry of Defence's obligations under Government-to-Government arrangements with Saudi Arabia covering the supply of military aircraft, naval vessels, weapons and associated support services, commonly known as the Al Yamamah Programme (AY). In this role, DGSAP officials are involved in the negotiation of the AY contracts, the monitoring of the programme, prime contractor performance in respect of the delivery of goods and services to the Saudi Armed Forces, and, when satisfied, the endorsement of claims made in accordance with the terms of the AY contracts for

payment by the Saudi Government. In pursuit of these activities DGSAP staff are based both in the United Kingdom and Saudi Arabia.

Harry Cohen: To ask the Secretary of State for Defence (1) what reports he received regarding improper practices in relation to BAE Systems' *(a)* operations in, and *(b)* contracts with, Saudi Arabia; and if he will make a statement; [133098]

(2) what discussions he had with the Serious Fraud Office in relation to BAE Systems' *(a)* operations in, and *(b)* contracts with, Saudi Arabia; and if he will make a statement; [133099]

Norman Lamb: To ask the Secretary of State for Defence (1) when the Permanent Secretary or other officials *(a)* first received and *(b)* first read the papers sent by the Serious Fraud Office on 8 March 2001 in respect of allegations against British Aerospace/BAE Systems and Robert Lee International; [132916]

(2) whether the contents of the papers sent by the Serious Fraud Office to the Permanent Secretary on 8 March 2001 in respect of allegations against British Aerospace/BAE Systems and Robert Lee International were communicated in any way to the then Secretary of State or his successor; [132917]

(3) what investigations took place within his Department into the contents of the papers sent by the Serious Fraud Office to the Permanent Secretary on 8 March 2001 in respect of allegations against British Aerospace/BAE Systems and Robert Lee International; [132918]

(4) how many times *(a)* the Secretary of State, *(b)* his predecessors, *(c)* the Permanent Secretary and *(d)* other Ministry of Defence officials have met representatives of British Aerospace/BAE Systems to discuss issues relating to Saudi Arabia since May 1997. [132919]

Mr. Ingram: The Serious Fraud Office (SFO) wrote to the Permanent Secretary of the Ministry of Defence in March 2001 about allegations of fraud in connection with a sub-contractor to BAE Systems. The SFO informed the Permanent Secretary that there was insufficient evidence to support a criminal investigation of the fraud allegations, but wished to bring it to his attention in case Government money might be involved. The Permanent Secretary established that the allegations were not of direct relevance to the Ministry of Defence, as they related to the role of a sub-contractor (Robert Lee International) to BAE Systems, and Government money had not been involved. Having been informed, however, that the Chairman of BAE Systems was already aware of this matter, the Permanent Secretary raised it with the Chairman, in the context of the Government's robust anti-fraud policy, for any further inquiries he deemed appropriate.

Since the allegations of fraud were not a matter for the Ministry of Defence, it was not considered necessary to bring them to the attention of the Secretary of State. Ministers and officials at the Ministry of Defence have discussed issues related to Saudi Arabia with representatives of BAE Systems on numerous occasions since 1997.

Service Accommodation

Mr. Keith Simpson: To ask the Secretary of State for Defence what recent discussions he has had with *(a)* the Defence Housing Executive and *(b)* Defence Estates concerning the future of the married quarters estate. [133377]

Mr. Caplin: I have had discussions with the Chief Executives of both agencies on a range of topics. These have included the married quarters estate.

Shoeburyness Firing Range

Sir Teddy Taylor: To ask the Secretary of State for Defence if he will make a statement on the future of the new range in Shoeburyness. [134094]

Mr. Caplin: The Shoeburyness ranges are included in the Long Term Partnering Agreement that has been negotiated with QinetiQ for the delivery of a long-term test and evaluation capability to the Ministry of Defence. This agreement came into effect on 1 April 2003.

Trafalgar Class Submarines

Mr. Jenkin: To ask the Secretary of State for Defence how many Trafalgar Class submarines are available for operational tasking. [134463]

Mr. Ingram: There are four Trafalgar Class submarines available for operational tasking:

HMS Turbulent, HMS Tireless, HMS Torbay, HMS Triumph.

Type 45s

Mr. Jenkin: To ask the Secretary of State for Defence what delays there have been to the Type 45 programme; and what the in-service date is for the first of the class. [135393]

Mr. Ingram: The currently approved in-service date (ISD) is November 2007 but this has always been challenging. Full production of the first of class started a few months behind the original schedule and the programme is currently under review. Any change will be announced when that work is complete, later this year.

Weapons of Mass Destruction

Mr. Keetch: To ask the Secretary of State for Defence what his Department's assessment is of the threat to the United Kingdom and its interests from ballistic missiles in the aftermath of the Iraq war; and if he will make a statement. [133720]

Mr. Hoon: I refer the hon. Member to the Ministry of Defence paper, "Missile Defence, a Public Discussion Paper", which was published in December 2002. A copy is available in the Library of the House. It is also available at: www.mod.uk

Since that assessment was published, coalition operations in Iraq have successfully removed the threat of ballistic missiles that were held by, or under development by, the former Iraqi regime.

HOME DEPARTMENT

Antisocial Behaviour

Ms Oona King: To ask the Secretary of State for the Home Department what steps his Department will take to encourage social landlords to take more enforcement measures against anti-social tenants; and what assessment he has made of the implications for the Anti-Social Behaviour Action Plan of the awarding of costs against the housing association in the case THCH v. Mr. Joseph Loomes. [134580]

Keith Hill: I have been asked to reply.

The Office of the Deputy Prime Minister is extending the range of tools that social landlords can use to tackle anti-social behaviour. These include broadening the range of landlords who can take out injunctions against tenants who behave in an anti-social manner, introducing a power for social landlords to demote secure and assured tenants to a less favourable form of tenancy, and generally ensuring that the responses to anti-social behaviour are appropriately focused on the needs of the community. In addition, social landlords will be required to prepare and publish policies and procedures in relation to anti-social behaviour, which will be available to tenants and other residents.

It is the responsibility of social landlords to ensure that they use the appropriate enforcement measure to address the variety of anti-social behaviour cases that may arise. However, the general purpose of the measures in the Anti-social Behaviour Bill is to encourage and facilitate social landlords taking a more active approach in their dealings with anti-social behaviour.

The definition of anti-social behaviour used in Part 2 of the Anti-social Behaviour Bill refers to conduct which is capable of causing nuisance or annoyance rather than behaviour which has actually caused nuisance or annoyance to named individuals. This makes it clear that landlords can use evidence from people other than the direct victims of the behaviour in proceedings for injunctions or demotion orders. The Office of the Deputy Prime Minister hopes that this will encourage more social landlords to be proactive in their management of such behaviour, for example by using professional witnesses in situations where individual victims are too scared or intimidated to give evidence.

Regarding the specific case mentioned, it does not have any significant implications for the Anti-social Behaviour Action Plan, as the judgment is specific to that case. However, the broadening of injunctive powers included within the Anti-social Behaviour Bill mentioned earlier should make it easier for registered social landlords, including Tower Hamlets Community Homes, to undertake successful court action.

Mr. Cummings: To ask the Secretary of State for the Home Department what representations he has received from *(a)* the Durham constabulary, *(b)* the Local Government Association and *(c)* other interested parties concerning problems in obtaining anti-social behaviour orders. [134650]

Ms Blears: I am not aware that any representations from Durham constabulary regarding problems with Anti-Social Behaviour Orders (ASBOs) have been received. We work closely with the Local Government Association and other interested parties concerning ASBOs.

Legislative changes were introduced by the Police Reform Act 2002 to improve the efficiency and effectiveness of ASBOs in response to problems identified by the Home Office review of ASBOs published in April 2002. These changes were accompanied by Home Office guidance on both ASBOs and Acceptable Behaviour Contracts (ABCs) which was distributed to local authorities and police in November 2002.

The Anti-social Behaviour Bill builds on these improvements. The ASBO measures respond to the experiences of relevant authorities and the needs of witnesses and victims and are intended to close loopholes, making ASBOs more easily obtainable for all cases where they would be appropriate.

The Home Office is also setting up an action line, website and training academy which will provide support for agencies to enable them to use the full range of interventions for tackling anti-social behaviour.

Child Abuse

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department if the Government will adopt the recommendation of the Home Affairs Committee that the statutory reporting restrictions, which preserve the anonymity of victims of sexual offences, are extended to persons accused of historical child abuse. [128358]

Paul Goggins: The Government believes that there should be no change in the law relating to anonymity. In our view, informed and strengthened guidance to the police and the media is preferable to any change in legislation. The Police Code of Conduct provides that information which comes into the possession of the police should be treated as confidential. It should not be used for personal benefit and neither should it be divulged to other parties except in the proper course of police duty. Unauthorised disclosure of information on a suspect by a police officer is likely to be considered a breach of this Code. Such a breach would mean that an officer's conduct had not met the appropriate standard for the purposes of the Police (Conduct) Regulations, and disciplinary proceedings might commence. An officer could face dismissal or even prosecution, depending on the circumstances of the case.

We have reached an agreement with the Association of Chief Police Officers (ACPO) that it will amend its media and disciplinary guidelines to all forces to give greater prominence to the rules that govern the release of information about anyone suspected of, but not yet charged with, an offence. We are working to ensure that the guidelines are consistently and robustly enforced. Similarly, Ministers are in discussion with media representatives to assess how unhelpful or intrusive reporting of such cases can be avoided with a view to amending and strengthening the Press Complaints Commission's Code of Practice. An officer could face dismissal or even prosecution, depending on the circumstances of the case. We have reached an

agreement with the Association of Chief Police Officers (ACPO) that it will amend its media and disciplinary guidelines to all forces to give greater prominence to the rules that govern the release of information about anyone suspected of, but not yet charged with, an offence. We are working to ensure that the guidelines are consistently and robustly enforced. Similarly, Ministers are in discussion with media representatives to assess how unhelpful or intrusive reporting of such cases can be avoided with a view to amending and strengthening the Press Complaints Commission's Code of Practice.

Closed Circuit Television

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what funding is available to finance the introduction of CCTV cameras in *(a)* schools and *(b)* town centres; and if he will make a statement. [134595]

Ms Blears *[holding answer 27 October 2003]:* The Crime Reduction Programme Closed Circuit Television (CCTV) Initiative funded 684 CCTV schemes across England and Wales. The main areas covered by these schemes were town centres/shopping centres, car parks, residential areas, community shopping areas, hospitals, and rail stations.

Under the Small Retailers in Deprived Areas (SRDA) Initiative, £15 million was provided to improve security of small retailers, including the provision of CCTV where appropriate. In year one of the initiative (2001–02) approximately 50 per cent. of the projects involved the installation or upgrading of CCTV in either individual shop units or covering shopping parades or precincts. In year two (2002–03) it rose to almost 70 per cent. and in year three (2003–04) it is 63 per cent.

Both the CCTV and SRDA Initiatives are fully committed and drawing to a close. Future CCTV schemes can be financed through the Building Safer Communities (BSC) Fund, which is used to strategically tackle local crime reduction priorities through a number of interventions including CCTV. For 2003–04 the fund provided local Crime and Disorder Reduction Partnerships with £72.3million.

Section 5 of the Crime and Disorder Act 1998 requires the responsible authorities of the CDRP to work in co-operation with other bodies, including education, in completing a crime and disorder audit and strategy. This engagement should ensure access to funding if it is considered a priority for the area. The CDRP can then consider whether installing CCTV cameras in schools and town centres fits with its local priorities.

Community Support Officers

Vera Baird: To ask the Secretary of State for the Home Department what plans he has to increase the powers of community support officers. [134936]

Ms Blears: Subject to Parliamentary approval the Anti-social Behaviour Bill will extend the following powers to Community Support Officers (CSOs):

The power to disperse groups.

The power to issue a fixed penalty notice for graffiti and fly-posting.

The power to issue a fixed penalty notice to parents for truancy.

The power to stop cyclists in order to issue a fixed penalty notice for cycling on a footpath.

Crime Statistics

Paddy Tipping: To ask the Secretary of State for the Home Department how many crimes were committed per head of population in the *(a)* Avon and Somerset, *(b)* Bedfordshire, *(c)* Leicestershire, *(d)* Nottinghamshire and *(e)* South Yorkshire police force areas in the last five years for which figures are available. [135044]

Ms Blears *[holding answer 29 October 2003]:* The requested information is given in the table.

Number of crimes recorded by the police per 1,000 population

Police force area	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Avon and Somerset	102	99	99	118	117
Bedfordshire	89	96	88	92	108
Leicestershire	101	102	92	94	104
Nottinghamshire	131	133	135	154	159
South Yorkshire	102	101	96	104	120

There was a change of counting rules for recorded crime on 1 April 1998, which had the effect of increasing the number of crimes counted. Numbers of offences for years before and after this date, and figures calculated from them, are therefore not directly comparable.

The National Crime Recording Standard (NCRS) was introduced across England and Wales in April 2002. Some police forces adopted the Standard prior to this date. Bedfordshire, Leicestershire, Nottinghamshire and South Yorkshire police force areas introduced the Standard in April 2002, and Avon and Somerset police introduced the Standard in October 2000. Broadly, the NCRS had the effect of increasing the number of crimes recorded by the police. Therefore, following the introduction of the Standard numbers of recorded crimes and figures derived from them are not comparable with previous years.

Dog Thefts

Mr. Peter Ainsworth: To ask the Secretary of State for the Home Department what plans he has to increase penalties on conviction for the theft of pet dogs; and if he will make a statement. [132838]

Ms Blears *[holding answer 21 October 2003]:* There are no plans to increase penalties for the theft of pet dogs. The courts already have robust sentencing powers for theft: the current maximum penalty is seven years imprisonment.

The Government believe that these penalties sufficiently reflect the seriousness of the offence.

Mobile Phones

Mr. Flight: To ask the Secretary of State for the Home Department what the cost was to his Department of mobile phones supplied to ministers and officials in each year since 1997. [123149]

Fiona Mactaggart: To provide the hon. Member with a full answer will incur disproportionate cost. I can, however, provide information on mobile phones and associated equipment purchased via our central procurement unit since 1997, which is as follows:

Total expenditure, mobile phones and associated equipment

	£
1997	175.00
1998	5,516.16
1999	163,933.83
2000	146,201.48
2001	46,491,25

The cost of mobile phones and associated equipment purchased for core Home Office staff via our central procurement unit during 2002 was £64,750. Information is not held centrally on call and line rental charges and could be provided, again, only at disproportionate cost.

Mr. Oaten: To ask the Secretary of State for the Home Department how many *(a)* prosecutions and *(b)* convictions there have been under the Mobile Telephones (Reprogramming) Act 2002. [133970]

Ms Blears: The information requested is not available through our formal statistical channels. Court proceedings for offences under the Mobile Telephone (Re-programming) Act 2002 only became identifiable in the statistics collected centrally in January 2003. Statistics for 2003 will be published in the autumn of 2004 to ensure all court data is validated and corrected.

However, police forces have been running operations and several arrests and charges have already been made under the Act. I refer the hon. Member to the answer given on 7 July 2003, *Official Report*, column 641W.

North Wales Police

Ian Lucas: To ask the Secretary of State for the Home Department how many community support officers have been employed by North Wales police in each of the last three years for which figures are available. [134507]

Ms Blears: The first year in which community support officers (CSOs) could be recruited was 2002–03. North Wales police had no CSOs in that year. This financial year, they planned to recruit eight CSOs and all eight commenced employment on 1 September 2003.

People Trafficking

Mr. Reed: To ask the Secretary of State for the Home Department what plans he has to increase penalties for those engaged in the trafficking of *(a)* women and *(b)* children for the illegal sex industry in England and Wales. [134353]

Beverley Hughes: The Government takes very seriously the issue of trafficking people for sexual exploitation. At present, the Nationality, Asylum and Immigration Act 2002 contains an offence of trafficking for prostitution, which makes it an offence, punishable by up to 14 years imprisonment, to traffic someone (whether an adult or a child) into or out of the United Kingdom for the purposes of exploiting them in prostitution.

The Sexual Offences Bill, introduced into the House of Lords on 28 January 2003 proposes new comprehensive offences of trafficking for sexual exploitation to replace the stop-gap offence introduced by the Nationality, Immigration and Asylum Act 2002. These new offences tackle the movement of people into, within and out of the UK for the purposes of sexual exploitation, and will also carry maximum penalties of 14 years imprisonment. The offence relating to trafficking within the UK applies equally to UK nationals trafficked from place to place in the UK, and to foreign nationals brought here and then moved around from place to place within the UK. This is the first time that the trafficking of UK nationals within the UK has been tackled in legislation.

Internationally, we are committed to addressing the issue of trafficking by our involvement with the EU Framework Decision on combating the trafficking of human beings, and the UN protocol to prevent, suppress and punish trafficking.

We believe 14 years is the appropriate maximum penalty for trafficking an adult or child. This is the highest determinate penalty available to the courts and we consider that it provides a proportionate response to the range of criminal behaviour involved in trafficking. Where the trafficked person is also subjected to a sexual or violent offence, this can be charged in its own right and the offender will then additionally be liable for the penalties that attach to those offences.

Police

Mr. McWalter: To ask the Secretary of State for the Home Department how many ex-police officers are being paid a pension because of early retirement through ill health; and what monitoring systems are in place to ensure that the ill health is not transient. [134543]

Ms Blears: The requested figures are not centrally available. However the number of ill-health retirements within the police service has been falling over recent years from a level of 14.8 per 1,000 officer strength in 1997–98 to 8.8 per 1,000 in 2001–02.

Regulation K1 of the Police Pension Regulations 1987 gives the police authority the discretion to review whether the disablement of a person in receipt of a police ill-health pension has ceased. Such reviews can be held at intervals that the authority considers appropriate. We would expect police authorities to continue to review the circumstances in any case where it was felt that there was a reasonable prospect for the cessation of disablement and that the former officer could be re-engaged.

Tim Loughton: To ask the Secretary of State for the Home Department how many people have been killed in each of the last five years by the police *(a)* during police action, *(b)* as a result of police pursuits and *(c)* in police custody. [134728]

Ms Blears: In each of the last five years, for which Home Office figures have been published, the total number of people who died during or following police action are as follows.

1997–1998—69
1998–1999—67
1999–2000—70
2000–2001—52
2001–2002—70

Within those totals:

1997–98

Eleven died during or following police pursuits and 40 died in or following police custody.

1998–99

Four died during or following police pursuits and 41 died in or following police custody.

1999–2000

Ninteen died during or following police pursuits and 30 died in or following police custody.

2000–01

Seventeen died during or following police pursuits and 25 died in or following police custody.

2001–02

Thirty died during or following police pursuits and 22 died in or following police custody.

John Mann: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* crimes committed there were in police authority areas in England in the last year for which figures are available. [135320]

Ms Blears *[holding answer 30 October 2003]:* The latest published information on the number of police officers by police force area in England is published in Table 1 of 'Police Service Strength, England and Wales, 31 March 2003' (Home Office Statistical Bulletin 11/03).

The latest published information on the number of crimes recorded in each police force area in England is contained in Table 6.04 of 'Crime in England and Wales 2002/03' (Home Office Statistical Bulletin 07/03).

Copies of both publications are available in the Library.

Prisoners

Mrs. Brooke: To ask the Secretary of State for the Home Department how many prisoners are held *(a)* over 50 miles and *(b)* over 100 miles from their committal court town. [133395]

Paul Goggins: An individual prisoners' court details are recorded to show first court appearance, committal, remand, conviction or sentencing. Information specifically on committal court details could only be obtained at disproportionate cost.

As at 30 September 2003, the latest date for which information is available, details of all types of court information, including committal, remand, convicting and sentencing, were available for 71,089 prisoners, or 96 per cent. of the total prison population of 73,741 on that day. This information is shown in the following table.

Distance from court town

	Number of prisoners	*As a percentage of the total population*[1]
Held under 50 miles from their court town	44,955	63
Held between 50 and 100 miles from their court town	15,254	22
Held over 100 miles from their court town	10,880	15
Total	71,089	100

[1] Based on the 96 per cent. of the population for which court data is available

Private Office Costs

Mr. Flight: To ask the Secretary of State for the Home Department what the running costs have been of ministers' private offices in his Department in each year since 1997. [123104]

Mr. Blunkett: Running costs for my department, Ministers' offices, the Private Office Management Support Unit and Parliamentary Secretariat for each year from 1997 were as follows:

Year	*Pay costs*	*Other running costs*
1997–98	1,551,644	572,622
1998–99	1,566,018	1,202,633
1999–2000	1,619,459	791,588
2000–01	1,223,794	841,809
2001–02	1,643,622	943,022

The running costs for the whole of Private Office—including non Ministerial Offices—in 2001–02 was £4,492,704 and in 2002–03 was £5,176,925. Changes in financial recording systems from 2001 mean that it is no longer possible, without disproportionate cost, to separate the cost of Ministerial from non-Ministerial offices. Consequently this figure is not directly comparable with those provided prior to 2001–02, which did not include the cost of the offices of the Permanent Secretary, the Director General, Resources and Performance, Special Advisers, as well as the Typing Centre and the Ministerial Briefing Unit, which was largely created by bringing together existing staff in other Directorates. The figure for 2002–03 also includes office running costs for an additional Minister.

Probation Service

Mr. Oaten: To ask the Secretary of State for the Home Department how many offenders under the supervision of the Probation Service are categorised as *(a)* low, *(b)* medium or *(c)* high risk. [133972]

Paul Goggins: Information about risk of harm is collected through the Offender Assessment System (OASys) that is being implemented in the National Probation Service and the Prison Service. We currently have standardised information in a comparable format from some 5,000 OASys assessments in four probation areas. Analysis of this data produces the percentages for the level of risk of harm shown in the table.

Until next summer, when we will have data from all 42 probation areas, we will not know whether this profile reflects the pattern across the National Probation

Service. Until then we will not be able to say with confidence how many offenders under probation supervision fall into each risk of harm category.

Level of risk of harm	*Percentage of offenders based on data from four areas*
Very high	0.4
High	6.5
Medium	25.1
Low	68.0
Total	100

Silverlands

Mr. Hammond: To ask the Secretary of State for the Home Department what the estimated open market value of Silverlands, Chertsey was *(a)* at 30 June 2001 and *(b)* after the completion of refurbishment works in summer 2002; what the open market value is now; and what the total cost of works carried out to the property since 30 June 2001 is. [131504]

Fiona Mactaggart: Prior to the start of the conversion works in July 2001, Silverlands was valued by the district valuer at an open market value of £2.3 million.

The last district valuer valuation of June 2002 contained an open market value, following conversion works, between £3.25 and £3.5 million.

The Department of Health has not undertaken any subsequent valuations on this property.

The total cost of works carried out to the property since June 2002 is minimal.

Mr. Hammond: To ask the Secretary of State for the Home Department what the average monthly cost of *(a)* maintenance and *(b)* security of Silverlands, Chertsey was to government departments in the last five years. [131505]

Fiona Mactaggart: There was nil expenditure for the Home Department except for the period between September 2001 and June 2002, in which a total of £3.7million was spent on the Silverlands refurbishment project, of which approximately £2.8million related to maintenance and £0.9million to security. The average costs of the project were:

(a) maintenance: £280,000 per month

(b) security: £90,000 per month.

All figures are inclusive of VAT.

The final account and retention release, and associated fees, are still outstanding on the project. These are currently estimated at about £320,000.

In addition to the above, the Department of Health has advised us that:

(a) maintenance cost prior to and after refurbishment has been minimal

(b) the following has been spent on security per month:

August 1999 to December 2001—Average £10,000

July to October 2002—£55,000

October2002 to June 2003—£22,000

June 2003 onwards £13,000

This averages £15,795 per month.

Mr. Hammond: To ask the Secretary of State for the Home Department what the cost to date is to *(a)* his Department and *(b)* the Department of Health of (i) building works and (ii) security provision at Silverlands, Chertsey. [131506]

Fiona Mactaggart: The cost to the Home Department of the refurbishment works to date is £3.7 million of which £2.8 million related to (i) maintenance and £0.9 million related to (ii) security. The final account and retention release, and associated fees, are still outstanding on the project. These are currently estimated at about £320,000. These figures are inclusive of VAT.

In addition to the above the Department of Health has advised us that (i) building works has been minimal and (ii) security provision at Silverlands, Chertsey, to date has cost £695,000.

Terrestrial Trunked Radio System

Mr. Hancock: To ask the Secretary of State for the Home Department pursuant to the answer to the hon. Member for Stoke-on-Trent, North (Ms Walley) of 4 June 2003, *Official Report*, column 462W, on the Terrestrial Trunked Radio System, what reports he has received from police officers of ill health effects which they attribute to TETRA. [134738]

Ms Blears: The Home Office has received no reports from police officers of ill-health effects which they attribute to TETRA. We were however made aware by representatives of the Association of Chief Police Officers (ACPO) and the Police Federation that some early users of the system were concerned about potential health effects of the TETRA technology. We have addressed these concerns by taking independent expert advice and setting up a long-term research programme. The experts concluded that it was unlikely that TETRA technology could pose a risk to health, and this has been confirmed by the research results to date. More information can be found at www.homeoffice.gov.uk/docs/tetra.html.

Violent Crime (Easington)

Mr. Cummings: To ask the Secretary of State for the Home Department how many violent crimes occurred in the Easington sub division of the Durham County Police Authority in *(a)* 2000, *(b)* 2001 and *(c)* 2002; and if he will make a statement. [134651]

Ms Blears: Numbers of violent crimes which occurred in Easington are recorded and published at Basic Command Unit (BCU) level. Violent crime is comprised of violence against the person, sexual offences and robbery. The requested information is given in the table.

Number of violent crimes recorded by the police for Easington Basic Command Unit

	Crimes recorded		
	Violence against the person	*Sexual offences*	*Robbery*
1999–2000	729	48	21
2000–01	629	35	22
2001–02	820	39	35
2002–03	1,095	33	51

The National Crime Recording Standard (NCRS) was introduced across England and Wales in April 2002. Some police forces adopted the Standard prior to this date. Durham police force introduced the Standard in January 2002. Broadly, the NCRS had the effect of increasing the number of crimes recorded by the police. Therefore, following the introduction of the Standard, numbers of recorded crimes are not directly comparable with previous years.

SCOTLAND

Stamp Duty Land Tax

Mr. Prisk: To ask the Secretary of State for Scotland what assessment he has made of the impact of increases in stamp duty land tax on economic regeneration policies in Scotland; and if he will make a statement. [135612]

Ruth Kelly: I have been asked to reply.

The Government have introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas. There are 135 areas in Scotland which qualify for this relief, selected by reference to the national index of deprivation. The measure provides a major boost to businesses investing in commercial premises in Scotland.

CULTURE, MEDIA AND SPORT

Alcohol Labelling

Mr. Amess: To ask the Secretary of State for Culture, Media and Sport what representations she has received regarding bringing alcohol labelling in line with those placed on tobacco products. [132758]

Miss Melanie Johnson: I have been asked to reply.

The Department of Health has received a number of representations consisting of correspondence from right hon. and hon. Members and from members of the public. The Department has also received a petition from the British Association for the Study of the Liver, the British Society for Gastroenterology and the British Liver Trust. My hon. Friend the Minister of State for Crime Reduction, Policing and Community Safety at the Home Office (Ms Blears), has received similar representations in her role as Sponsor Minister for the Strategy Unit Project to develop an Alcohol Harm Reduction Strategy for England.

Anti-doping Policy

John Mann: To ask the Secretary of State for Culture, Media and Sport what plans she has to recommend the classification of additional anabolic steroids. [135527]

Mr. Caborn: The Government have no plans to make recommendations on the classification of additional anabolic steroids. This is a matter entirely for UK Sport, the UK's national anti-doping agency, to ensure that all dope test samples are analysed in accordance with the Olympic Movement's Anti-Doping Code of prohibited substances and methods (January 2003), and from January 2004, the World Anti-Doping Code list of prohibited substances and methods.

Mr. Betts: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on the efficacy of drug-testing procedures in sports, with particular reference to football. [135086]

Mr. Caborn: The UK is at the forefront of the international sporting community's fight against doping in sport The UK's national anti-doping policy is in line with the International Standard for Doping Control which requires sport's governing bodies to carry out a robust in and out of competition dope testing programme. This policy ensures that all sports in the UK have consistent anti-doping procedures and regulations that are transparent and fair to their athletes. It is a matter for the UK's national anti-doping agency, UK Sport, and sport's governing bodies to administer this policy.

UK Sport is working with sport's governing bodies, including the Football Association, on implementing the world anti-doping code into their drug testing programmes which will result in the harmonisation of anti-doping processes across countries by the 2004 Olympic games in Athens.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if she will list the contracts for *(a)* consultancy and *(b)* other work carried out by Bechtel in each year since 1997, stating in each case (i) the nature of the work, (ii) the value of the contract and (iii) the duration of the contract; and if she will make a statement. [134731]

Mr. Caborn *[holding answer 29 October 2003]:* DCMS have no record of any contract with Bechtel over the period 1997 to 2003.

Fair Shares Programme

Mr. Challen: To ask the Secretary of State for Culture, Media and Sport how much Lottery money has been distributed through the Fair Shares programme; and what assessment she has made of the effectiveness of the programme. [135652]

Estelle Morris: The fair share initiative aims to ensure that those communities at greatest disadvantage do not lose out from Lottery funding. In its first year of operation, over £31 million has been distributed through the Community Fund's grants programmes targeted at fair share areas; grants of between £200,000 and £2.2 million have been committed under the New Opportunities Fund's 'fair share: transforming your space' programme; and a £50 million fair share Trust has been set up, to be delivered by the Community Foundation Network. The programme has achieved 90 per cent. of its projected funding target for 2002–03. Now that these building blocks are in place, I expect to see a steady increase in the flow of funding over the remaining two years of the programme.

National Lottery

Mr. Greg Knight: To ask the Secretary of State for Culture, Media and Sport how much money raised from the National Lottery has been spent in *(a)* East Yorkshire, *(b)* West Yorkshire and *(c)* Greater London, in each of the past four years for which figures are available. [135335]

Estelle Morris: The requested information is in the following table.

This information is derived from the Department's National Lottery awards database which contains information provided by the distributing bodies.

East Yorkshire is taken as the area of the hon. Member's constituency, West Yorkshire comprises Bradford, Calderdale, Kirklees, Leeds and Wakefield local authority areas.

£

	East Yorkshire	*West Yorkshire*	*Greater London*
1999	912,015	46,778,718	410,955,361
2000	440,600	35,725,974	229,659,961
2001	1,007,825	39,472,855	324,572,862
2002	286,344	68,784,738	357,138,602

Mr. Flook: To ask the Secretary of State for Culture, Media and Sport if she will list the Lottery awards made by each funding body in Somerset in each year since 2000. [135420]

Estelle Morris: 811 Lottery awards have been made since 1 January 2000 in Somerset.

Dates of Lottery awards, name of recipients, and the Lottery distributor concerned will be placed in the Libraries of both Houses.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if she will list the Lottery awards made by each funding body in *(a)* the North West, *(b)* Lancashire and *(c)* Chorley in each year since 2000. [135523]

Estelle Morris: 8,881 Lottery awards have been made since 1 January 2000 in the North West region. 1,721 Lottery awards have been made since 1 January 2000 in Lancashire. 179 Lottery awards have been made to Chorley since 1 January 2000.

The information concerning the North West region was placed in the Libraries of both Houses in response to a question from the hon. Member for Ribble Valley (Mr. Evans) on 29 October 2003, *Official Report*, column 274.

Olympic Games

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport (1) what estimate she has made of the percentage of the hotel rooms planned to be available in London by the time of the 2012 Olympics which will be of an inspected standard; [135830]

(2) what percentage of funding she estimates will be spent on improving hotel facilities in the event of a successful 2012 London Olympic bid. [135843]

Tessa Jowell: The assessment of the cost and benefit implications of bidding for and staging the Olympics and Paralympic Games in London in 2012 undertaken by Arup in May 2003, drawing on London Tourist Board figures, projected up to 200,000 rooms in hotels/guest houses as potentially available within International Olympic Committee (IOC) visitor travel time requirements of one hour.

Detailed information on accommodation is required by the IOC for the applicant city questionnaire, and London 2012 Ltd., the company set up to prepare the Olympic bid, are undertaking further work to verify and refine these figures. We would look to the LDA, working in partnerships with local authorities, agencies and businesses, to consider what action or investment they might take, including the development of their existing tourism infrastructure, to capture the benefits from the Olympics.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what plans she has to involve *(a)* arts and *(b)* cultural organisations in developing the London Olympic Bid for 2012. [135832]

Tessa Jowell: The Olympics are not just about Sport; they will embrace the wider cultural life of the capital and of the country. One of the IOC requirements for the Games is for a Cultural Olympiad, a four year long cultural and educational programme around the Games which can be used to build community support and involvement. The plans for this Olympiad will form a part of the Candidature file which London 2012 Ltd. are preparing to submit to the International Olympic Committee in November 2004 and my Department will ensure that the relevant arts and cultural organisations are involved in their development.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what percentage of hotel rooms in London were classified as substandard in the last year for which figures are available. [135842]

Mr. Caborn: We are not aware of any such classification. In November 2002, the London Development Agency (LDA) report 'Improving the Quality of Visitor Accommodation in London' (commissioned by DCMS) estimated that 38 per cent. of London's serviced accommodation establishments were covered by the National Quality Assurance Standards (NQAS) schemes for serviced accommodation. The LDA is working hard to encourage further subscription. The report also found that 57 per cent. of hotel rooms in London belonged to branded hotel chains.

This Department is committed to raising accommodation quality through the NQAS schemes, and through supporting skills and training in the industry. To tackle under-performing establishments that are ineligible for NQAS, we are currently piloting a 'Fitness for Purpose' initiative in six local authorities, including the London boroughs of Greenwich and Camden. The aim is to help failing accommodation providers to meet minimum legal requirements on health and safety, food hygiene, trading standards and fire safety.

Stamp Duty Land Tax

Mr. Prisk: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the impact of increases in stamp duty land tax on her policy for *(a)* the preservation of historic piers and regeneration of seaside towns and *(b)* for public houses and other licensed premises; and if she will make a statement. [135615]

Ruth Kelly: I have been asked to reply.

The Government have introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas, including several areas in seaside towns. This will provide a major boost to businesses investing in commercial premises in those areas. No assessment has been undertaken of the effect on the preservation of historic piers.

The impact of stamp duty land tax on public houses and other licensed premises was considered and discussed as part of the recent consultation process.

Tourism

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what plans she has to use the creative industries in the promotion of British tourism *(a)* within the United Kingdom and *(b)* abroad. [135834]

Mr. Caborn: VisitBritain promotes Britain overseas as a tourist destination and it promotes England to the domestic market. The creative industries are an important element in its campaigns. VisitBritain's website promotes creative events taking place across the country such as opera, ballet, film, exhibitions and arts festivals. VisitBritain's current European "Short Breaks" campaign has a strong cultural message, taking advantage of the European Capital of Culture competition. Other examples of campaigns include a "movie map" which uses film locations to encourage tourism, campaigns based around individual films such as Harry Potter and Johnny English, the sponsorship of a forthcoming Britain-related fashion show in Argentina and the launch of an animated film in Japan based on the famous 'Moving Castles' Novel by Dianna Wynne Jones. Domestically, VisitBritain has worked with Warner Classics to produce an 'Essentially England' CD-Rom which uses classical music to promote tourism.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport how many foreign visitors she estimates visited *(a)* Bath, *(b)* York, *(c)* Liverpool, *(d)* Snowdonia, *(e)* Edinburgh, *(f)* Stratford upon Avon and *(g)* London in 2002–03. [135838]

Mr. Caborn: The following table shows the number of visits made by foreign residents to these places in 2002, since data on visits to areas around the UK are produced by calendar year.

Area	*Number of visits made by foreign residents in 2002*
Bath	205,000
York	230,000
Liverpool	193,000
Snowdonia	Not available
Caernarfonshire and Merionethshire (includes Snowdonia)	21,000
Edinburgh	849,000
Stratford Upon Avon	110,000
London	11,603,000

Note:
Figures for Snowdonia alone are not available, but figures are available for the combined regions of Caernarfonshire and Merionethshire, which contain Snowdonia.

Source:
International Passenger Survey, National Statistics

EDUCATION AND SKILLS

International Student Visas

Mrs. Campbell: To ask the Secretary of State for Education and Skills which universities have the largest numbers of students studying on international student visas. [129426]

Alan Johnson: Information on the number of non-European Union students studying at higher education institutions in England for 2001/02 shows that the largest number of these students are studying at the universities listed in the following table. Information is not collected on the visa status of these students.

Institution	*Number*
London School of Economics and Political Science	3,425
Middlesex University	3,348
The University of Oxford	3,265
The University of Cambridge	3,065
The University of Nottingham	3,042
The University of Warwick	3,038
University College London	2,933
The University of Leeds	2,855
The University of Birmingham	2,827
The Victoria University of Manchester	2,795
The University of Sheffield	2,440
The London Institute	2,105
The University of Westminster	2,104
Imperial College of Science, Technology & Medicine	2,014
City University	1,872
King's College London	1,869
University of Luton	1,759
The University of Leicester	1,710
Oxford Brookes University	1,679
The University of North London	1,677

Employment and Social Policy, Health and Consumer Affairs Council

Mr. Hood: To ask the Secretary of State for Education and Skills what the outcome was of the Employment and Social Policy, Health and Consumer Affairs Council on 20 October 2003; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [133984]

Mr. Pond: I have been asked to reply.

My hon. Friend the Parliamentary Under-Secretary of State for Employment Relations, Competition and Consumers (Mr. Sutcliffe), represented the UK at the Employment, Social Policy, Health and Consumer Affairs Council in Luxembourg on 20 October 2003.

The Council held a public debate on the Commission Communication on Immigration, Integration and Employment.

The UK stated that immigration alone would not solve Europe's demographic problem and that the Employment Strategy provided the appropriate framework for improving the participation of immigrants in the labour market. Several delegations argued that member states should meet their demand for additional labour from national and European sources before seeking immigrants from outside the EU.

On integrating immigrants, the UK stressed the need to provide language, skills and citizenship training for recent and next generation immigrants to prevent social exclusion and burdens on the public purse and argued that a job was the best means of social integration.

The Council adopted Conclusions on the open method of co-ordination of adequate and sustainable pensions. There will be a progress report to the Council on 1 December 2003 about pensions indicators.

The Council reached political agreement on a Directive protecting workers from the risks from exposure to electromagnetic fields and waves, as well as on the decision to renew the spending programme to prevent and combat violence against women, young people and children (Daphne II). The UK supported both decisions.

The Council agreed an orientation towards political agreement on Chapters 7 and 8 of Regulation 1408/71 on social security coordination. The chapters cover pre-retirement benefits and family benefits.

The Council agreed an orientation towards a political agreement on a Regulation amending Regulation 1408/71 to align provisions in readiness for the launch of European Health Card in June 2004.

The Council approved the opinion of the Social Protection Committee on a Commission Communication on streamlining open co-ordination in the field of social protection.

The Council adopted without discussion a resolution on transforming undeclared work into regular employment in the context of the European Employment Strategy, and a resolution encouraging member states to consider the provision of various services for victims of trafficking.

Under Any Other Business, the Belgians presented a short paper on Growth and Competitiveness.

No Health or Consumer Affairs items were on the agenda.

No votes were taken at this Council.

Fieldwork

Mrs. Gillan: To ask the Secretary of State for Education and Skills (1) what assessment he has made of the implications of access to field work in schools for the promotion of environmental awareness; and whether the provision for field work within the national curriculum will ensure that enough employees with adequate skills are available to bodies who carry out environmental impact assessments; [135904]

(2) what assessment he has made of whether the encouragement of fieldwork as a teaching method is adequately supported by teacher training courses; [135905]

(3) what assessment he has made of the Growing Schools Initiative as a sufficient alternative to a formal requirement for out of classroom activity for the *(a)* science GCSE and *(b)* biology A-level curricula; [135906]

(4) whether his Green Action Plan for Education will specify the need for out of class room activity as part of the national curriculum for appropriate subjects. [135907]

Mr. Miliband: No assessment has been made of the implications of access to fieldwork in schools for the promotion of environmental awareness. It is important to note, however, that there are requirements for Education for Sustainable Development both in Geography and in Science, including science GCSE and AS/A Level qualifications.

Although the National Curriculum is not designed to provide vocational training, under the proposed 14–19 reforms set out in the Green Paper 'Excellence and Opportunity', young people would have greater flexibility in selecting their options, and may choose to pursue courses which cover environmental impacts.

No assessment has been made of whether the encouragement of fieldwork as a teaching method is adequately supported by teacher training courses. However, under the standards for qualified teacher status and requirements for initial teacher training, teacher trainers use non-school settings such as fieldwork, visits to museums and other off-site locations. All newly qualified teachers are now required to be able to plan opportunities for pupils to learn in out-of-school contexts. Teacher training providers can also take trainees' prior achievement into account. This means, for example, that a trainee teacher who has previously worked in a fieldwork centre can have this experience taken into account when their training needs are assessed.

In addition to this, we anticipate that, over time, our new Science Learning Centres, the preferred suppliers for six of which along with a national centre were recently announced, will help science teachers and technicians to develop their skills in out of the classroom teaching.

No assessment has been made of the Growing Schools Programme providing an alternative to out of classroom activity for Science GCSE or 'A' level biology because it is not an alternative. Growing Schools supports teachers in using the outdoors for teaching subjects across the curriculum for pupils of all ages, including in Science GCSE and Biology A level.

The Department's Sustainable Action Plan for Education and Skills does not specify the need for out of classroom activity as part of the National Curriculum. However the Geography programmes of study at Key Stages 1, 2 and 3 do specify the requirement for all pupils to carry out fieldwork investigations outside the classroom.

Funding (Primary Schools)

Norman Baker: To ask the Secretary of State for Education and Skills if he will make a statement on the funding arrangements for primary school non-contact time. [135469]

Mr. Miliband *[holding answer 30 October 2003]:* Many primary teachers already receive non-contact time as part of their regular timetable. As a result of the National Agreement on raising standards and tackling workload, all teachers will be entitled to 10 per cent. guaranteed time for planning, preparation and assessment (PPA) from 1 September 2005.

The costs of implementing this contractual change in primary schools will vary. Many schools have already done so; others will need to take a rigorous look at how they use their existing resources. The more radical approach a school takes in pursuing workforce reform, the lower the cost is likely to be. Schools that abandon unnecessary tasks; reform their use of support staff; maximise the contribution of ICT and reduce reliance on expensive supply teachers will be able to deliver guaranteed PPA time from their base budgets.

The announcement, on 29 October, of a package of measures to deliver greater stability in school budgets for 2004–05 and 2005–06 will also help primary schools plan for the introduction of guaranteed PPA time.

Further and Higher Education

Mr. Alan Campbell: To ask the Secretary of State for Education and Skills how many people resident in Tynemouth constituency are *(a)* further and *(b)* higher education students. [130387]

Alan Johnson: Figures are not available at constituency level. The available figures cover North Tyneside LEA.

In 2001/02,16,445 people resident in North Tyneside LEA attended Further Education (FE) sector colleges.

In 2002/03, 856 people resident in North Tyneside LEA were accepted through the Universities and, Colleges Admissions Service (UCAS) onto full-time undergraduate courses.

Mrs. Gillan: To ask the Secretary of State for Education and Skills how many people in *(a)* Chesham and Amersham and *(b)* Buckinghamshire are (i) further and (ii) higher education students. [129891]

Alan Johnson: Figures are not available at constituency level. The available figures cover Buckinghamshire LEA.

In 2001/02, 19,396 people resident in Buckinghamshire LEA attended further education (FE) sector colleges.

In 2002/03, 3,316 people resident in Buckinghamshire were accepted through the Universities and Colleges Admissions Service (UCAS) onto full-time undergraduate courses.

Mr. Alan Campbell: To ask the Secretary of State for Education and Skills how many people beginning higher education courses in 2002 had previously attended a fee-paying school. [130382]

Alan Johnson: The available information is from the Universities and Colleges Admissions Service (UCAS) and covers full-time undergraduate entrants. Figures are in the table.

Accepted applicants through UCAS to undergraduate courses by previous educational establishment, 2002 entry

Previous educational establishment	*Numbers*	*Percentage of known*
Maintained school	121,911	46
Independent school	30,293	11
Further education colleges	110,083	42
Other	1,480	1
Total known	263,767	100
Unknown	67,958	?
Total	331,725	?

Source:
UCAS

Learning Support Units

Mr. Damian Green: To ask the Secretary of State for Education and Skills (1) how much funding each learning support unit has attracted for each year since 1997, broken down by local education authority; [133681]

(2) what funding has been provided to each learning support unit in each year since 1997, broken down by local education authority; [133682]

(3) how many learning support units in England *(a)* opened and *(b)* closed in each year since 1997, broken down by local education authority. [133683]

Mr. Ivan Lewis: I refer the hon. Member to the reply given on 30 April 2003, *Official Report*, column 411W.

Literacy/Numeracy Strategies

Mr. Willis: To ask the Secretary of State for Education and Skills if he will list the contractual penalties incurred by contractors responsible for the delivery of primary *(a)* literacy and *(b)* numeracy strategies for failure to meet targets set by the strategies in the last three years. [131342]

Mr. Stephen Twigg: The responsibility for the achievement of the primary literacy and numeracy national targets lies solely with the Department for Education and Skills. The contractor responsible for the delivery of the primary literacy and numeracy strategies, CfBT Education Services, provides educational and operational support under the strategic direction of the Department.

Medical Examinations (Schools)

Tim Loughton: To ask the Secretary of State for Education and Skills at what age medical examinations are normally carried out on school pupils. [134795]

Dr. Ladyman: I have been asked to reply.

The provision of medical examinations for pupils at school is a matter for local primary care trusts to consider in accordance with professional advice.

Parliamentary Questions

Mr. Love: To ask the Secretary of State for Education and Skills when he will reply to the questions of the hon. Member for Edmonton, Refs *(a)* 120769, *(b)* 120770, *(c)* 120771, *(d)* 120772 and *(e)* 120773, tabled on 19 June. [125007]

Mr. Stephen Twigg: Replies were issued on:

(a) 23 September
(b) 7 July
(c) 14 July
(d) 14 July
(e) 30 September

Phonics Teaching Methods

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will make an assessment of the need for further clarification of the National Literacy Strategy's Framework for Teaching guidance on phonics instruction. [135022]

Mr. Miliband: As outlined in the Department's response in August to Professor Greg Brooks' report of the phonics seminar held in March 2003, we agree that some clarification of the National Literacy Strategy's Framework for teaching is required and the Primary Strategy is developing further guidance, including a supplement to the "Progression in Phonics" material. This supplement will be made available to teachers towards the end of the spring term 2004.

Pupil Safety

Mr. Kidney: To ask the Secretary of State for Education and Skills what measures he proposes to take to ensure that *(a)* local education authorities and *(b)* individual schools *(i)* take steps to assess the safety of pupils on journeys between home and school and (ii) take action where appropriate to improve their safety. [135476]

Mr. Charles Clarke: In September 2003, my right hon. Friend the Secretary of State for Transport and I launched an Action Plan to encourage more children to walk, cycle and take the bus to school where it is safe for them to do so. We are encouraging all schools to put in place School Travel Plans, which will be developed jointly by schools, parents, local authorities and others. Safety will be an important consideration, and my Department is providing capital funding which can be used for safety related changes to school premises. Outside school premises, local authority highways departments are responsible for road safety and are an integral part of the school travel planning process.

Local education authorities arrange home to school transport where they consider it is necessary for pupils to get to school. In deciding on appropriate provision, they must consider several matters including pupils' ages and the nature of their routes to school. In "Travelling to School: an Action Plan", we set out proposals to encourage local authorities to trial innovative school transport arrangements, and we identified pupils travelling along routes that their parents consider unsafe as a group who could benefit from exemplar schemes.

School Funding (Suffolk)

Mr. Spring: To ask the Secretary of State for Education and Skills pursuant to his answer of 7 July 2003, *Official Report*, column 632W, on school funding (Suffolk), what representations he has received from Suffolk county council about the funding of schools in Suffolk. [135794]

Mr. Miliband: My right hon. Friend has received a number of representations from the local authority and schools in Suffolk about the funding of schools. He made a statement to the House on 29 October 2003 about support for schools in 2004–05 and 2005–06.

Skills

Mr. Gardiner: To ask the Secretary of State for Education and Skills what assessment his Department has made of the effect on the UK skills base of those on low incomes choosing not to seek new employment because of concerns over short term cash flow problems. [129862]

Mr. Ivan Lewis: This Department has not made an assessment of the effect on the skills base if those on low incomes choose not to seek new employment. The recent Skills Strategy White Paper sets out a number of measures aimed at ensuring individuals have the skills they need to be employable, and work productively in a flexible labour market. In addition, the 'Department for Work and Pensions is committed to making work pay for all those who are able to work, and to supporting households, including low-income households, in sustaining employment.

The Department for Work and Pensions believe that most people moving from one job to another will be able to manage until they receive payment from their new job, as wages are paid in arrears. For those in receipt of working tax credit, continuity of payment is maintained when people move from one job to another, as long as the gap between jobs is no more than seven days. The new working tax credit has been extended to people aged 25 and over without children. If people receive the child tax credit, this continues to be paid direct to the main carer throughout any changes in employment. People in low paid employment may also be entitled to housing benefit and council tax benefit.

People who are unable to manage while waiting for payment of wages, leading to a serious risk to their own health or safety or that of their family, may be able to get an interest free Crisis Loan. Repayment of a Crisis Loan does not start until the period of crisis is over and the rate of repayment takes account of a person's income and other commitments to avoid hardship.

Student Loans

Mr. Boswell: To ask the Secretary of State for Education and Skills what action he is taking to ensure

that student loans associated with top-up fees are available to students whose faith precludes the charging of interest. [134497]

Alan Johnson: Student loans are not commercial loans. The Government uprates the value of the outstanding loan in line with the general rate of inflation, to make sure that all borrowers pay back the same amount that they borrowed in real terms. We understand that some students believe that this precludes them from taking out such a loan. However, a recent survey of students by religious group, conducted for the report "Minority Ethnic Students in Higher Education", found that 64 per cent. of Muslims reported having a student loan; that was only slightly less than Hindu groups (66 per cent.), Sikh groups (66 per cent.) and Christian groups (69 per cent.)[1]

My right hon. Friend the Secretary of State for Education and Skills has met representatives from the Federation of Student Islamic Societies (FOSIS) on 8 July to discuss their concerns regarding student loans. Officials from my Department have also held further discussions with FOSIS representatives recently and will continue to do so.

[1] *Source:*
IES/Mori Survey 2002. All figures are taken from table 6.3 of the report "Minority Ethnic Students in Higher Education", which was published in July 2003.

Teenage Pregnancy

Mr. Love: To ask the Secretary of State for Education and Skills what action is being taken to tackle teenage pregnancy in deprived areas; and if he will make a statement. [120773]

Mr. Stephen Twigg: The similar geography of teenage pregnancy and deprivation suggests that while there is still much work to do, the encouraging 10 per cent. decline in England's under 18 conception rate from 1998 to 2001 has been largely achieved through targeted work in deprived localities with high numbers of conceptions by:

The allocation of funding to teenage pregnancy partnerships based on teenage pregnancy rates.

The use of research and toolkits to address the needs of vulnerable groups. For example, "Teenage Pregnancy and Neighbourhood Renewal: Learning from New Deal for Communities" which details good practice in new deal for community areas and share the main learning points from that practice.

New deal for communities and other neighbourhood renewal pathfinder programmes are given support and guidance in tackling teenage pregnancy as an issue through learning events and written guidance.

Encouraging local strategies to target wards with a high number of teenage conceptions.

The development of a programme of work to improve our understanding of the relationship between teenage pregnancy and socio-economic factors.

The association between deprivation and teenage pregnancy is well established and reflected in the under 18 conception rates for local authorities across England. To achieve its national targets of halving the under 18 conception rate and reducing the inequality in rates between wards by at least 25 per cent. by 2010, the teenage pregnancy strategy must focus its work on deprived areas with high conception rates.

Tuition Fees

Mr. Boswell: To ask the Secretary of State for Education and Skills what action he will take to alleviate hardship arising from top-up fees for students whose family relationship has been broken. [134496]

Alan Johnson: We expect the student support arrangements for students that are either irreconcilably estranged from their parents or whose parents are no longer living together to continue as they are now, when variable fees are introduced from 2006. The current arrangements are set out as follows:

If a student is irreconcilably estranged from his or her parents, they are treated as independent for the purposes of assessing student support. Where such a student's personal income while on the course is below £10,000, they are entitled to the full fee remission grant to cover the standard fee and to a full maintenance loan. If their income is £15,200 or below, they will be entitled to the full higher education grant when this is introduced from 2004.

If a student's parents are no longer living together, the income to be used for the purposes of assessing student support will continue to be that of the parent considered to be most appropriate. If that parental income is £15,200 or below, the student will be eligible for a full higher education grant; if below £20,970, they will be eligible for the full fee remission grant to cover the standard fee; and if below £31,230, a full maintenance loan.

Both types of students will be able to take out a loan for fees to cover the balance of the fee above the standard fee once variable fees are introduced.

Peter Bradley: To ask the Secretary of State for Education and Skills what advantages in charging top-up fees will accrue to universities with *(a)* high levels and *(b)* low levels of students from low income backgrounds. [135472]

Alan Johnson: No university will be advantaged or disadvantaged in terms of additional fee income by the makeup of their intake. It will be for universities to assess the advantages and disadvantages of charging fees and what level of fee they should charge, up to the maximum of £3,000, provided they have an access agreement.

University Drop-out Rates

Mr. Amess: To ask the Secretary of State for Education and Skills what the drop-out rate was at universities in England and Wales in each year since 1997. [130377]

Alan Johnson: The latest available figures giving non-completion rates for students starting full-time first degree courses in England and in Wales are as follows:

Non-completion for students starting full-time first degree courses in England and Wales

Students starting courses in:	Non completion rate (percentage) [1] England	Wales
1999/2000	16	15
1998/99	16	14
1997/98	16	16

[1] Non-completion is regarded as those who do not gain a qualification from their original course or from any other course and do not transfer to another institution.

Source:
HEFCE Performance Indicators

Figures published in 2003 by the Organisation for Economic Co-operation and Development (OECD) show that the UK as a whole has one of the lowest non-completion rates among OECD countries.

University Students (Buckinghamshire)

Mrs. Gillan: To ask the Secretary of State for Education and Skills what proportion of A-level students from *(a)* the Chesham and Amersham constituency and *(b)* Buckinghamshire secured a place at university in the last year for which figures are available. [129889]

Alan Johnson: The available information shows that, in 2002, the proportion of 18-year-olds resident in Buckinghamshire who obtained two or more A levels and who were accepted onto a full-time or sandwich undergraduate course in the UK via the Universities and Colleges Admission Service (UCAS) was 65 per cent. compared to the national average of 61 per cent.

Figures are not available at constituency level.

LEADER OF THE HOUSE

European Legislation

Miss McIntosh: To ask the Leader of the House what plans he has to bring forward proposals to reform the procedures used by the House for scrutiny of European legislation. [134846]

Mr. Hain: I have no current plans but would welcome Members' views on whether our procedures for scrutiny of European legislation need to be reformed. I intend to consult with Members on all sides of the House on the way we engage with the European legislative process and how we might do so more effectively.

TREASURY

Council Tax

Mr. Pickles: To ask the Chancellor of the Exchequer if he will estimate the increase in the level of income tax which would be required if council tax were abolished and the same revenue were raised through an increase in the basic rate of income tax. [135365]

Mr. Hoyle: To ask the Chancellor of the Exchequer what estimate he has made of the change in the level of income tax which would be required if council tax were abolished and the same revenue were raised through an increase in basic rate income tax. [135750]

Dawn Primarolo: I refer the hon. Members to Table C8 on p.257 of the 2003 Financial Statement and Budget Report which is available in the Library of the House, and table 1.6 of Inland Revenue Statistics, available on their website at www.inlandrevenue.gov.uk/stats/tax expenditures/q_t061:htm.

Stamp Duty Land Tax

Mr. Prisk: To ask the Chancellor of the Exchequer what assessment he has made of the impact of increases in stamp duty land tax on his policies for promoting employment in the retail sector; and if he will make a statement. [135608]

Ruth Kelly: The impact of stamp duty land tax on the retail sector was considered and discussed as part of the recent consultation process.

Aircraft Duties

Mr. Maude: To ask the Chancellor of the Exchequer (1) if he will list the rates of *(a)* duty and *(b)* VAT on fuel for (i) aircraft on international flights, (ii) aircraft on domestic flights, (iii) cars, (iv) buses and *(v)* trains; [135176]

(2) if he will set out proposals for the future taxation of air travel, with particular reference to *(a)* duty on aviation fuel and *(b)* VAT on airline tickets in his next Pre-Budget Statement. [135177]

John Healey: Fuels duties are levied in accordance with fuel types and usage, and not be reference to the types of vehicle in which they are used. Customs and Excise Budget Notice 31/03, "Hydrocarbon Oils: Duty Rates", sets out the rates of duty applicable for different types of fuels, a copy of which is available in the Library of the House.

In the UK, VAT is charged at the standard rate of 17.5 per cent. on fuel used in cars, buses, trains and aircraft on domestic flights. Fuel used in aircraft on international flights is zero-rated.

Debt Reduction (Serbia and Montenegro)

Harry Cohen: To ask the Chancellor of the Exchequer when he expects The London Club to deliver on its agreement to 65 per cent. debt reduction for Serbia and Montenegro; what has been the reason for the delay in doing so to date; what negotiations are still going on regarding this matter; what assessment he has made of whether this commitment will be fulfilled; what would be the implication of non-fulfilment of The London Club's commitment for debt relief upon that agreed by The Paris Club; and if he will make a statement. [135442]

John Healey: The Government expects all creditors, including those creditor banks sometimes known as the "London Club", to agree a debt restructuring with Serbia and Montenegro comparable to that provided by the "Paris Club" of official creditors in November 2001. The Government understands that negotiations

between the Serbia and Montenegro authorities and some creditors are continuing. We have made clear to the Serbian authorities that the UK Government supports the case for comparable treatment, although there are no UK banks among the leading private sector creditors.

Economic Forecasts

Mr. Howard: To ask the Chancellor of the Exchequer if he will publish the Treasury's quarterly estimates of the output gap since 1990; and whether the estimates have been revised since publication of the 2003 Budget Red Book. [135779]

Mr. Boateng: Treasury estimates of the output gap were published in Chart B4 on page 226 of the 2003 Financial Statement and Budget Report (HC 500). These estimates will be updated in the light of latest GDP data in the forthcoming Pre-Budget Report.

Gold Sales

Mr. Blunt: To ask the Chancellor of the Exchequer pursuant to his answer of 13 February 2003, to the hon. Member for Chesham and Amersham (Mrs. Gillan), *Official Report*, column 861W, on gold sales, what the precise proceeds were in US dollars of the sale of 395 tonnes of gold; and what the proceeds would have been at the afternoon fix on 31 October 2003. [135350]

Ruth Kelly: The total proceeds from the sale of 395 tonnes of gold were US$3,496 million. At the afternoon fix on 31 October 2003, the total value of this gold was US$4,908 million. The gold sales between July 1999 and March 2002 reflected a prudent decision to reduce over-exposure to a single asset in the net reserves portfolio. Thus, the difference between these two figures quoted do not represent the real financial impact of the sales, as the proceeds from the gold sales were invested in euro, dollar and yen interest-bearing assets that have also increased in value over this period. The gold sales reduced risk by around 30 per cent. (as measured by value-at-risk) and are not expected to deliver a loss in return when measured over the medium to long-term; the appropriate time horizon for such a decision.

Golden Rule

Mr. Blunt: To ask the Chancellor of the Exchequer what assessment he has made of the extent of compliance with the golden rule until 1 June 2006 on the basis of his annual forecasts. [135347]

Mr. Boateng: As stated in Budget 2003:

> "The projections for the public finances show that the Government is firmly on track to meet its strict fiscal rules over the economic cycle, including in the cautious case, and while meeting its international and public spending commitments: the average current budget since the start of the current cycle in 1999–2000 is comfortably in surplus, ensuring the Government remains on track to meet the golden rule, using cautious assumptions and in the cautious case".

An interim forecast update will be published, as usual, in the Pre-Budget Report.

Mortgages

Mr. Gardiner: To ask the Chancellor of the Exchequer what discussions the Treasury has had with the Financial Services Authority about including the need for financial stress testing for consumers applying for mortgages. [136285]

Ruth Kelly: The Government legislated in June 2003 to give the Financial Services Authority responsibility for regulating mortgage business with effect from 31 October 2004. The detail of the regulatory regime for mortgages is a matter for the FSA.

However, we are aware that the FSA has recently published its new rules for mortgage sales. These rules, which take effect from 31 October next year, mean that:

> mortgage advisers have to recommend a mortgage that is suitable. Where they consider that the consumer will be unable to afford a mortgage the rules mean that they must not make any recommendation; and
>
> regardless of whether or not advice is provided, mortgage lenders must be able to show that they took account of the consumer's ability to repay before agreeing to any mortgage.

Self-assessment

Mr. Webb: To ask the Chancellor of the Exchequer how many self-assessment forms have been issued in each of the last five years; and if he will make a statement on groups of people to whom the issue of forms has been extended since 1 January 1998. [135360]

Dawn Primarolo: The table shows the number of returns issued and gives a breakdown of those numbers.

There have been no changes to the criteria that govern who are and who are not required to complete and submit a Self-Assessment Return since 1 January 1998.

Number of returns issued

Period of return	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Bulk annual issue	7,424,907	7,267,592	7,237,749	7,309,336	7,130,076
Notices to file	791,647	1,249,819	1,417,120	1,488,130	1,834,610
In year issue	1,129,446	806,589	591,131	633,534	[1] 575,345
Total	9,346,000	9,324,000	9,246,000	9,431 ,000	[2] 9.7

[1] To date.

[2] Million estimated.

Timber

Sue Doughty: To ask the Chancellor of the Exchequer what source of paper is used for banknotes; and what measures have been taken to ensure that all timber used in this paper comes from *(a)* legal and *(b)* sustainable sources. [136015]

Ruth Kelly: The paper used for UK banknotes notes is not made from timber. It is manufactured by a specialist paper manufacturer from cotton fibre and linen rag, which gives its crisp and distinctive feel and makes it tougher and more durable than the more common wood pulp paper. Using copious amounts of water, the cotton is broken down into individual fibres and reformed into reels of paper of the quality required.

Stamp Duty Land Tax

Mr. Prisk: To ask the Chancellor of the Exchequer what estimate he has made of the proportion of leases which will pay *(a)* less stamp duty, *(b)* more stamp duty and *(c)* the same amount of stamp duty following the recent changes to the charging of stamp duty on leases. [135069]

Ruth Kelly: The effect of the introduction of Stamp Duty Land Tax on 1 December 2003 (including the effect of the changes announced recently) is:

	Percentage
Paying less duty	[1]74
Paying the same duty	[2]15
Paying more duty	11

[1] Of which 72 per cent. reduced to nil.
[2] All of which currently pay nil.

As a result of the increases in the thresholds for commercial and residential leases, from 1 December 2003, 87 per cent. of leases will pay no Stamp Duty Land Tax (compared with 15 per cent. who were exempt under stamp duty) and a further 2 per cent. will pay less Stamp Duty Land Tax than they would have paid stamp duty.

As a result of the changes, only 11 per cent. of leases will pay more Stamp Duty Land Tax than they would have paid stamp duty.

Mr. Prisk: To ask the Chancellor of the Exchequer what assessment he has made of the effect of changes to the charging of stamp duty on leases on the *(a)* retail sector and *(b)* licensed trade. [135072]

Ruth Kelly: Detailed consultation with a wide variety of representative bodies, including those for the retail and licensed trade, were held both before and after publication of the Finance Bill 2003. Both during and after these meetings, much useful information was shared.

Overall for commercial leases, the increase in the threshold from £60,000 to £150,000 will exempt 53 per cent. of the leases which would have paid stamp duty (in addition to the 9 per cent. of leases which currently pay no stamp duty) and the introduction of the 'slice' system will reduce the duty payable on another 5 per cent. of leases from that due under stamp duty.

It is accepted that different sectors will be affected differently, according to the sectoral distribution of lease lengths and rentals. The percentage of leases in particular sectors which are newly exempt or will pay less under SDLT are highly sensitive to these factors.

From data supplied by a representative body covering part of the licensed trade, analysis shows that, before 1 December 2003, 1.16 per cent. of leases taken out by its members were exempt whilst, if these leases were to be taken out on or after 1 December 2003, 37.43 per cent. would be exempt (for those leases within the data supplied.)

Tax Credits

Mr. Laws: To ask the Chancellor of the Exchequer (1) what his latest estimate is of expenditure on each tax credit in each year from 2003–04 to 2005–06; and if he will make a statement; [130561]

(2) if he will list the types of tax credits *(a)* provided by and *(b)* planned to be introduced by the Government giving their cost in each case in each year from 1997–98 to 2005–06; and if he will make a statement. [130015]

Dawn Primarolo: I refer the hon. Member to my answer to the hon. Member for Havant on 16 May 2003, *Official Report*, column 489W.

Further information on Government expenditure on tax credits was set out in Chapter A of the Financial Statement and Budget Report 2003, and can also be found on the Inland Revenue National Statistics website: http://www.inlandrevenue.gov.uk/stats.

The information will be updated in the Pre-Budget Report.

Sir Archy Kirkwood: To ask the Chancellor of the Exchequer what assessment he has made of the number and proportion of families that are likely to have to repay a proportion of their tax credits due to reassessment of their income. [134927]

Dawn Primarolo: I refer the hon. Gentleman to the answer given by my right hon. Friend the Chief Secretary to the Treasury on 27 October 2003, *Official Report*, column 37W, to the hon. Member for Northavon (Mr. Webb).

Working Tax Credit

Mr. Llwyd: To ask the Chancellor of the Exchequer how many representations he has received since 1 May on the 30 hour earnings rule applied to working tax credit; and if he will make a statement. [135374]

Dawn Primarolo: Entitlement to Working Tax Credit depends on a person being in "qualifying remunerative work". Claimants with responsibility for a child or qualifying young person, or who are disabled, must work for at least 16 hours a week to qualify for Working Tax Credit. Working Tax Credit extends in-work support to workers without children or a disability, provided they are aged at least 25 and work for 30 or more hours a week.

Since 1 May 2003. Treasury Ministers have received a small number of letters from hon. Members on the hours rules in Working Tax Credit.

VAT

Mr. Oaten: To ask the Chancellor of the Exchequer what receipts his Department received in respect of VAT on new *(a)* buildings and *(b)* schools during the last three years. [135275]

John Healey: The information requested is not available. Traders' VAT returns contain no information on the items upon which VAT is charged.

VAT (Audio Books)

Mr. Soley: To ask the Chancellor of the Exchequer what his policy is on the removal of value added tax on audio books used by the visually impaired; and if he will make a statement. [135456]

John Healey: The Government recognises the importance of audio books to the visually impaired. Audiotapes and other specially designed equipment for visually impaired people are free from VAT. However, under long-standing formal agreements with our European partners, the UK is not permitted to extend the scope of this zero rate or to introduce any new ones.

WORK AND PENSIONS

Rail Safety (Overcrowding)

Keith Vaz: To ask the Secretary of State for Work and Pensions what steps the Government are taking to tackle the health hazards arising from overcrowded trains. [134183]

Mr. McNulty: I have been asked to reply.

The Health and Safety Executive (HSE) advise that there is no hard evidence about health hazards from overcrowded trains. HSE is a member of a steering group led by the Rail Safety and Standards Board which is beginning to look into the effects resulting from overcrowding on trains, and has an interest in similar Rail Passenger Council research.

Alcoholics

Mr. Wray: To ask the Secretary of State for Work and Pensions (1) what financial allowance is available for recovering alcoholics; who qualifies for this help; and what other assistance is available; [132943]

(2) under what circumstances assistance to recovering alcoholics would be withdrawn; and how their eligibility for re-application is assessed. [132944]

Maria Eagle: People with disabilities and health problems, including alcohol-related problems, have full access to the services of Jobcentre Plus; regardless of which benefit, if any, is being claimed. In addition, Progress2work LinkUP pilots are now running in several areas across the country. These pilots will further develop our work-focused provision for disadvantaged groups such as alcohol misusers.

Financial assistance may be available from the benefit system, depending on individual circumstances; for example, Disability Living Allowance may be awarded where a person has a requirement for personal care. Benefits may be withdrawn where the conditions of entitlement are no longer satisfied following a change of circumstances. Eligibility for a repeat claim is assessed according to individual circumstances at the time of making that claim.

Benefit Payments

John Barrett: To ask the Secretary of State for Work and Pensions how many pension and benefit recipients have been contacted regarding the transferring of the payment of their pension or benefit to direct payment; of these, how many have opted to have their pension or benefit paid into *(a)* a standard current bank or building society account, *(b)* the new bank or building society account and *(c)* a post office card account; and how many have failed to select an option. [135199]

Mr. Pond: I refer the hon. Member to the Written Answer I gave the hon. Member for Gordon (Malcolm Bruce) on 28 October 2003, *Official Report*, column 207W.

Child Support Agency

Diana Organ: To ask the Secretary of State for Work and Pensions if he will make a statement on progress in transferring Child Support Agency cases from the old system of calculation to the proposed new system. [134211]

Mr. Pond: I refer the hon. Member to the answer I gave the hon. Member for Moray (Angus Robertson) on 16 September 2003, *Official Report*, columns 696–97W.

Mr. Brady: To ask the Secretary of State for Work and Pensions how many prosecutions have been initiated in the last year for provision of false information to the Child Support Agency. [134341]

Mr. Pond: Since April 2002 the Child Support Agency has initiated 15 prosecutions against clients for providing false information. Of the 14 prosecutions that have currently been heard in court the defendant was found guilty in every case.

Angus Robertson: To ask the Secretary of State for Work and Pensions, how many complaints were received per month from Child Support Agency clients *(a)* in the six months previous to the introduction of the new child support system and *(b)* in the last three months, in the latter case identifying how many of the complaints came from (i) clients of the old system and (ii) clients of the new system; what percentage of total clients the complaints represented per month; and if he will make a statement. [131447]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr. Angus Robertson, dated 27 October 2003:

The Secretary of State, in replying to your recent Parliamentary question about the Child Support Agency promised a substantive reply from the Chief Executive.

You asked about the numbers of complaints received by the Agency in the 6 months prior to the introduction of the new child support system and in the last 3 months (identifying the number received from clients on the old and new systems) and what percentage of our total clients these figures equate to.

The figures you requested are summarised in the following tables:

Complaints received prior to the introduction of the new child support system

Month	*Number of complaints received*	*Percentage of total clients*
September	1,238	0.11
October	1,318	0.12
November	1,263	0.12
December	958	0.09
January	1,316	0.12
February	1,515	0.15
Monthly Average	1,268	0.12

In April 2003 we changed our complaints handling processes. This has ensured the more accurate recording of complaints and ensured the recording for the first time of telephone complaints. I have included below information on written complaints only, for a more representative comparison.

This new system has recorded the following number of complaints:

Complaints received in the three months up to August 2003

Month	*Total complaints received*	*Percentage of total clients*	*Written complaints received*	*Percentage of total clients*
June	2,174	0.21	1,666	0.16
July	2,684	0.24	2,017	0.18
August	2,320	0.19	1,725	0.14

It is not possible to make an exact split between complaints from clients within the old and new arrangements because the affairs of some clients span both.

Cold Weather Payments

Mr. Betts: To ask the Secretary of State for Work and Pensions for how many days in each of the last five years Cold Weather Payments were made to residents whose homes were allocated to the *(a)* Leeds and *(b)* Nottingham weather stations. [135087]

Mr. Pond: Cold Weather Payments (CWPs) provide extra help to vulnerable people towards the additional costs of heating which result from a period of very cold weather in the area where they live. If the average recorded or forecast temperatures fall to 0°C or below over seven consecutive days, CWPs are automatically triggered. The payments continue to be made for each seven day period that the relevant temperature criteria are met.

Since 1998–99 CWPs were made once, during 2001–02, to eligible residents whose homes were covered by the Leeds weather station. Over the same period, CWPs were made twice during 2000–01 and once during 2001–02 to eligible residents whose homes were covered by the Nottingham weather station.

Departmental Publications

Mr. Dhanda: To ask the Secretary of State for Work and Pensions how his Department decides which of its publications should be distributed for display in post offices. [135483]

Mr. Pond: The decision as to which publications are displayed via the Post Office network is made within the Department's Communications Directorate.

Senior managers meet at least every three months to agree the future publications and information to be displayed. The choice is driven by the needs of our customers and is closely linked both to the calendar year and the timing of other marketing work happening across the Department. An example of this is the display of posters and provision of leaflets from October 2003 to April 2004 in support of the Winter Fuel Campaign.

Bi-lingual versions of the agreed publications are provided to Post Offices in Wales.

Employee Pension Rights

Mr. Wyatt: To ask the Secretary of State for Work and Pensions if he will make a statement on procedures to protect employee pension rights in cases of employer insolvency due to fraud, with particular reference to requirements under the 1980 Insolvency Directive. [135092]

Malcolm Wicks *[holding answer 28 October 2003]:* The Pensions Compensation Board helps members of occupational pension schemes where the assets of the scheme have been reduced through dishonesty and the employer is insolvent. This is an important protection for scheme members and will act as a last resort for schemes seeking to restore their funding position.

As stated in the Green Paper ("Simplicity, security and choice: Working and saving for retirement", December 2002), we intend to increase protection to those schemes that suffer from acts of dishonesty where the employer is insolvent. In future these pension schemes will be compensated for the full amount lost.

The new Pension Protection Fund will ensure greater protection for members in all cases of insolvency, not just those that arise due to fraud.

We take our obligations under Article 8 of the Insolvency Directive seriously and the European Commission has confirmed that we have met those obligations.

Employment Statistics

John Mann: To ask the Secretary of State for Work and Pensions how many people have found work to date in 2003, broken down by progress to work area. [135330]

Mr. Browne: The information has been placed in the Library.

Employers Liability Insurance (Construction Sector)

Mr. Bellingham: To ask the Secretary of State for Work and Pensions when he next plans to meet the National Federation of Roofing Contractors to discuss insurance premiums. [134947]

Mr. Browne: Officials from the Department met representatives of the National Federation of Roofing Contractors (NFRC) and other small businesses in the construction sector with the Department of Trade and Industry and the Office of Fair Trading to talk about the difficulties in the Employers' Liability Insurance market on 20 February 2003.

Although the Department has no plans at present for a further meeting specifically with the NFRC, the Department's Ministers continue to meet with construction interests, most recently with the Construction Confederation on 28 October.

We are aware of the good work that the NFRC has been doing in responding to the difficulties that its members have been encountering in seeking to obtain Employers' Liability Insurance at a reasonable price.

Minimum Income Guarantee

Mr. Webb: To ask the Secretary of State for Work and Pensions how many pensioners with dependent children were receiving the Minimum Income Guarantee in 2002–03. [135214]

Malcolm Wicks: At the date of the final quarterly survey in 2002–03, the number of claimants receiving the Minimum Income Guarantee with dependants under the age of 19 was 28,600.

Notes:
1. Figures have been rounded to the nearest hundred.
2. Figures are based on a 5 per cent. sample, and are therefore subject to a degree of sampling variation.
3. MIG recipients are defined as Income Support benefit units where the claimant, and/or partner is aged 60 or over.

Source:
IAD Information Centre, 5 per cent sample, February 2003

Opportunity for All Report

Miss McIntosh: To ask the Secretary of State for Work and Pensions what the cost was of *(a)* preparing, *(b)* printing and *(c)* distributing Opportunity for All Fifth Annual Report 2003, Annual Report on Health, Poverty and Social Exclusion. [135083]

Mr. Pond: Opportunity for all—Fifth Annual Report 2003 (Cm 5956) sets out the Government's strategy for tackling poverty and social exclusion.

The production, printing and distribution of the report, including its summary and alternative formats, cost approximately £90,000 in total.

The report was produced by the Department for Work and Pensions but is based on contributions from a wide range of officials across other UK Government Departments and the Devolved Administrations. Determining the overall cost of preparing the report in terms of staff time could therefore be achieved only at disproportionate expense.

The report is available in the Library.

Pension Credit

Mr. Willetts: To ask the Secretary of State for Work and Pensions if an individual who has recently purchased an annuity he deems to have voluntarily deprived themselves of capital in order to succeed in making a claim for pension credit. [134412]

Malcolm Wicks: Pension credit is designed to target more money on the poorest pensioners and to reward those making modest provision for their retirement. Where an individual has disposed of capital, consideration may be given as to whether the expenditure was reasonable in the circumstances of the case.

The main purpose of this is to guard against people giving away capital, (or an income) to increase entitlement. However, it is not necessarily the case that a pensioner would be able to increase their entitlement by purchasing an annuity. The actual income generated by the annuity would be taken into account whereas if the money was treated as capital the first £6,000 would be ignored.

If a person purchased a deferred annuity, (or another product which does not give them an income straightaway) for example, the deprivation rule may be considered in the light of the considerable body of case-law which has developed on similarly worded provisions.

Mr. Willetts: To ask the Secretary of State for Work and Pensions whether his Department deems an individual who has had a claim for pension credit turned down but then purchases *(a)* a level annuity, *(b)* an index-linked annuity, *(c)* a deferred annuity and *(d)* a single premium whole life insurance policy to have voluntarily deprived themselves of capital in order to succeed in making a claim for pension credit. [134414]

Malcolm Wicks: An individual may be treated as still possessing capital in any of these circumstances, but it is not necessarily the case that they will be.

Decisions are made in the light of the circumstances of each case and the considerable body of case-law which has developed on similarly worded provisions.

Mr. Hoyle: To ask the Secretary of State for Work and Pensions how many pensioners have received an increase in their entitlement under the pension credit scheme in *(a)* Chorley, *(b)* the North West and *(c)* the UK. [134442]

Malcolm Wicks: The information requested is not available for Chorley or the North West region.

Around half of all pensioner households will be eligible for Pension Credit and stand to gain on average £400 a year (around £7 a week).

As my right hon. Friend the Secretary of State reported on 14 October 2003, *Official Report*, column 5WS, around 1.9 million pensioner households have already been awarded Pension Credit and over 1.15 million pensioners households will get more money than they would have before.

Mr. Hoyle: To ask the Secretary of State for Work and Pensions how many pensioners he estimates have yet to apply through the pension credit scheme in *(a)* Chorley, *(b)* the North West and *(c)* the UK; and what efforts are being made to simplify the pension credit process to make it easier for pensioners to claim their entitlement. [134443]

Malcolm Wicks: The information is not available in the format requested but we estimate that around 500,000 pensioner households in the North West and Merseyside are eligible for Pension Credit.

The application process has been designed to be straightforward. All pensioners need do is ring our Pension Credit Application Line. Calls are free on 0800 991234 (apart from some mobiles). The Pension Service then sends the completed application form to pensioners to check, sign and return, together with any necessary documentation. The Pension Service is able to offer alternative ways of applying to suit individual circumstances, including a textphone number and a paper application form. An application form can be downloaded from the Pension Credit website at www.thepensionservice.gov.uk. Pensioners can also be put in touch with The Pension Service's local service and can be seen face-to-face either in a local surgery or, where appropriate, in the pensioner's home.

The Pension Service provides a wide range of information and support on benefits to older people through our network of local service surgeries. Local Pension Service surgeries are held on a regular basis across all areas of the country, often in partnership with other organisations such as local authorities and Age Concern. Details of the most convenient surgery for individual pensioners and their carers can be obtained by telephoning 0845 60 60 2 65.

The Pension Service wrote to all hon. Members at the end of July providing a full list of surgeries and opening times in individual constituencies; however I am happy to list here the regular surgeries that take place in the Chorley area:

Chorley One Stop shop, Council Offices, Union Street
Eccleston Library
Fosterfields Day Centre', Eaves Lane
Clayton Green Library
Buxton Library
Belmont Day Ward, Chorley Hospital
Adlington Library
Coppull Library

Mr. Keith Bradley: To ask the Secretary of State for Work and Pensions what estimate he has made of the number of residents in the Manchester, Withington constituency who *(a)* qualify for pension credit and *(b)* have so far applied for pension credit. [134510]

Malcolm Wicks: The information is not available in the format requested.

Around half of all pensioner households will be eligible for pension credit and stand to gain on average £400 a year (around £7 a week).

As at May 2003, the number of minimum income guarantee recipients in Manchester Withington was around £3,200. These are the latest figures available.

We intend from November to publish monthly reports on the progress of pension credit take-on, which will include information on the number of applications.

Notes:
1. The MIG figure has been rounded to the nearest hundred.
2. The MIG figure is based on a 5 per cent. sample, and therefore subject to a degree of sampling variation.
3. Government office region/parliamentary constituency are assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as income support benefit units where the claimant, and/or partner is aged 60 or over.

Source:
IAD Information Centre, 5 per cent. sample

Mr. Tynan: To ask the Secretary of State for Work and Pensions how many people in *(a)* Scotland and *(b)* the Hamilton, South constituency he estimates are entitled to (i) the income-related element and (ii) the savings-related element of the Pension Credit. [134573]

Malcolm Wicks: The information is not available in the format requested.

As at May 2003, the number of Minimum Income Guarantee recipients in Hamilton, South was around 2,800. These are the latest figures available.

Around 400,000 pensioner households are eligible for Pension Credit in Scotland.

We intend from November to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of successful applications.

Notes:
1. The MIG figure has been rounded to the nearest hundred.
2. The MIG figure is based on a 5 per cent. sample, and therefore subject to a degree of sampling variation.
3. Government office region/parliamentary constituency are assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as Income Support benefit units where the claimant, and/or partner is aged 60 or over.

Source:
IAD Information Centre, 5 per cent. sample.

Mr. Love: To ask the Secretary of State for Work and Pensions if he will make a statement on administrative problems which have occurred for pensioners accessing Pension Credit. [134644]

Malcolm Wicks: There have been no administrative problems which have significantly affected pensioners' ability to apply for Pension Credit. The Pension Credit application line (0800 99 1234), which is the main method of applying, is working well and has taken over 1.1 million calls since it became operational on 7 April. Calls are free (except for some mobile phones) and friends and family can use the application line and apply on pensioners' behalf if they are unable to make the call themselves. The Pension Service is able to offer alternative ways of applying to suit individual circumstances, including a textphone number and a paper application form. An application form can be downloaded from the Pension Credit website at www.thepensionservice.gov.uk. Pensioners can also be put in touch with The Pension Service's local service and can be seen face to face either in a local surgery or, where appropriate, in the pensioner's home. Our marketing campaign, at the heart of which is a direct mail pack to pensioner households, is designed to produce a steady build up of Pension Credit applications. I refer the hon. Member to the written statement given by my right hon. Friend the Secretary of State (Mr. Andrew Smith) on 14 October 2003, *Official Report*, column 5WS.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions what increase in expenditure on pensions in the parliamentary constituency of Brent North has resulted from the introduction of pension credits. [135121]

Malcolm Wicks: The information is not available in the format requested. Around half of all pensioner households will be eligible for pension credit and stand to gain on average £400 a year (around £7 a week).

It is estimated that pension credit will cost around an extra £2 billion a year.

Mr. Gardiner: To ask the Secretary of State for Work and Pensions for how many pensioners in the parliamentary constituency of Brent, North there will be an increase in their pension as a result of the introduction of the Pension Credit. [135122]

Malcolm Wicks: The information is not available in the format requested.

As at May 2003, the number of Minimum Income Guarantee recipients in Brent, North was around 2,400. These are the latest figures available.

Around 1.9 million pensioner households have already been awarded Pension Credit and over 1.1 million pensioner households will get more money than they would have before.

We intend from November to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of successful applications.

Notes:

1. The MIG figure has been rounded to the nearest hundred.
2. The MIG figure is based on a 5 per cent. sample, and therefore subject to a degree of sampling variation.
3. Government office region/parliamentary constituency are assigned by matching postcodes against the relevant ONS postcode directory.
4. MIG recipients are defined as Income Support benefit units where the claimant, and/or partner is aged 60 or over.

Source:
IAD Information Centre, 5 per cent. sample.

Pensioners' Benefits

Mr. Willetts: To ask the Secretary of State for Work and Pensions what estimate he has made of public expenditure on *(a)* disability and *(b)* carers' benefits for pensioners as a percentage of gross domestic product in (i) 1997–98, (ii) 2002–03, (iii) 2010, (iv) 2020, (v) 2030, (vi) 2040, (vii) 2050 and (viii) for other years for which estimates have been made. [134473]

Maria Eagle: The information requested is in the table.

Projected expenditure on disability and carers' benefits

Percentage of Gross Domestic Product

	1997–98	*2002–03*	*2010–11*	*2020–21*	*2030–31*	*2040–41*	*2050–51*
Disability benefits	0.47	0.52	0.54	0.49	0.48	0.45	0.38
Carers' benefits	[1]—	0.01	0.01	0.01	0.01	0.01	0.01

[1] Values lower than 0.005 per cent of GDP.

Notes:

1. Disability benefits are Disability Living Allowance and Attendance Allowance.
2. Carers' benefits cover Carers' Allowance only.
3. Projections are those underlying the Budget 2003 Economic and Fiscal Strategy Report, Annex A.
4. Gross Domestic Product assumptions up to 2005–06 are as underlying the Budget 2003 Economic and Fiscal Strategy Report, thereafter real economic growth is assumed to be 2.0 per cent. per year.
5. Current government policy on uprating of benefits is assumed throughout.
6. Expenditure is for Great Britain.
7. Figures are rounded to the nearest 0.01 per cent. of Gross Domestic Product.

Mr. Willetts: To ask the Secretary of State for Work and Pensions what estimate he has made of public expenditure on *(a)* the basic state pension, *(b)* SERPS and *(c)* the state second pension as a percentage of gross domestic product in (i) 1997–98, (ii) 2002–03, (iii) 2010, (iv) 2020, (v) 2030, (vi) 2040, (vii) 2050 and (viii) for other years for which estimates have been made. [134476]

Malcolm Wicks: The information requested is in the table.

Projected expenditure on basic state pension, Serps and second state pension

Percentage of gross domestic product

	1997–98	*2002–03*	*2010–11*	*2020–21*	*2030–31*	*2040–41*	*2050–51*
Basic state pension	3.7	3.6	3.5	3.1	3.2	2.9	2.4
SERPS	0.4	0.6	0.8	0.8	0.6	0.4	0.2
Second state pension	0	0	0.1	0.2	0.5	0.9	1.5

Notes:

1. Figures for 2010 onward are consistent with the Government Actuary's Quinquennial Review of the National Insurance Fund laid before parliament on 27 October 2003. 1997/98 is based on DWP outturn information and 2002–03 is based on estimated outturn information.
2. All figures expressed as a percentage of Gross Domestic Product
3. Expenditure is for Great Britain
4. The amounts shown for SERPS and Second State Pension in the above table only include projected expenditure on additional retirement pension. Amounts paid with incapacity benefit and widows'/survivors' benefits are excluded. Expenditure on contracted-out rebates, for employees who contract-out of second state pension, is not included in the figures shown above.
5. All projections assume current government policy remains in place until the end of the period. The estimates for basic state pension are based on uprating (in April) of an average 0.25 per cent. above the relevant (previous September) 12 months' Retail Price Index. This is to reflect the current policy for uprating the basic state pension by 2.5 per cent. in years where RPI uprating would be lower than 2.5 per cent.

Pensions (Direct Payment)

Tim Loughton: To ask the Secretary of State for Work and Pensions how many pensioners responded to the first letter from his Department regarding nomination of an account into which future pension payments could be made; and how many did not. [134806]

Mr. Pond: We do not have the information requested. This information could be obtained only at disproportionate cost.

Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

Pensions/Minimum Income Guarantee

Mr. Gardiner: To ask the Secretary of State for Work and Pensions what increase in Government spending on *(a)* pensions and *(b)* the minimum income guarantee there has been in Brent North since 1997. [135120]

Malcolm Wicks: The information that is available is in the table.

£ million

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Expenditure on Income Support for the Under 60s/Minimum Income Guarantee						
Great Britain	3,773	3,619	3,781	4,095	4,486	4,481
Brent North	8	8	8	9	10	10
Expenditure on State Retirement Pensions						
Great Britain	33,557	35,575	37,775	38,718	41,893	44,346
Brent North	—	—	40	41	44	47

Notes:
Estimates are based on a combination of samples of 5 per cent. of benefit recipients and Great Britain out-turn expenditure data.
Figures are in nominal terms.
Figures for state retirement pension in Brent North are unavailable prior to 1999–2000.
Figures for 2002–03 are based on estimated expenditure, as at Budget 2003.

Bereavement Benefits

Mr. Dhanda: To ask the Secretary of State for Work and Pensions what steps have been taken in the last 12 months to ensure that information about *(a)* bereavement pension and *(b)* bereavement payment is available as widely as possible. [135485]

Mr. Pond: Information is available from local Jobcentre Plus and Social Security offices, and the Department for Work and Pensions website gives information about Bereavement Benefits together with leaflets and claim forms for downloading. A fully revised version of leaflet NP45 'A guide to Bereavement Benefit' for professional advisers and members of the public was published in May this year. Leaflets D49 "What to do after a death in England and Wales" and D49S "What to do after a death in Scotland" are reviewed and revised as necessary annually.

In addition, we have been working with funeral directors, Registrars and voluntary groups such as Cruse, National Association of Widows and Citizens Advice Bureaux who may be contacted by bereaved people.

We have worked with Registrars to amend the social security form for notifying the Department of a death (BD8) to draw greater attention to the fact that it can be used to initiate a claim for bereavement benefits, this went to print in April 2003 and has been in use by Registrars since then. Within the last year we have also arranged for Funeral Directors to be able to obtain Bereavement Benefit claim packs so that they can be given directly to bereaved people.

We keep under review the way that information is made available about bereavement benefits so that bereaved people, at this very difficult time in their lives, know about their potential right to benefit and can act on it at the right time.

Sign Languages

Malcolm Bruce: To ask the Secretary of State for Work and Pensions if he will place in the Library a copy of the submission of the Government to the Bureau of the Steering Committee on Education (Council of Europe) outlining its proposals and position statement on the legal recognition of sign languages. [135936]

Maria Eagle: Yes.

Stakeholder Pensions

Gregory Barker: To ask the Secretary of State for Work and Pensions how many new stakeholder pensions have been taken up by individuals *(a)* without any other form of occupation pension provision and *(b)* from the initial target group of those earning between £10,000 and £20,000 a year. [135015]

Malcolm Wicks: The information requested in *(a)* is not available. Information relating to *(b)* is contained in the following table.

Annual earnings of stakeholder pension policy holders	*Number of stakeholder pension sales by earnings group in 2001–02 tax year*
Under £10,000	200,000
£10,000 to £20,000	330,000
£20,000 to £30,000	160,000
£30,000 to £40,000	40,000
£40,000 to £50,000	10,000
£50,000 to £60,000	10,000
£60,000 and above	20,000

Notes:
1. 60,000 of sales were to people not in work (e.g. children, spouses, the unemployed and pensioners).
2. Numbers do not sum to total sales in tax year because of rounding of information bands to the nearest 10,000.
3. Earned income data is derived from the Survey of Personal Incomes (SPI) and consists of all income chargeable under Schedule E (mainly pay, private and occupational pensions, retirement annuities and state retirement pensions) Schedule D Cases I and II (self-employment income), and miscellaneous other earnings.
4. The SPI is a representative sample of nearly 200,000 individuals, drawn from the Revenue's Self Assessment, Pay As You Earn and Claims systems. Where we have been able to match these individuals to the SPI, primarily those with earned income, the totals in the tables are based on this sample.
Source:
Inland Revenue data for 2001–02 tax year

Unemployment Benefits

Mr. Wray: To ask the Secretary of State for Work and Pensions what range of benefits is available for those unable to find a job; under what circumstances are these benefits withdrawn; and what compulsory tasks the unemployed are asked to do in searching and applying for jobs. [132947]

Mr. Browne: The main benefit available to people seeking work is Jobseeker's Allowance. They may also

be able to receive Housing Benefit, Council Tax Benefit and Disability benefits depending on their particular circumstances. Child Benefit and Child Tax Credits can be claimed by all families with children.

In order to receive Jobseeker's Allowance a person must be available for and actively seeking work. When they make a claim for Jobseeker's Allowance they agree the steps they will take to actively seek work. This is recorded on their Jobseeker's Agreement and reviewed on a regular basis. Jobseekers may also have to comply with a Jobseeker's Direction issued by their Adviser. This could be, for example, apply for a specific job vacancy or to attend a training course. Failure to comply with these requests without good cause could lead to a benefit sanction.

Before a sanction is applied an independent Decision Maker will consider statements from the jobseeker and their Personal Adviser, together with the Jobseeker's Agreement and any other evidence supplied by the jobseeker. If benefit is disallowed the jobseeker is advised of their right to have the decision reconsidered or to appeal.

Details of the steps that Jobseeker's are required to take are set out in Volume 4, Chapter 21, Paragraphs 21826 to 21828 of the Decision Makers Guide a copy of which is available in the Library.

Winter Fuel Payment

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate how many people who became newly entitled for the 2003–04 winter fuel payment and who needed to make a claim before 19 September in order to receive their payment before Christmas failed to do so; and what the value was of such payments. [134107]

Malcolm Wicks: We estimate that for winter 2003–04, there could be around 600,000 people newly entitled to a Winter Fuel Payment. Around half of these will need to claim because they will not be in receipt of a relevant benefit which qualifies them for an automatic payment.

By 19 September 2003, around 170,000 claim forms had been received and processed for payment, although some of these may have been from people entitled to an automatic payment. However, since then a further 24,000 claims were received and processed for payment.

We are unable to provide any reliable estimate of the value of unclaimed winter fuel payments because some people aged 60 or over are excluded, others choose not to claim and payments are based on household composition.

Where a person needs to claim, it is up to them whether they do so, and we publicise the availability of these payments. They have until 30 March 2004 to make their claim for this winter.

Workplace Diseases

Mr. Gardiner: To ask the Secretary of State for Work and Pensions if he will take steps to limit liability in employers' liability cases involving workplace diseases to the date of the publication in medical journals of research showing clear links between workplace practices and diseases. [136172]

Mr. Browne: We do not have any plans to introduce such a system.

INTERNATIONAL DEVELOPMENT

Afghanistan

Malcolm Bruce: To ask the Secretary of State for International Development how much the United Kingdom has contributed to Afghanistan in each year since 2000; and what percentage of these amounts has gone towards *(a)* reconstruction, *(b)* military purposes and *(c)* emergency aid in each year. [133853]

Hilary Benn: Since 2000 the UK has provided 687 million to Afghanistan. Distinctions between reconstruction or development assistance, and emergency or humanitarian assistance are problematic, especially in situations like Afghanistan after the initial emergency in 2001 was over. For example, assistance managed by our Humanitarian Affairs department to support re-opening of schools or the immunisation of children, clearly has an immediate effect as well as contributing to longer-term development.

In the financial year 2000–2001 £5 million was spent on humanitarian assistance. There was no spend for military or reconstruction work.

In financial year 2001–2002 out of £265 million provided by the UK, £45 million (17 per cent.) was spent on humanitarian and reconstruction assistance. Most of this went to humanitarian needs because our reconstruction effort was just beginning. £220 million (83 per cent.) was spent on military operations.

In financial year 2002–2003 the UK contributed a total of £396 million. £86 million (21 per cent.) was spent on humanitarian and reconstruction assistance. This was shared roughly equally between humanitarian assistance and reconstruction. £310 million (79 per cent.) towards supporting military operations in Afghanistan.

In the current financial year the UK, to date, have provided £26 million for humanitarian assistance and reconstruction. The great majority of these funds have focused on reconstruction. This years figures for expenditure in support of military operations in Afghanistan will be published in the Winter Supplementary Estimates.

Llew Smith: To ask the Secretary of State for International Development what assistance is being provided to train Afghan women as *(a)* nurses, *(b)* doctors and *(c)* other medical professionals; in what parts of Afghanistan such assistance is being provided; what resources have been committed in support of such training; and over what time period. [134570]

Hilary Benn: The Department for International Development has provided some technical assistance to the Ministry of Health in Afghanistan but is not directly involved in the training of medical professionals.

The Afghanistan Ministry of Health has estimated a budget of $173 million to implement several national health programmes this year. More than $130 million has been already committed by donors, including the European Community, to which DFID contributes 19 per cent., for these programmes. Most of these

programmes are nationwide. These programmes incorporate training components including the training of women. However, a breakdown showing training and resources targeted specifically at women is not currently available.

AIDS, TB and Malaria

Mr. Hunter: To ask the Secretary of State for International Development if he will make a statement on the effectiveness of the Global Fund to fight AIDS, tuberculosis and malaria. [134716]

Mr. Gareth Thomas: The UK has a long-term financial commitment to the Global Fund to Fight HIV/AIDS, TB and Malaria which will provide the fund with a total contribution of $280 million by 2008. It is too early to judge the effectiveness of the fund in combating these key diseases of poverty. We are working closely with the fund to ensure it has effective working procedures so that it can meet its overall goals.

We have therefore made it clear that UK funding will be subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. I am pleased to report that good progress was made at the recent sixth board meeting in Thailand on many of these issues.

Angola

John Barrett: To ask the Secretary of State for International Development what estimate he has made of the impact of delays in the shipment of food aid to Angola on the humanitarian situation in the country. [135204]

Hilary Benn: The principal provider of food aid in Angola is the World Food Programme. WFP's current programme began in July 2002 and is due to end in December this year. It is 90 per cent. funded. The operation has both emergency relief and recovery, or rehabilitation, elements.

We understand that due to delayed international maize shipments, the World Food Programme (WFP) is expecting shortfalls in cereals during November and December. The World Food Programme will continue to give priority to the sick and malnourished under social and nutritional programmes and these vulnerable groups will continue to receive full rations. This will minimise the negative humanitarian effects of the disruption of deliveries. However, there will be reduced availability of food aid for rehabilitation and recovery programmes.

At the end of 2002 DFID contributed £2 million to WFP in food aid in Angola, in response to their appeal for assistance with the food pipeline. We continue to closely monitor the humanitarian situation in Angola and will respond to urgent humanitarian needs.

Botswana

Angus Robertson: To ask the Secretary of State for International Development if he will make a statement on the *(a)* aim, *(b)* structure and *(c)* methods of the European Union projects in Botswana to which his Department makes a financial contribution with particular reference to the effect their implementation (i) has and (ii) has had on the Gana and Gwi; and if he will make a statement. [134455]

Hilary Benn: Along with other EU member states DFID contributes to the European Development Fund (EDF), which supports projects in Botswana on the basis of a strategy agreed between the EU and the Government of Botswana. The strategy for the period 2001–07 highlights the challenges of poverty, unemployment and HIV/AIDS, and commits the EU to focus its programme mainly on human resource development. The strategy recognises that poverty is especially prevalent among those living in the remotest parts of Botswana and among ethnic minorities, but does not contain specific objectives for the impact of the EU programme on particular ethnic groups.

Burundi

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the security situation in each of Burundi's provinces since 1997; what impact the developments have had on the access of aid workers to each region; and if he will make a statement. [134423]

Hilary Benn: The security situation in Burundi remains unstable and fluctuates according to each province. Access for aid workers is severely constrained and both sides have tried to manipulate humanitarian assistance by controlling access.

However, with the recent positive development in Burundi with the signing of the Pretoria Protocol on 8 October on power sharing between the FDD (Nkurunziza) and the Government of Burundi it is hoped that there will eventually be some improvement. We will continue to monitor the situation.

The Foreign and Commonwealth Office provides updated Travel Advice on Burundi on its website. We always recommend reading this before travelling to Burundi.

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the peace accord signed in October by the President of Burundi and Pierre Nkurunziza of the Forces for the Defence of Democracy; what his assessment his Department has made of the impact the accord has so far had on *(a)* internally displaced people and *(b)* refugees from Burundi in neighbouring countries; and if he will make a statement. [134448]

Hilary Benn: The UK welcomes the signing of the Pretoria Protocol on 8 October between the FDD (Nkurunziza) and the Government of Burundi. This is a positive step towards implementation of the 2 December 2002 ceasefire agreement between the two parties. Further talks to resolve outstanding issues including an implementation timetable, immunity, army integration and registering the FDD as a political party, are due to take place soon. The UK is working with the Government of Burundi and our international partners to ensure momentum is not lost.

As this accord is part of an on-going peace process, there has as yet been very little tangible effect on internally displaced people and refugees from Burundi in neighbouring countries.

Angus Robertson: To ask the Secretary of State for International Development how many people have *(a)* been internally displaced in Burundi and *(b)* became refugees from Burundi in (i) Tanzania and (ii) Rwanda in each year since 1997, what projects aimed at these people his Department has funded; and if he will make a statement. [134449]

Hilary Benn: United Nations Office for the Co-ordination of Humanitarian Affairs (UNOCHA) gives the following figures for the total numbers of Internally Displaced People in Burundi since 1999. We have not been able to establish what proportion have been newly displaced in each year:

December 1999—808,004
November 2000—524,055
October 2001—632,809
February 2002—475,509
June 2002—487,469

The United Nations High Commission for Refugees (UNHCR) gives the following figures for the numbers of Burundi refugees in Rwanda and Tanzania since 1997:

1997—6,900
1998—1,400
1999—1,400
2000—1,000
2001—1,700
2002—1,554
2003—1,207

Figures for numbers of refugees in Tanzania are as follows:

1997—459,400
1998—473,800
1999—499,000
2000—438,400
2001—521,200
2002—370,861
2003—353,132

Our assistance to internally displaced people and refugees is covered under our humanitarian response to the needs of those most vulnerable. This focuses on health and nutrition support through international relief organisations. So far this financial year we have provided funding of £400,000 through Medecins Sans Frontieres for medical support in Bujumbura Rural and nutrition programmes in Karuzi. We are about to make a contribution of £500,000 to the UN Consolidated Inter-Agency Appeal 2003, and are currently considering further proposals from other international NGOs and agencies.

Locusts (North Africa)

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the danger posed to *(a)* Algerian, *(b)* Mauritanian, *(c)* Sudanese, *(d)* Niger and *(e)* Moroccan crops by the reported increase in migratory desert locusts in North Africa; what impact this has had on (i) food stocks in and (ii) humanitarian aid allocated to the area; and if he will make a statement. [134725]

Hilary Benn: The United Nations Food and Agriculture Organisation (FAO) is monitoring the situation in North Africa closely. On 17 October, they issued an alert regarding desert locust outbreaks in Mauritania, Niger and Sudan. Since then an outbreak has also been reported in Mali. FAO are aware that southern Algeria, southern Morocco and the Red Sea coastal plains could also be at risk in the coming weeks.

FAO are assisting national Governments in the region to respond to the threat through their Emergency Prevention System, which was set up in 1994 to help Governments control locust outbreaks in their early stages. The outbreaks have not yet had any significant impact on crops or food stocks and there has been no call for humanitarian assistance. The UK is in close touch with FAO on the issue and will carefully consider any calls for further assistance.

Democratic Republic of the Congo

John Barrett: To ask the Secretary of State for International Development what assistance he will provide to restart the investigation and trial of those responsible for the November 2002 massacres of civilians in Ankoro, in northern Katanga Province of the Democratic Republic of the Congo. [135203]

Hilary Benn: We are providing £700,000 in assistance to the Transition Institutions of the Democratic Republic of Congo (DRC), which include the President and Vice Presidents, the Parliament, the Senate, the Supreme Court, the Assembly and five Democracy Support Commissions (Elections, Human Rights, Anti-Corruption, Media and Truth and Reconciliation). We are also providing technical support to a European Community-led mission on the justice sector.

These are all part of our effort to help end human rights abuses that have been so prevalent in the DRC for such a long time. We are not providing any specific assistance regarding restarting the investigation and trial of those involved in the November 2002 massacre in Ankoro.

On the humanitarian side, we are providing £420,000 to Action Against Hunger to carry out an Emergency Nutritional Programme in Katanga Province. We are planning to provide funding through the International Rescue Committee for a basic health services programme in five provinces of DRC, including in northern Katanga.

East Africa

John Barrett: To ask the Secretary of State for International Development what action he will take in response to the report of 15 October of the United Nations Food and Agricultural Organisation on expected harvests in East Africa. [133763]

Hilary Benn: The Food and Agriculture Organisation (FAO) Foodcrops and Shortages report of October 2003 presents a mixed picture of prospects in East

Africa. In general production is expected to be better than last year. FAO judges, however, that in a number of countries low production is anticipated. This is expected to lead to the requirement for international assistance in the form of food aid.

The FAO reports are an important element in building up a picture of likely humanitarian needs. As one of the largest contributors of humanitarian assistance, including food aid, in Africa, we use the FAO reports, along with other evidence from Government, INGO and UN sources to target our humanitarian response.

ECOWAS

Mr. Gardiner: To ask the Secretary of State for International Development whether his Department will offer *(a)* funding and *(b)* other support to ECOWAS in its attempts to establish a small arms unit in Abuja, Nigeria. [135136]

Hilary Benn: DFID recognises that more needs to be done to assist ECOWAS and its member states to combat small arms problems in West Africa. Currently the department is not funding ECOWAS in this area, but it is planning to meet with other donors and with the ECOWAS Secretariat in the forthcoming months to discuss the issue in more detail.

Ethiopia

Mrs. Spelman: To ask the Secretary of State for International Development what his policy is on the resettlement by the Ethiopian government in the Southern Nations, Nationalities and People's Region; and if he will make a statement. [136273]

Hilary Benn: I refer the hon. member for Meriden to the answer that I provided her on 6 October 2003, *Official Report*, column 1009W.

Food Aid Programmes

Mr. Edwards: To ask the Secretary of State for International Development if he will make it his policy not to use GM products in food aid programmes until further evaluation has been conducted of the long-term effects of GM products *(a)* throughout the food chain and *(b)* for direct consumption by humans. [135066]

Hilary Benn: DFID's approach to GM food and developing countries is based on the principle that both the health of people and the environment are of primary concern. Developing countries are entitled to make their own informed choices about whether or not to adopt GM technologies, and to build the capacity to manage their safe development and use. The following principles are therefore employed in relation to UK food aid contributions:

- Recipient governments should be given adequate information on the type of food they receive and its characteristics, including whether genetically modified;
- Recipient governments should be allowed to decide on its acceptability; and
- Donors should accept the decisions of recipients and accommodate them as far as possible. For example, if milled cereals are preferred rather than whole grain to avoid GM grain being planted as seed then this should be arranged.

While respecting the need and sovereign right of recipient governments to take an informed decision, I believe that issues raised by GM crops do need to continue to be addressed separately.

Food Initiatives

Mr. Edwards: To ask the Secretary of State for International Development what recent assessment he has made of the impact that humanitarian aid in the form of food initiatives can have on local markets in developing countries. [135065]

Hilary Benn: Food aid can be vital for saving lives during humanitarian crisis but inappropriately used it also has the potential to disrupt local markets, investment and food production. We have not undertaken a general assessment of the impact of humanitarian food aid initiatives on local markets in developing countries recently. However this is one of a number of issues considered by DFID when planning humanitarian aid interventions and when monitoring and reviewing individual programmes.

Generic Drugs

Mr. Caton: To ask the Secretary of State for International Development what action his Department is taking to make generic drugs available for treatment in developing countries. [135186]

Hilary Benn: The UK Government are committed to increasing access to medicines in the developing world. The factors recognised by the World Health Organization (WHO) that can improve poor peoples' access are; affordable pricing, sustainable financing, reliable health and supply systems and the rational selection and use of existing drugs.

Clare Short chaired a UK high level working group on Increasing Access to Essential Medicines in the Developing World, which examined the factors above in detail. The working group made a series of recommendations for action, which are being taken forward by a number of major stakeholders.

The UK has played a leading role in setting up initiatives such as the Global Fund to fight AIDS, TB and malaria (GFATM), which supply both generic and patented drugs. We want to play our part in making the Global Fund an effective instrument in the fight against AIDS, TB and malaria and recognise that to do this, it needs predictable and sustainable financing. With this in mind, the UK pledged an additional US$80 million to the GFATM (US$40 million per annum over two further years). This will extend our current commitment to 2008 and bring our total contribution to the GFATM to US$280 million. Our funding will be subject to the GFATM achieving a better financing system, agreed benchmarks to monitor effectiveness, and to improve integration of the fund's activities with national programmes. This is one of a range of mechanisms for tackling HIV/AIDS; the UK also works with other partnerships, such as the Global TB drug Facility, that procure both generic and patented drugs.

In addition an agreement was reached at the recent World Trade Organization (WTO) ministerial conference in Cancun in September that will enable poor countries with no, or insufficient, manufacturing

capacity in the pharmaceutical sector to import generic versions of patented medicines. The UK Government worked to secure this agreement and believe it to be a very significant step. The option to use compulsory licensing provides a useful bargaining tool for governments negotiating prices with suppliers of patented medicines and should encourage the latter to reduce prices. We will monitor its impact and work with developing countries to ensure that its implementation helps promote access to essential medicines.

Global Fund

Mr. Caton: To ask the Secretary of State for International Development what assessment he has made of the Global Fund's public-private partnership structure. [135182]

Hilary Benn: We support the Global Fund's partnership with not only government and the private sector but also civil society and affected communities. We have not carried out any assessment of this aspect of the Global Fund. However, we are now starting a programme of work to look at different aspects of the operation of global health partnerships and the working of public-private partnership structures may form part of that.

Mr. Caton: To ask the Secretary of State for International Development what the target level set by the UN is for UK input into the Global Fund. [135184]

Hilary Benn: The UN has not set a target level for UK contributions to the Global Fund to Fight HIV/AIDS, TB and Malaria. The UN did set a target of $10 billion a year to be spent in on HIV/AIDS in low income, high HIV impact countries in the UNGASS Declaration of Commitment on HIV/AIDS, signed in 2001.

Recently, UNAIDS (the Joint United Nations Programme on HIV/AIDS) have produced a report on "The state of HIV/AIDS financing", which estimates that total resources required to combat AIDS will amount to approx US$ 10.7 billion in 2005 and US$14.9 billion by 2007, rising as implementation capacity (physical and human) improves.

The UK is making a significant contribution to the fight against AIDS. Our total contribution to the Global Fund to Fight HIV/AIDS, TB and Malaria will be US$280 million by 2008. Most of DFID's HIV/AIDS spending goes direct to developing countries, through Government, NGOs or the private sector. Last year we invested over £270 million on HIV/AIDS related bilateral work. We are committed to increasing our activities and spending over the next five years. We also provide significant contributions to support the HIV/AIDS programmes of multilateral agencies, including the United Nations.

Mr. Caton: To ask the Secretary of State for International Development what the estimated donation in 2004 to the Global Fund from the UK Government is; and what plans the Government has to increase its funding in future years. [135185]

Hilary Benn: The UK has a long-term commitment to the Global Fund to Fight HIV/AIDS, TB and Malaria and recognises that in order to be effective it needs predictable and sustainable financing. The UK recently extended its pledge by a further 2 years to 2008 bringing our total contribution to US$280million.

The pattern of our disbursements has been agreed with the Global Fund Secretariat—for the financial year 2003–04 the UK has provided £25 million, and for the financial year 2004–05 we will provide £30 million.

UK funding will be subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the Fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. I am pleased to report that good progress was made at the recent 6th Board meeting in Thailand on many of these issues.

HIV (Sub-Saharan Africa)

Diana Organ: To ask the Secretary of State for International Development what the UK's contribution to HIV programmes in Sub-Saharan Africa was *(a)* as a percentage of GDP and *(b)* in real terms in each of the last five years; and if he will make a statement on EU aid for HIV programmes in Sub-Saharan Africa. [134961]

Hilary Benn: The UK's contributions to HIV programme were as follows:

Sub-Saharan Africa expenditure on HIV

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Total contribution (£ million)	32	42	149	149	184
UK GNI (£ million)	849,900	896,734	936,586	993,770	1,063,090
Percentage total contribution of GNI	0.004	0.005	0.016	0.015	0.017
Total contribution (£ million) in real terms using GDP deflators at market prices 2002–03 = 100	36	45	158	153	184

DFID welcomes the fourfold increase of programmed European Community financial support to fighting HIV/AIDS and other major communicable disease to 1.117 billion Euro for the period 2003–06. This is equivalent to 280 million Euro per year.

The UK Government have full confidence in the EC's HIV/AIDS programmes, and in particular recognises the value of and supports the Community's "Programme for Action: Accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction".

International Debt

Mr. Edwards: To ask the Secretary of State for International Development what assessment he has made of the proposals for the establishment of an international body to supervise the investment of cancelled debts. [135063]

Hilary Benn: The Government believe that all proceeds from debt relief should be channelled through nationally-owned poverty reduction strategies. These plans, drawn up by the countries themselves, set out how all aid flows—not only debt relief but also grants and loans—will be spent in order to maximise poverty reduction. So far, 46 countries have developed full poverty reduction strategies, and a further nine are in the pipeline. The Government believe that this form of national ownership is important, and that it would be inappropriate to pass this responsibility on to an international body.

Mr. Edwards: To ask the Secretary of State for International Development what conditions his Department places on aid to developing countries to ensure responsible and sustainable expenditure in future when debt has been cancelled. [135067]

Hilary Benn: Debt relief must be linked to poverty reduction. Each country that has qualified for debt relief under the Heavily Indebted Poor Countries' (HIPC) Initiative must develop and implement a nationally-owned and led poverty reduction strategy. This strategy forms the framework for spending all donor resources, not only debt relief. This improves aid effectiveness and ensures the maximum possible impact on poverty reduction.

Governments in HIPC countries lead national processes to develop Poverty Reduction Strategy Papers (PRSPs), in participation with civil society. These strategies set out the policy actions Governments propose for reducing poverty.

Together with the World Bank and the IMF, we have been ensuring that PRSPs are costed and priorities are reflected in medium term expenditure frameworks and the annual budget. Annual progress reports and regular budget reviews provide the principal mechanisms for assuring ourselves that all aid, and savings from debt relief, are channelled in ways that have the greatest impact on poverty reduction.

Iraq

Mrs. Spelman: To ask the Secretary of State for International Development whether the additional funding for reconstruction in Iraq announced on 14 October will come from planned expenditure for the Department. [134487]

Hilary Benn *[holding answer 27 October 2003]:* The £248 million committed since the beginning of this financial year has been found without any changes to existing programmes. This includes substantial contingency funding from both DFID and the Treasury's Central Reserve.

Over the next two years, funding for the reconstruction of Iraq includes £50 million reallocated from planned programmes, together with DFID contingency funding of £115 million and contributions from other Departments. Our Public Service Agreement includes the commitment to increase the share of our bilateral programme going to low income countries to 90 per cent. by 2005–06. As a consequence of the temporary increase in funding for Iraq, which we expect to return to middle income status soon, we will also need to move a further estimated £50 million from middle income country Programmes to low income country programmes. This is in line with our commitment to the 90 per cent. target. The reallocation of planned expenditure should be viewed in the context of a development assistance budget that will increase by £900 million over the current spending review period 2003–06.

Mr. Gardiner: To ask the Secretary of State for International Development when refugee repatriation to Iraq will recommence; and what assistance he is offering the UNHCR to return to Iraq. [135116]

Hilary Benn: The United Nations High Commissioner for Refugees has made clear that refugee repatriation to Iraq will begin once conditions have become conducive to their safe and dignified return. The Department for International Development has provided £1.75 million to UNHCR since the start of the conflict to assist with their work in Iraq and neighbouring countries.

Mr. Gardiner: To ask the Secretary of State for International Development when the Baiji oil refinery complex in Iraq will undergo its maintenance phase; and what impact this will have on oil supplies in Iraq. [135123]

Hilary Benn: The Baiji refinery provides more than half of Iraq's refined oil products. Major maintenance work on it is much needed and long overdue. According to the Iraqi Ministry of Oil, the most urgent work will begin in December 2003, with one of the refinery's three units being taken out of service at a time. It is expected that the initial focus will be on the gasoline equipment, while keeping the diesel and kerosene plants working as far as possible throughout the winter. Major work is expected to be deferred until the spring in order to allow for additional fuel reserves to be built up. Taking the refinery off-line when demands are high and reserves are low could risk disrupting supplies significantly. Meanwhile, fuel is being imported to help meet current demand.

Mr. Gardiner: To ask the Secretary of State for International Development what efforts are being taken to reduce smuggling of fuel products in Iraq. [135124]

Hilary Benn: UK forces are maintaining a long-term presence in the Arabian Gulf to intercept smugglers. Coalition forces have recently been supported by HMS Sutherland and HMS Kent. The UK is also training the Iraqi Riverine patrol service to monitor the Shatt al Arab waterway and Khawr Zubayr. Once trained, an element of this force may provide the core element of Iraqi Coastal Defence force. Measures to enhance border security have been agreed with neighbouring countries and UK forces routinely provide support to Iraq border guards.

In a recent anti-smuggling operation, from 6 to 26 October 2003 covering the whole of the UK area of responsibility, 291 people were arrested, weapons were confiscated and over 50 vehicles, 28 barges and 12 boats suspected of smuggling oil and copper were detained. Suspected smugglers have been handed over to the Iraqi authorities to face trial. Over 2,000 US troops supported the UK-led forces in Multinational Division South East.

This campaign has been supported by the implementation of a legal framework, through CPA Order No. 12 of 31 August 2003, which allows the confiscation of property such as trucks or ships used in the theft of natural resources or state property.

Fuel prices are low in Iraq compared with elsewhere in the region. Until this disparity is reduced, and the economic incentive it provides is diminished, smuggling is likely to remain a problem.

Mr. Gardiner: To ask the Secretary of State for International Development what action the Coalition Provisional Authority in Iraq is taking to ensure the equitable distribution of fuels. [135125]

Hilary Benn: With the exception of kerosene, the supply of fuel in Iraq at the end of September was the best since the cessation of hostilities. This was largely due to extensive imports of gasoline, LPG and diesel by the Coalition Provisional Authority and the Iraqi State Oil Marketing Organisation. Imports are expected to continue into 2004 while Iraq's refining capacity recovers and the country regains self-sufficiency in fuel. The Ministry of Oil is also working towards establishing adequate reserve stocks to provide a buffer for unexpected disruptions in supply or surges in demand.

The distribution of fuel is a challenge. Pipelines are susceptible to sabotage and theft, and the dilapidated state of many limits their capacity. Road and rail transport, which is being used to help compensate for these problems, also faces capacity constraints. The Coalition Provisional Authority is taking steps to strengthen security for pipelines and other installations by providing better communications, centralised control systems, a more integrated approach and improved incident response times.

Mr. Gardiner: To ask the Secretary of State for International Development what action he is taking to increase the supply of LPG bottles available outside Baghdad. [135128]

Hilary Benn: The overall supply of LPG cooking gas in Iraq has improved significantly in recent months, coming close to meeting demand by the end of September 2003. However, efficient distribution throughout the country has been hampered by an over-centralised management system and communications difficulties.

Management of the distribution system has been improved over recent weeks with the installation by the Coalition Provisional Authority of better communications systems between critical locations, and much closer co-ordination between the CPA and the sections of the Ministry of Oil responsible for distribution.

Mr. Gardiner: To ask the Secretary of State for International Development pursuant to his answer of 6 October 2003, *Official Report*, column 1011W, on schooling in Iraq, whether an assessment has been made of the balance between the sexes of the children taking exams in June and July. [135137]

Hilary Benn: No assessment has been made of the balance between the sexes of the children who took exams in Iraq during June and July. The administrative systems in the country do not at present have the capacity to collect such information.

Jordan

Mr. Gardiner: To ask the Secretary of State for International Development what efforts he is making to assist the Jordanian Government in reducing congestion in the port of Agaba and the delays this is causing to humanitarian shipments destined for Iraq. [135115]

Hilary Benn: DFID is not currently assisting the Jordanian Government. However, we understand that, despite the congestion in the port, the Jordanian Government are continuing to provide support to the World Food Programme to ensure the timely delivery of food and non-food items into Iraq.

Liberia

Angus Robertson: To ask the Secretary of State for International Development what assistance his Department is providing to Merlin in their effort to provide medical assistance to *(a)* Zwedru, Grand Geden County and *(b)* Greenville, Sinoe County, in Liberia; and if he will make a statement. [134454]

Hilary Benn: DFID approved a grant of £250,014 to Merlin on 22 September for the provision of health care, and supportive water and sanitation activities in the South and South-East of Liberia. This funding included support to activities in Zwedru and Greenville. On 12 October Merlin began providing health care in Zwedru and distributing essential medicines in Greenville, Sinoe County. Through DFID funding Merlin is supporting the county hospital in Zwedru, and has set up three primary health clinics in the towns of Janzohn, Toe Town, and Zleh (Grand Gedeh County). Merlin is also supporting the Greenville hospital out-patient department.

Since June 2003, DFID has provided a total of £876,629 to support Merlin's activities in Liberia.

Malawi

Mr. Paul Marsden: To ask the Secretary of State for International Development how many people he estimates are living in poverty in Malawi. [134390]

Hilary Benn: The most authoritative figure for the proportion of people living in poverty in Malawi came from the 1998 Integrated Household Survey. It estimated that 65 per cent. of the population of Malawi were poor of whom 27 per cent. were classified as "ultra-poor". The survey will be repeated later this year. A UN survey in 1993 estimated that 63 per cent. of the population of about 12 million were poor.

Mali

John Barrett: To ask the Secretary of State for International Development if he will make a statement on the prevalence of tuberculosis in Mali; and what action he is taking to assist in the treatment of people suffering from tuberculosis in Mali. [135205]

Hilary Benn: According to the Malian National Campaign Against Tuberculosis, the number of reported tuberculosis cases in Mali has risen from 1,886 cases per year in 1995 to 2,757 in 2002. This is partly due to the prevalence of the disease among HIV/AIDS sufferers. The Malian Government have recently launched a fresh initiative to persuade tuberculosis patients to come forward for treatment.

DFID does not have a direct development assistance programme to Mali. Our assistance is mostly channelled through multilateral agencies, including the EC, and amounted to an estimated £12 million in 2001. However, DFID is playing a major role in supporting tuberculosis control worldwide. We support tuberculosis research programmes at the London and Liverpool Schools of Tropical Medicine, as well as providing significant contributions to the Medical Research Council and the World Health Organisation to tackle tuberculosis and other diseases. We have also committed US$280 million over seven years to the Global Fund to fight Aids, Tuberculosis and Malaria (GFATM). Decisions on which countries receive assistance are made on the basis of technical merit by the GFATM. Mali has not received support from GFATM for tuberculosis programmes, but will have another opportunity to apply in 2004.

Maternal Health

Angus Robertson: To ask the Secretary of State for International Development (1) what response his Department will make to the report on maternal mortality published on 20 October by the World Health Organisation, UNICEF and the UN Population Fund; and if he will make a statement; [134466]

(2) what assessment his Department has made of global trends in maternal health; what impact this assessment has made on his Department's funding policy; and if he will make a statement. [134467]

Hilary Benn: DFID works with international partners to monitor global trends in progress towards the Millennium Development Goal of improving maternal health and its associated target of reducing the maternal mortality ratio by 75 per cent. between 1990 and 2015. The report on maternal mortality in 2000 published on 20 October by the World Health Organisation, UNICEF, and the UN Population Fund estimates that there were 529,000 maternal deaths worldwide in 2000, with a maternal mortality ratio of 400 maternal deaths per 100,000 live births. The majority of the burden is borne in sub-Saharan Africa and South Asia.

The report is important in highlighting the magnitude of the problem. Inadequate information systems in many poor countries mean there is a high degree of uncertainty around the estimates and so they are less useful in assessing trends over time. A proxy indicator for monitoring trends is the proportion of births attended by a skilled health worker. Skilled attendant coverage in developing countries increased from 42 per cent. in 1990 to 52 per cent. in 2000 but there was substantial variation between regions. Coverage rose significantly in East and South East Asia and in Northern Africa. It is highest in Latin America, at 85 per cent. In contrast, there has been little progress in sub-Saharan Africa and South Asia, where women give birth without assistance from skilled attendants in more than half of cases.

Evidence from middle-income countries suggests that significant progress can be made through improved access to skilled attendance at birth, timely access to emergency obstetric care in the event of life-threatening complications, family planning services and action to address unsafe abortion. Strengthening the health system is central to an effective response. If poorer countries are to make similar progress, substantially increased action is needed.

DFID is focusing attention on this Millennium Development Goal. Our Public Service Agreement includes targets on skilled attendance in Africa and Asia. Our approach includes advocacy in the international arena, support to countries to strengthen health systems and maternal and reproductive health services, and support for research and improved measurement tools. Since 1997 we have committed approximately £1.5 billion to support countries to strengthen health systems. In addition we are supporting the maternal health work of international multilateral agencies and international NGOs.

Reconstruction Funding

Mrs. Spelman: To ask the Secretary of State for International Development what impact the additional funding for reconstruction of Iraq announced on 14 October will have on his Department's projects for middle income countries. [134486]

Hilary Benn *[holding answer 27 October 2003]:* Funding for the reconstruction of Iraq will not affect programmes for middle income countries in this financial year. However, in the light of the needs in Iraq and our commitment to increase the proportion of our direct assistance to low-income countries to 90 per cent. by 2005–06 we will make reductions beyond those currently planned, to other middle income country programmes over the next two years, particularly in 2005–06.

Final decisions have not yet been taken on where reallocation will occur, However, in order to protect funding for the poorest countries they are likely to involve reductions in planned spending of around £100 million for middle income countries, other than Iraq, over the two years 2004–06. This includes the reallocation of £50 million for Iraq. As a consequence of the temporary increase in funding for Iraq, which we expect to return to middle income status soon, we will also need to move a further estimated £50 million from planned middle income country programmes to low income country programmes. This in line with our commitment to the 90 per cent. target. The reallocations of planned expenditure should be viewed in the context of a development assistance budget that will increase by £900 million over the current spending review period 2003–06.

Safe Drinking Water

Mr. Robathan: To ask the Secretary of State for International Development what reports he has received on *(a)* the delivery of food aid to Zimbabwe to its

final recipients and *(b)* allegations of its subsequent confiscation by local members of Zanu-PF; and if he will make a statement. [135206]

Hilary Benn: The WFP and the international NGOs all provide detailed reports on the distribution of their food aid. An incident reporting procedure has been established by WFP and if there is any politicisation of the food aid the distribution is halted immediately and is only resumed once problems have been rectified. There has been one isolated minor incident reported several months ago when food aid was confiscated by Zanu-PF officials. This was dealt with effectively by WFP and in recent months no such incidents have been reported

The grain marketing board handles the government's food relief programme and the distribution is largely controlled by Zanu-PF officials, with the army, police and other party officials getting preference.

Mr. Robathan: To ask the Secretary of State for International Development what assessment he has made of the World Food Programme's aid programme in Zimbabwe. [135207]

Hilary Benn: DFID staff based in Harare maintain very close contact with the world food programme and its operations in Zimbabwe. We are confident that they are implementing an effective programme under very difficult circumstances. The WFP undertake their own internal evaluations of their activities and we review the reports regularly.

We have recently provided a further £5 million to the WFP for its operations in Zimbabwe and of this £0.5 million will be used to further improve its monitoring and reporting capacity.

Mr. Paul Marsden: To ask the Secretary of State for International Development what proportion of the population of Zimbabwe has access to a plentiful supply of safe drinking water. [135257]

Hilary Benn: It is not possible to provide accurate figures as many services are declining as a result of the deteriorating economy.

According to the national environmental health office in the ministry of health and child welfare (MOHCW), access to safe water in urban areas is above 90 per cent. This figure will be an overestimate as a result of the rapid increase in urban migrations and the rapid increase of un-serviced informal settlements in semi-urban areas (especially Harare and Bulawayo). City councils are having difficulties in procuring water treatment chemicals due to lack of foreign exchange.

The rural proportion had an estimated 75 per cent. coverage but this will vary around the country. This will also be an over estimation because it does not take account of the distance people may have to travel to get to the water point or the large number of water points that are not operational.

Somalia

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the security of deployed aid workers in *(a)* Somaliland and *(b)* other regions in Somalia; in what ways the security situation has changed since April; and if he will make a statement. [134755]

Hilary Benn: Since it declared independence from the southern Somalia, Somaliland has developed stability and greatly improved security. In December 2002 and April 2003, Somaliland organised successful municipal and presidential elections, which cemented its democratic credentials and helped to maintain security and stability. Unfortunately, in recent weeks there have been three murders of European expatriates in Somaliland including, on 20 October, the murder of two British schoolteachers in the town of Sheikh. There is no hard information on the motives for these killings and we await the outcome of on-going investigations by the Somaliland authorities. We and the rest of the international community continue to monitor the security situation in Somaliland closely, and we are reviewing our travel advice.

Elsewhere in Somalia the situation remains unsettled without any form of effective Government or early prospect of elections. IGAD-sponsored reconciliation talks in Kenya are being reassessed following last week's IGAD Summit and could make progress soon. The region is principally run by armed factions, and there is no guarantee of stability or security there. The UK currently advises against travel to Southern Somalia, where a Kenyan aid worker was recently murdered. UN agencies and international organisations still run humanitarian operations in the south. Somalia has been in a volatile situation since the onset of the civil war in the late 1980s and collapse of the government in 1991.

Although there have been a number of deaths of Europeans there has been no real change in the overall security situation since April 2003.

St. Helena

Mr. Steen: To ask the Secretary of State for International Development how many wind turbines have been installed in St. Helena; when it was done; what it cost; how much revenue has been generated; whether the turbines have been economically viable; and if he will make a statement. [135659]

Hilary Benn: As a result of earlier studies, which had identified high fuel costs of power generation and significant potential for wind energy, three wind turbines were installed on Deadwood Plain in St. Helena in 1999. The cost, which totalled approximately £300,000, was met by DFID from our development assistance programme to St. Helena. Due to various technical problems, the turbines operated only intermittently until October 2002. Since then, they have not been in operation at all. Although this performance of the turbines has been extremely disappointing, fuel savings totalling some £140,000 did accrue to St. Helena while they were operational. This suggests that wind power should be economically viable for St. Helena, under conditions of continuous wind turbine operation. With further DFID support, therefore, the St. Helena Government has commissioned work to investigate the problems that arose and to propose options for the future. The report, which should be available by the end of this year, will be carefully considered jointly by the St. Helena Government and DFID.

Mr. Steen: To ask the Secretary of State for International Development when the Government agreed to fund a breakwater to provide safe landing for tourists visiting St. Helena; and when it will be completed. [135662]

Hilary Benn: All embarkation and disembarkation of passengers in St. Helena entails transit by launch between the harbour steps at Jamestown and ships anchored offshore. The St. Helena Government's policy, which we fully support, is that safety must be paramount in this process. All reasonable precautions are taken, and are regularly reviewed, to ensure that this is the case; and, on occasions where sea conditions are particularly difficult, passenger transit may be suspended altogether. Past studies have not demonstrated to DFID satisfaction that a breakwater, which could be costly to construct, would substantively improve the situation and/or be justifiable on technical and economic grounds. Although the St. Helena Government remains committed to the concept, therefore, we hitherto have not agreed to fund it. In their current proposals for possible European Union assistance, however, the St. Helena authorities are including plans for wharf improvements and an investigation of alternative options for passenger landing arrangements at Jamestown. We shall be monitoring this proposed work very carefully; and we will keep the matter under regular review, in consultation with the St. Helena Government.

Crop Dumping

Mr. Edwards: To ask the Secretary of State for International Development what steps the Government is taking to stop the practice whereby subsidised crops are grown in America and in EU member states and are subsequently dumped on African countries. [135062]

Hilary Benn: The Government acknowledges the damaging impact that dumping and trade-distorting subsidies have on developing countries' agriculture sectors. We fully support the commitment made at the Doha Ministerial meeting in 2001, which agreed that agriculture negotiations would aim to achieve: substantial improvements in market access; reductions of, with a view to phasing out, all forms of export subsidies; and substantial reductions in trade-distorting domestic support.

The UK has long advocated the reform of the CAP to reduce its trade distorting impacts and to enable farming in Europe to become more sustainable and market focussed. The deal agreed by EU Agriculture Ministers on 26 June this year marks a significant shift in the EU's agricultural policy. The decoupling of subsidies from production should connect European farmers much more closely to the market and have real impacts on reducing excessive production, which results in dumping and harms developing countries. Proposals for reform to other EU commodity regimes, including cotton have been submitted and are currently under discussion.

The UK is committed to ensuring real reductions in OECD agricultural subsidies, as well as to making progress in other areas of concern not only to African developing countries. These include improving market access for agricultural products and establishing fair rules for special and differential treatment to safeguard food security and rural development in Africa.

Trade (Africa)

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the impact of the Institution for the Multilateral Protection of pan-African Commercial Transactions on direct investment in Africa; what regional differences there are; what impact the work of the Institution has had on development *(a)* throughout Africa, *(b)* in the regions with the highest increase in direct investment and *(c)* in the regions with the lowest increase in direct investment; and if he will make a statement. [134422]

Hilary Benn: DFID has not made an assessment of the impact of the Institution for the Multilateral Protection of pan-African Commercial Transactions on direct investment in Africa. We believe such an assessment would be most appropriately carried out by the World bank who provided a $5 million IDA (International Development Association) loan for the establishment of the Africa Trade Insurance Agency (as IMPACT is also known) in 2001 and as such the initiative will be subject to IDA procedures for assessment and review.

World Bank Projects

Norman Baker: To ask the Secretary of State for International Development whether it is his policy to support World Bank projects for new roads only when subject to a full environmental impact assessment. [136095]

Hilary Benn: All World Bank projects must be subjected to an initial environmental assessment. This determines the environmental category of the project and the level of requirement for appraisal and implementation. All documents are in the public domain in the recipient countries.

Norman Baker: To ask the Secretary of State for International Development what steps he is taking to ensure that World Bank support for transport projects does not require the closure of railway lines. [136096]

Hilary Benn: In considering whether to finance transport projects, it is World Bank practice to conduct a thorough assessment of the alternative modes of transport available, taking into account social, environmental and economic issues.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for International Development what action he has taken to encourage the Zimbabwean Government to end the ban on importation of grain by private entrepreneurs and other organisations. [135340]

Hilary Benn: Given the substantial food aid needs in Zimbabwe, this issue is a high priority. Together with the other major donors (EU and USAID), we are promoting the liberalisation of imports and promotion of the private sector through the UN agencies, and especially the world food programme. Increased

liberalisation of the domestic grain markets is also required as the present prices and controls make private grain imports uneconomic.

The Government's national economic revival programme (NERP) indicates that the private sector have an important role to play in addressing the humanitarian needs. Government, however, continue to be reluctant to liberalise grain trading and marketing and to allow the private sector a more significant role. If anything, the political initiatives at present tend towards greater control and more controlled prices.

Mr. Robathan: To ask the Secretary of State for International Development what measures *(a)* his Department and *(b)* non-governmental organisations have taken to assess the (i) nutritional and (ii) food security status of all populations in Zimbabwe. [135345]

Hilary Benn: In January 2003, DFID provided £2.58 million to Unicef to undertake nutrition surveys and emergency supplementary feeding programmes in four countries affected by the food security crisis in southern Africa. This included Zimbabwe, where £0.25 million was spent on a nutrition survey. The field work was undertaken in February 2003 and the results were shared with the donor community in June 2003.

In addition, DFID has been the major contributor to the vulnerability assessments that have been undertaken in the affected countries of southern Africa. These have been used to identify the most vulnerable groups and communities in Zimbabwe. Three assessments were undertaken between June 2002 and May 2003. In addition, we are supporting, together with the EU, the first urban vulnerability assessment in Zimbabwe. This should be completed by the end of November 2003.

John Snow International-UK (JSI-UK), with DFID funding, have undertaken a survey of households affected by HIV/AIDS in Harare, which included measures of household food security and the nutritional status of children.

DEPUTY PRIME MINISTER

Access Officers

Brian Cotter: To ask the Deputy Prime Minister how many local authorities employ an access officer; how many do not; and if he will make a statement. [135387]

Mr. Raynsford: The information requested is not held centrally, and could be provided only at disproportionate cost, Under the Disabilities Discrimination Act 1995 local authorities, as service providers, have to consider making reasonable adjustments to the way they deliver their services so that disabled people can use them. The Office of the Deputy Prime Minister will be initiating some research next year to assess local government's performance in meeting the needs of people with disabilities and ensuring that people with disabilities have full access to services.

Area Investment Frameworks

Tim Loughton: To ask the Deputy Prime Minister if he will list the Area Investment Frameworks which have been set up. [134790]

Yvette Cooper: There are 10 Area Investment Frameworks in development in the South East. They coincide with the Priority Regeneration Areas agreed by the Region in producing and implementing the Regional Economic Strategy and comprise:

Coastal West Sussex
Brighton and Hove
Hastings and Bexhill
Rest of East Sussex
Isle of Wight
Southampton
Portsmouth/SE Hampshire
North Kent—Thames Gateway
East Kent
Channel Corridor Kent—Folkestone/Ashford.

Tim Loughton: To ask the Deputy Prime Minister how much funding has been granted to Area Investment Frameworks in Sussex; and from what sources. [134791]

Yvette Cooper: Funds are currently focused on development of the Area Investment Frameworks (AIF). The South East England Development Agency (SEEDA) provided £220,000 for delivery of the four AIFs in Sussex a figure matched by other publicly funded bodies. In future years it is intended that AIFs will guide existing expenditure of a wide range of publicly funded bodies.

Tim Loughton: To ask the Deputy Prime Minister how many people work for Area Investment Frameworks in Sussex. [134793].

Yvette Cooper: Area Investment Frameworks do not have employees as this is a process rather than a structure.

Arm's-length Management

Mr. Dobson: To ask the Deputy Prime Minister what assessment he has made of the impact on public finances of money invested in housing refurbishment by *(a)* an arms length management organisation and *(b)* a council housing department. [135909]

Keith Hill: In 2002–03 local authorities invested around £2.5 billion in investment and maintenance of housing from their own resources and funds provided by Central Government.

The resource provided for Arms Length Management Organisations (ALMOs) is additional to the resource that the local authority receives through mainstream housing funding.

The Sustainable Communities Plan published in February announced that for 2003–04 to 2005–06, about £2 billion of additional investment is being made available to councils who set up acceptable arms length arrangements which deliver services which are rated as excellent (3*) or good (2*) by the Housing Inspectorate. This is in addition to the support given in 2002–03 of about £56 million.

Building Regulations

Mr. Prisk: To ask the Deputy Prime Minister what assessment he has made of the impact of regulations on the building industry on balancing demand and supply

in the housing market; and what recent discussions he has had with the Secretary of State for Trade and Industry regarding regulation of the building industry. [121445]

Keith Hill: The Office of the Deputy Prime Minister is currently considering the balance of regulation regarding the housing market and is taking into account the views of other Government Departments and looking forward to the conclusions reached by the Barker Review of Housing Supply.

Citizens Advice Bureaux

Mr. Sheerman: To ask the Deputy Prime Minister how much funding the Government have provided to citizens advice bureaux in each of the last 10 years; what steps he is taking to ensure that the Citizens Advice Bureaux network is resourced to provide services to citizens excluded from conventional financial advice; and what recent discussions he has had with local authorities about the level of funding to citizens advice bureaux. [135874]

Phil Hope: This Government value highly the contribution that citizens advice bureaux (CABx) make to local communities. We believe that these services are best provided in a way which ensures that they meet the needs of the local community. Decisions about grant funding for individual CABx are therefore for the relevant local authority to make in the light of local priorities. The Local Government Finance Settlement 2003–04 provided local authorities with some £43 billion of general grant; this is an increase of 25 per cent. in real terms since 1997. In addition to this the Department for Trade and Industry provides funding for the national organisation of citizens advice directly.

I have not had any recent discussions with local authorities about the level of funding for citizens advice bureaux.

Council Housing

Mr. Purchase: To ask the Deputy Prime Minister (1) what proportion of capital expenditure invested in local authority owned homes is supported by direct Government grant, where the homes are managed by *(a)* the local authority and *(b)* an arm's length management organisation; [135195]

(2) on what basis he has calculated Government-funded remission of interest charges on capital investment made to improve local authority homes managed by *(a)* the local authority and *(b)* an arm's length management organisation. [135196]

Keith Hill: Housing Revenue Account (HRA) subsidy is calculated for each authority taking account of actual interest costs incurred on borrowing to finance approved capital investment in housing, plus an amount that each authority currently has to set aside to repay the principal. Nationally, the average amount met by HRA subsidy in 2002–03 was some £1.6 billion, 10 per cent. of outstanding borrowing. Arms length management organisations (ALMOs) in Rounds 1 and 2 of the programme are also eligible for additional HRA subsidy, currently calculated at a flat rate of 10 per cent. of assumed additional capital investment by the ALMO. The Office of the Deputy Prime Minister has proposed that these flat rate arrangements, which were designed to provide incentives to authorities setting up the first ALMOs, will be harmonised for future years and brought into line with the normal arrangements for supporting capital investment in housing, based on actual interest rates.

Departmental Costs

Mr. Flight: To ask the Deputy Prime Minister what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123077]

Yvette Cooper: With regards to the cost of ministerial cars and drivers I refer the hon. Member to the letter sent by Nick Matheson, the Chief Executive of the Government Car and Despatch Agency on 17 September 2003.

The Government annually publishes the overall costs of all ministerial overseas travel that includes cost of train tickets, airline tickets, use of helicopters and cost of planes chartered for ministerial travel. The next list for the period 1 April 2003 to 31 March 2004 will be published at the end of the financial year.

The information regarding the remaining parts of the question is not held centrally, and could be provided only at disproportionate costs.

Elliott Review

Mr. Michael Foster: To ask the Deputy Prime Minister what account was taken of the Elliott Review of the Area Cost Adjustment when deciding to use the New Earnings Survey to calculate wage rates. [135650]

Phil Hope: The Government use the new earnings survey (NES) for the area cost adjustment (ACA). The NES is the best data for the purpose because it is drawn from a 1 per cent. sample of everyone in employment, a far larger sample survey than the main possible alternative the labour force survey (LFS).

The Elliott review recommended that the LFS should be used as the data source for the ACA. This was on the grounds that the LFS includes data on the educational attainment of survey participants. However detailed occupation data is included in the NES. A report by the Warwick Institute for Employment Research (IER) concluded that the use of the NES for calculating the ACA does not result in any significant bias as a consequence of the inability to standardise for education, because of the detailed information on the occupation and industry of survey participants contained in the NES.

Housing Market Renewal Pathfinders

Mr. Gordon Prentice: To ask the Deputy Prime Minister how many staff there are, and what the annual running cost in 2003–04 is, of each of the Housing Market Renewal Pathfinders in England; and if he will make a statement. [134610]

Yvette Cooper: Currently each pathfinder has the following numbers of staff supporting scheme development and delivery co-ordination; Birmingham

Sandwell (seven full-time and four part-time); East Lancashire (three full-time); Humberside (five full-time); Manchester Salford (nine full-time and seven part-time); Merseyside (four full-time); South Yorkshire (10 full-time); Newcastle (nine full-time and one part-time); North Staffs (six full-time); Oldham Rochdale (four full-time and seven part-time).

Annual running costs in 2003–04 are not yet available. All pathfinders will be using the part of the £2.66 million allocated for preparation of their strategic schemes. Running costs will vary from pathfinder to pathfinder depending on when the schemes are agreed and large-scale implementation begins.

Newspaper Advertising

Mr. Pickles: To ask the Deputy Prime Minister what the expenditure of his Department and its predecessors was on newspaper advertising, broken down by title, in each year since 1997; and what estimate he has made for 2003–04. [119167]

Yvette Cooper: The Office of the Deputy Prime Minister was created on 29 May 2002.

The amount spent on press advertising since the creation of the Office of the Deputy Prime Minister is tabled as follows. This press activity was part of the Fire Safety public information campaign during the industrial action by the fire fighters.

The Office of the Deputy Prime Minister has no estimates for press advertising for 2003–04.

National press

£

Title	*Total 2002*	*Total 2003*	*Total*
Daily Mail	39,790	7,958	47,748
Daily Mirror	26,235	6,559	32,794
Daily Star	6,777	2,711	9,488
Daily Telegraph	42,270	10,567	52,837
Guardian	0	3,589	3,589
Sun	43,725	10,931	54,656
Times	6,601	6,601	13,201
Independent	12,960	2,592	15,552
Standard	2,886	0	2,886
Daily Star Sunday	2,711	2,711	5,422
News of the World	22,737	11,369	34,106
Sunday Mirror	12,418	6,209	18,627
Independent Sunday	0	2,592	2,592
Total	219,109	74,389	293,498

Regional press

£

Title	*Total 2002*
Birmingham Evg Mail Local	5,588
Blackpool: West Lancs Evening Gazette	2,315
Bournemouth Evening Echo	1,393
Brighton Evening Argus	1,839
Bristol Evening Post	2,277
Huddersfield Daily Examiner	2,535
Hull Daily Mail	2,112
Leicester Mercury	2,535
Lincolnshire Echo	1,083
Liverpool Echo	4,578
Manchester Evening News	2,274
Manchester Evg News	4,548
Newcastle Evg Chronicle	3,672

Regional press

£

Title	*Total 2002*
Nottingham Evg Post	2,535
Plymouth Evening Herald	1,653
Scunthorpe Eve Telegraph	882
Sheffield Star	4,770
South Wales Echo	1,842
South Wales Evening Echo	921
South Wales Evening Post	1,653
Southern Daily Echo	1,714
Stoke Evg Sentinel	1,929
Teeside Evening Gazette	2,560
West Midlands Express and Star Group	5,609
Yorkshire Evening Post (10%)	2,534
Yorkshire Post	1,267
Total	66,623

North-West Regional Assembly

Mr. Hoyle: To ask the Deputy Prime Minister how many *(a)* full-time and *(b)* part-time staff are employed by the North West Regional Assembly. [135796]

Mr. Raynsford: The North West Regional Assembly is a voluntary body. The details of its employees is a matter for the Assembly.

Spatial Strategy (East Midlands)

Phil Sawford: To ask the Deputy Prime Minister how many responses have been received in respect of the East Midlands sub-regional spatial strategy from *(a)* county and district councils, *(b)* parish councils, *(c)* hon. Members, *(d)* health trusts, *(e)* individuals and *(f)* others. [135621]

Keith Hill: In total 1,624 responses on the Milton Keynes and South Midlands Sub-Regional Strategy have been recorded to date:

(a) County and district councils—39 responses

(b) Parish and town councils—134 responses

(c) Hon. Members (MP/MEP)—6 responses

(d) Health trusts—5 responses

(e) Individuals—1,135 responses

(f) Others (Developers, Action Groups etc)—305 responses (includes 22 from Government agencies and statutory bodies).

Stamp Duty Land Tax

Mr. Prisk: To ask the Deputy Prime Minister what assessment he has made of the impact of increases in stamp duty land tax on his policy for urban and high street regeneration; and if he will make a statement. [135614]

Ruth Kelly: I have been asked to reply.

The Government have introduced disadvantaged areas relief which provides an exemption from stamp duty land tax for transactions in non-residential land in Enterprise Areas. There are 1,262 wards in England which qualify for this relief, representing the bottom 15 per cent. of the national index of deprivation. The measure provides a major boost to businesses investing in commercial premises in England.

Suffolk County Council

Mr. Spring: To ask the Deputy Prime Minister pursuant to his answer of 27 October 2003, ref. 134409, what representations he has received from Suffolk County Council regarding the local government finance settlement in the last 12 months. [135792]

Phil Hope: In the last 12 months officials received representations from Suffolk County Council on the 2003–04 provisional local government settlement and more recently on the balance of funding review.

Tenancy Deposit Scheme

Mr. Laurence Robertson: To ask the Deputy Prime Minister what plans he has to reform the Tenancy Deposit Scheme to provide for the fast return of deposits to tenants by landlords; and if he will make a statement. [135588]

Keith Hill: Following disappointing take-up and having reached the end of Government powers to fund the voluntary pilot Tenancy Deposit Scheme, the Scheme is being wound up. The Office of the Deputy Prime Minister is currently considering the lessons from this, and will wish to take into account the Law Commission's review of tenure legislation when it publishes its interim findings on 5 November. Officials will be holding a seminar in December to discuss the case for linking legislation for compulsory measures to the Law Commission's findings.

Wind Farms

Mr. Lidington: To ask the Deputy Prime Minister what plans he has to issue new planning policy guidance on onshore wind farms. [136194]

Keith Hill: A draft of the new Planning Policy Statement 22 (PPS22) on renewable energy will be issued for public consultation shortly.

HEALTH

Food Supplements

Mr. Chope: To ask the Secretary of State for Health what action he has taken to press for maximum permitted levels for nutrients in supplements to be set at the upper safe level currently applicable in the United Kingdom; and if he will make a statement. [134739]

Miss Melanie Johnson: The Government's view is that the law should permit the sale of food supplements that are safe and properly labelled. The United Kingdom continues to argue for European Union maximum permitted limits for vitamins and minerals in food supplements to be set on a safety basis.

The Government's position on specific EU proposals for maximum limits will be based on the upper safe levels and guidance levels recommended by the independent expert group on vitamins and minerals.

Radioactivity in Food and the Environment Report

Mr. Chaytor: To ask the Secretary of State for Health when he expects to receive the Food Standards Agency report on "Radioactivity in Food and the Environment", 2002. [134073]

Miss Melanie Johnson: The Food Standards Agency published the report on "Radioactivity in Food and the Environment" for 2002 on 29 October 2003. Copies of the report have been placed in the Library.

For the first time, this report will contain data from monitoring of radioactivity in food and the environment throughout the United Kingdom. The report is a collaboration between the FSA, the Scottish Environment Protection Agency, the Environment Agency and the Environment and Heritage Service of Northern Ireland.

Sexually Transmitted Diseases

Mr. Chope: To ask the Secretary of State for Health (1) how many people in each health trust in England are registered as suffering from *(a)* AIDS and *(b)* other sexually transmitted diseases; and what the equivalent figures were for each of the last two years; [134478]

(2) how many current recipients of NHS treatment for AIDS he estimates are not British citizens; [134479]

(3) what action he is taking to ensure that treatment provided to non-UK citizens for AIDS does not result in inferior levels of treatment for British citizens suffering from other sexually transmitted diseases. [134480]

Miss Melanie Johnson *[holding answers 27 October 2003]:* Data on HIV and AIDS for individual health trusts are not held centrally, although data are held by region. The table gives figures broken down according to English region for 2000 to 2002 (the latest available).

Diagnosed HIV-infected patients for whom most advanced clinical stage reported as AIDS—by region of residence when last seen for care and year of survey[1]

		AIDS	
Region of residence	*2000*	*2001*	*2002*
Yorkshire and Humberside (2001)	n/a	187	239
North East (2001)	n/a	78	94
Northern and Yorkshire (pre 2001)	182	n/a	n/a
East Midlands (2001)	n/a	187	249
Trent (pre 2001)	179	n/a	n/a
West Midlands	190	252	308
North West	439	502	548
Eastern	244	297	392
London	3,323	3,814	4,329
South East	524	627	725
South West	209	242	255
England total[2]	5,290	6,187	7,147

[1] Excludes asymptomatic HIV and symptomatic pre-AIDS.
[2] Includes patients whose region of residence not known.
Note:
Regional border and definition changes April 2001.
Source:
Health Protection Agency, survey of prevalent diagnosed HIV infections in England, Wales and Northern Ireland (SOPHID).

Data on sexually transmitted infections for individual health trusts are not held centrally. The table provides data on all diagnosed infections at genito-urinary medicine clinics (excluding HIV and AIDS) according to English region for 2000 to 2002 (latest available).

Region	*2000*	*2001*	*2002*
East Midlands	33,738	35,532	37,697
Eastern	47,010	50,742	54,321
London	169,129	181,367	186,950
North East	19,712	18,764	19,325

Region	2000	2001	2002
North West	56,286	60,679	63,268
South East	79,685	81,693	86,977
South West	43,373	46,573	49,564
West Midlands	40,670	46,555	48,860
Yorkshire and Humberside	45,070	49,104	51,971
England total	534,673	571,009	598,933

Source:
Health Protection Agency.

Eligibility for free NHS hospital treatment is based on residency in the UK, not on nationality. Anyone who is ordinarily resident in this country is entitled to free treatment, except when there are statutory charges for services, such as prescription charges. Anyone who is not ordinarily resident in the UK may be charged for any hospital treatment they receive, unless exempt under the provisions of the National Health Service (Charges to Overseas Visitors) Regulations 1989. Whether chargeable or not, no one receives preferential treatment for HIV/AIDS or any other health condition on the basis of their nationality, but are treated according to clinical need.

Data on the citizenship of people who receive NHS treatment for HIV/AIDS are not collected.

Arthritis

Chris Grayling: To ask the Secretary of State for Health what guidelines the Government has issued to primary care trusts on prescribing TNFa to arthritis sufferers. [133919]

Dr. Ladyman: The Department has not issued guidelines on the dispensing of anti-TNF drugs. The National Institute for Clinical Excellence (NICE) issued guidance on these drugs in March 2002. They recommended that consultant rheumatologists, or consultant paediatric rheumatologists in the case of juvenile idiopathic arthritis, should prescribe these drugs, in accordance with the guidelines set out by the British Society for Rheumatology (BSR) or British Paediatric Rheumatology Group (BPRG).

The Government expect NICE guidance to be implemented in all areas as expeditiously as possible.

Ashford (Middlesex) Hospital

Mr. Wilshire: To ask the Secretary of State for Health pursuant to his answer of 14 October 2003, *Official Report*, column 212W, on Ashford (Middlesex) Hospital, what facility is out of commission; and on what date each part of it ceased to be used. [134058]

Mr. Hutton *[holding answer 23 October 2003]:* I must apologise to the hon. Member for an error in my response to him on 14 October 2003, *Official Report*, column 212W.

Facilities for the proposed new independent sector treatment centre will be provided by Ashford and St. Peter's Hospitals National Health Service Trust but the final solution will depend upon negotiations between the trust and the preferred provider for this unit.

Improved capacity managed by the Ashford and St. Peter's Hospitals NHS Trust has meant that because of increased throughput of patients as day surgery cases and changes in operating schedules, the trust announced the temporary closure of the Fielding Ward from 31 October for a period of five months.

This is unrelated to the proposals for a new treatment centre.

British Heart Foundation

Chris Grayling: To ask the Secretary of State for Health how much funding has been allocated to the British Heart Foundation in 2002–03; and for which projects. [133925]

Miss Melanie Johnson: The Department did not allocate funding to the British Heart Foundation (BHF) in 2002–03. The Department works closely with the BHF on the full range of heart disease policies and values highly its distinctive contribution to preventing heart disease and improving care and services for patients.

Cancelled Operations

Mrs. Curtis-Thomas: To ask the Secretary of State for Health how many operations were cancelled in England since January; and how many of these were due to delayed discharge. [129487]

Mr. Hutton: Data are collected quarterly on the number of operations cancelled by hospitals for non-clinical reasons: at the last minute (that is, on the day the patients are due to arrive or after arrival in hospital or on the day of their operation) and, in 2002–03 only, on the day of surgery.

Cancelled operations data at England level and by national health service trust and strategic health authority level are available in the Library and on the Department's website at www.doh.gov.uk/hospitalactivity/data_requests.htm

The data collected on cancelled operations for non-clinical reasons are not broken down into the reasons for cancellation. Therefore, no data can be provided on how many operations are cancelled due to delayed discharge from hospital.

Car Parking (Queen Mary's, Sidcup)

Mr. Horam: To ask the Secretary of State for Health which organisation has the contract for organising car parking at Queen Mary's Sidcup NHS Trust; and what income the Trust has derived from this contract in each year. [134072]

Mr. Hutton *[holding answer 30 October 2003]:* The company responsible for organising car parking at Queen Mary's Sidcup National Health Service Trust is CP Plus Ltd. The agreed annual value was £150,000, which has now altered to £151,029 due to changes in number of spaces available and inflation.

Cataract Operations

Mr. Lidington: To ask the Secretary of State for Health (1) how many people are waiting for cataract operations in each trust within the Thames Valley Strategic Health Authority area; [131400]

(2) what the latest average waiting time is for cataract operations in each trust within the Thames Valley Strategic Health Authority area. [131401]

Ms Rosie Winterton *[holding answers 14 October 2003]:* The Department does not hold any data on cataracts, as only specialty based data are collected centrally.

However, ophthalmology data as a whole for trusts in the Thames Valley Health Authority area are shown in the table.

Patients waiting for ophthalmology elective in-patient admission: position at 31 June 2003: NHS trusts within Thames Valley Strategic Health Authority

Trust code	*Trust name*	*Total number of patients waiting for admission*	*Average (median) waiting time in months*
5DK	Newbury and Community PCT	256	3.38
RBF	Nuffield Orthopaedic Centre NHS Trust	0	n/a
RD7	Heatherwood and Wexham Park Hospitals NHS Trust	0	n/a
RD8	Milton Keynes General NHS Trust	229	2.02
RHW	Royal Berkshire and Battle Hospital NHS Trust	2,844	3.89
RTH	The Oxford Radcliffe Hospital NHS Trust	1,719	3.02
RXQ	Buckinghamshire Hospitals NHS Trust	1,009	2.47

Source:
Department of Health form KH07.

Chronic Disease

Tim Loughton: To ask the Secretary of State for Health what measures he has taken to improve access to treatment for sufferers of chronic diseases. [134803]

Dr. Ladyman: Our substantial increased investment in the national health service will have the effect of improving access to treatment for all patients, including those with chronic diseases. Over the years 2003–04 to 2007–08, expenditure on the NHS in England will increase on average by 7.4 per cent. a year over and above inflation—a total increase over the period of 43 per cent. in real terms. This will take the total spent on the NHS in England from £56 billion in 2002–03 to over £90 billion in 2007–08 and lead to better services for all patients.

Maximum waiting times have fallen over the past few years and will continue to do so. By the end of 2005, the maximum waiting time for a first out-patient appointment with a consultant will fall to three months and the maximum wait for in-patient treatment will fall to six months. This will help all NHS patients, including those with chronic disease.

We are also producing a national service framework (NSF) for long-term conditions. The NSF, which we hope to publish by December 2004, will concentrate on neurological conditions and also have generic value for people with other long-term conditions and disabilities and will inform the future planning of services.

Tim Loughton: To ask the Secretary of State for Health how much has been spent by his Department on chronic disease sufferers, broken down by main categories of chronic disease, in each of the last six years. [134804]

Dr. Ladyman: The information requested is not collected centrally. Strategic health authorities and primary care trusts receive unified allocations to cover the costs of hospital and community health services, discretionary funding for general practice staff, premises, computers and primary care prescribing.

The level of funding made available for the drugs, staffing and other costs of providing services for patients with chronic diseases are determined locally. It is for strategic health authorities, in partnership with primary care trusts and other local stakeholders, to determine how best to use their funds to provide health services for their populations, including those with chronic disease.

Clinical Negligence

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list the cost of clinical negligence claims in the NHS for each year since 1997. [134397]

Ms Rosie Winterton: The National Audit Office (NAO) summarised accounts for the national health service (England), show expenditure for claims and associated costs for clinical negligence for each year since 1997 to be as shown in the table.

£ millions

	Amount
1996–97	235
1997–98	144
1998–99	221
1999–2000	373
2000–01	415
2001–02	446

Changes to accounting policies imposed by the NAO over the years mean that the expenditure amounts are not directly comparable.

Cost Collection Exercise

Lynne Jones: To ask the Secretary of State for Health what conclusions he has drawn from the annual reference cost collection exercise about the cost of activity carried out for the NHS *(a)* by non-NHS service providers and *(b)* by the NHS. [133717]

Mr. Hutton: The 2003 reference cost collection exercise has for the first time included a requirement for the collection of data relating to services provided to national health service patients by the private sector. However, this does not include services commissioned from the voluntary and charitable sectors, and therefore it will not be possible to draw conclusions about the cost of activity carried out for the NHS by non-NHS providers as a whole.

It is currently anticipated that publication of 2003 reference cost data on the Department's web site, and in hard copy, will take place before the end of November. Publication will be accompanied by analysis and commentary similar to that provided in previous years.

Dental Access Centres

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list for each dental access centre *(a)* the average charge for a missed appointment and *(b)* the proportion of patients charged for missed appointments. [132297]

Ms Rosie Winterton: Information on missed appointments at dental access centres is not collected centrally, and we have no information to indicate that any dental access centres seek to levy charges for missed appointments.

Diagnostic and Treatment Centres

Chris Grayling: To ask the Secretary of State for Health what criteria were used in selecting the bidders for the first wave of the diagnostic and treatment centres scheme. [133934]

Mr. Hutton: The selection of the preferred bidders followed detailed evaluation of the submitted tenders. The evaluation criteria included clinical quality, building proposals, human resources, speed of mobilisation and delivery, affordability, value for money, bidders' corporate structure and price. There was a structured scoring mechanism against each of these criteria and total scores assessed between bidders. All preferred bidders are subject to final contract negotiation and agreement and schemes will proceed only if they provide the required level of value for money for national health service commissioners.

Digital Hearing Aids

Lynne Jones: To ask the Secretary of State for Health what qualifications are required to fit digital hearing aids; and how many people qualified to fit digital hearing aids are employed by *(a)* the NHS and *(b)* the contractors (i) Ultravox and (ii) Ormerod. [133594]

Dr. Ladyman: Although there are significant differences between the way digital and analogue hearing aids are fitted, there is no specific additional qualification to fit digital hearing aids. The Institute of Hearing Research estimates that 659 national health service employees have so far been trained as part of the modernising hearing aid services project to fit digital hearing aids. This includes people whose training has so far been cascaded from those trained directly. The Department does not collect information about how many private sector contractors can fit digital hearing aids.

Doctor Numbers

Dr. Evan Harris: To ask the Secretary of State for Health which primary care trusts have been classified as being in under-doctored areas on the basis of the number of general practitioner principals, or equivalents, per weighted head of the population; what funding is being targeted at these primary care trusts in order to aid general practitioner recruitment; and if he will make a statement. [128903]

Mr. Hutton: The Department of Health definition of an under-doctored primary care trust (PCT) is that its number of whole time equivalent (wte) NHS Plan general practitioners (GPs) per 100,000 weighted population is less than the national average. As at the March 2003 workforce census the national average was 55.55 wte NHS Plan GPs per 100,000 weighted population.

The PCTs, which were identified as being under-doctored as at 31 March 2003 are listed as follows.

PCTs have been given an average cash increase exceeding 30 per cent. over the three years 2003–06. PCTs will be able to use these extra resources to deliver on both national and local priorities including recruiting additional staff in primary care. Guidance issued to PCTs entitled "Shifting the Balance of Power: New arrangements For Managing General Medical Practitioner Appointments" encouraged all PCTs to increase GP numbers, particularly in under-doctored areas. PCTs are also able to recruit additional GPs supported by general medical services non cash limited funds.

In addition to this increase in resources the following initiatives are also designed to increase GP numbers in under-doctored areas:

The GP Golden Hello scheme has been implemented nationally. This pays up to £5,000 to new or returning GPs, and £12,000 if they go to work in an under-doctored area.

Under-doctored areas have also been prioritised in the distribution of the planned increase of 550 GP registrar training posts up to 2004. Furthermore £45 million has been allocated over three years to improve GP training premises and increase capacity in under-doctored areas.

Local Improvement Finance Trust (LIFT) aims to deliver modern patient centres premises that will help attract and retain GPs in these under-doctored areas. The Department has earmarked £195 million to support the development of NHS LIFT.

Under-doctored PCT as at March 2003	*Under-doctored PCT as at March 2003*	*Under-doctored PCT as at March 2003*
Eastern Cheshire	North Sheffield	Telford and Wrekin
Ellesmere Port and Neston	Doncaster Central	Staffordshire Moorlands
Halton	Rotherham	Newcastle-Under-Lyme
North Liverpool	Doncaster East	South Stoke
Central Cheshire	Doncaster West	North Stoke
South Sefton	Barnsley	Lincolnshire South West Teaching
South Liverpool	Bradford City	Derbyshire Dales and South Derbyshire
St. Helens	Huddersfield Central	Amber Valley
Knowsley	East Leeds	Rushcliffe
Middlesbrough	Eastern Wakefield	Nottingham City
Langbaurgh	South Leeds	West Lincolnshire
Sedgefield	Calderdale	Central Derby

Under-doctored PCT as at March 2003	*Under-doctored PCT as at March 2003*	*Under-doctored PCT as at March 2003*
North Tees	Leeds West	Greater Derby
Hartlepool	North Kirklees	Bassetlaw
Derwentside	Bedford	Newark and Sherwood
Easington	Luton	East Lincolnshire
Preston	Oldbury and Smethwick	Broxtowe and Hucknall
Chorley and South Ribble	Rowley, Regis and Tipton	North Eastern Derbyshire
West Lancashire	Wednesbury and West Bromwich	Gedling
Fylde	Dudley South	Ashfield
Blackburn with Darwen	Wolverhampton City	Mansfield District
Wyre	Dudley Beacon and Castle	Enfield
Blackpool	Eastern Birmingham	Havering
Hyndburn and Ribble Valley	Walsall	Redbridge
Burnley, Pendle and Rossendale	Heart of Birmingham	Barking and Dagenham
Stockport	Rugby	Hounslow
Heywood and Middleton	Coventry	Greenwich
North Manchester	North Warwickshire	Bexley
Bury	Harlow	Sutton and Merton
Central Manchester	Billericay, Brentwood and Wickford	West Wiltshire
Bolton	Witham, Braintree and Halstead Care Trust	Fareham and Gosport
Rochdale	Epping Forest	Isle of Wight
Salford	Castle Point and Rochford	Portsmouth City
Tameside and Glossop	Basildon	Canterbury and Coastal
Ashton, Leigh and Wigan	Southend On Sea	Medway
Oldham	Thurrock	Dartford, Gravesham and Swanley
North Lincolnshire	Tendring	East Kent Coastal
Yorkshire Wolds and Coast	Northampton	Swale
North East Lincolnshire	Hinckley and Bosworth	Ashford
West Hull	Northamptonshire Heartlands	Shepway
Eastern Hull	Eastern Leicester	Sussex Downs and Weald
North Tyneside	Southern Norfolk	Brighton and Hove City
Sunderland Teaching	Suffolk Coastal	Adur, Arun and Worthing
Gateshead	Waveney	Bexhill and Rother
South Tyneside	Great Yarmouth	Hastings and St. Leonards
South East Sheffield	East Staffordshire	Eastbourne Downs
	Cannock Chase	Slough

Drug Costs

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list the percentage change in the average cost of drugs purchased by the NHS in each year since 1997. [134396]

Ms Rosie Winterton: The average annual percentage increase in the average net ingredient cost per prescription item for drugs was 4.9 per cent. from 1997 to 1998, 9.0 per cent. from 1998 to 1999, 1.3 per cent. from 1999 to 2000, 3.0 per cent. from 2000 to 2001 and 6.5 per cent. from 2001 to 2002. The average annual increase between 1997 and 2002 was 4.9 per cent. (2.5 per cent. at 1997 prices). Data relate to prescription items dispensed in the community in England.

Edgware Hospital

Mr. Dismore: To ask the Secretary of State for Health if he will make a statement on Edgware Hospital development with particular reference to *(a)* what diagnostic services and equipment are to be provided, *(b)* how the hospital will fit into the primary care trust's intermediate care strategy and *(c)* what plans there are to improve cross health service border usage by residents in Brent and Harrow. [132578]

Mr. Hutton: The new Edgware Community Hospital is under construction and is due for completion in the summer of 2004. The capital cost of the project is £35.7 million. The new community hospital will have a range of services, including: out-patients for children and adults, including a range of therapy services, day surgery, x-ray, urgent treatment centre with walk-in centre, birth centre, intermediate care services and services for older people with mental health problems.

Barnet Primary Care Trust continues to develop intermediate care service, which provide support for people in their own home and also in patient and day hospital facilities. Edgware Community Hospital is integral to this strategy.

Emergency Services

Mr. Burstow: To ask the Secretary of State for Health how many hospitals provide *(a)* acute services and *(b)* 24 hour accident and emergency services in England. [133726]

Ms Rosie Winterton: In the year 2001–02, there were 187 acute trusts in England, each of which may include more than one hospital that provides acute services.

In the first quarter of 2003–04, there were 210 major accident and emergency departments in England offering 24-hour services. In addition, there were over 50 single-specialty departments and over 240 minor injury units/national health service walk-in centres.

Flexible Working

Chris Grayling: To ask the Secretary of State for Health what plans he has to increase *(a)* childcare options and *(b)* flexible working times for working mothers within the NHS. [133913]

Mr. Hutton: This Government recognise that to build quality services, the national health service relies upon the skill and dedication of staff, of whom over 70 per cent. are women.

Part-time working and extended maternity leave are well-established features of NHS employment, and have been for some time. However, as part of the drive to support all staff in the NHS, the NHS Plan, launched in July 2000 introduced the Improving Working Lives Standard, requiring a commitment by every NHS employer to offer a wide range of flexible employment opportunities by April 2003.

The NHS increasingly offers a wide variety of flexible working opportunities for all staff and supports this as a principle in all cases. A central requirement is to deliver practical measures which address the potential conflict between offering people the opportunity to work more flexibly and maintaining continuity of care on a 24 hours a day, seven days a week basis.

The NHS childcare strategy has provided central funding of over £70 million over three years to develop up to 150 extra on-site nursery facilities by 2004. So far, 140 nursery schemes, including both new and extensions to existing nurseries have been funded. Funding has been provided to help trusts and primary care trusts to employ childcare co-ordinators. The Government have committed a further £100 million to extend the NHS childcare strategy to ensure that the needs of all staff are met, including other forms of childcare for pre-school children and for older children, and to upgrade and subsidise existing NHS nurseries.

Food Advertising

Miss McIntosh: To ask the Secretary of State for Health (1) what plans he has to introduce restrictions on the advertisement of food products during children's television scheduling; [134840]

(2) what assessment he has made of the impact of television advertisements for *(a)* high fat, *(b)* high salt and *(c)* high sugar products on the health of children. [134839]

Miss Melanie Johnson: The regulation of advertising is the responsibility of Department for Culture, Media and Sport.

The Food Standards Agency (FSA) recently published a review on the promotion of foods to children, which concludes that

> ". . . this review provides sufficient evidence to show that food promotion can and is having an effect on children, particularly in the areas of food preferences, purchase behaviour and consumption."

Food is more commonly advertised to children than adults and the foods that are advertised tend to be high in fat, salt and/or added sugars. The majority of children's diets do not meet current dietary recommendations.

We very much welcome the thorough FSA review. The detailed report is receiving careful consideration. The FSA is holding a wider stakeholder meeting to discuss the implications of the research. We strongly encourage industry to act responsibly when promoting foo[illegible]particularly to children.

We are committed to improving the diets of children and have a range of action in place, including the reform of the Welfare Food Scheme, action within schools (such as the Food in Schools Programme), the Five-a-day Programme, including the National School Fruit Scheme and work with industry to address sugar, fat and salt levels in the diet (working with the FSA).

Food Standards

Mr. Jim Cunningham: To ask the Secretary of State for Health what regulations are in place governing *(a)* the quality and *(b)* the origin of meat served in restaurants. [133896]

Miss Melanie Johnson *[holding answer 27 October 2003]:* Meat sold for human consumption at retail or in catering establishments has to comply with the Food Safety Act 1990 and regulations made under the Act. These regulations require animals slaughtered in licensed slaughterhouses to undergo veterinary ante-mortem inspection, and their carcasses to be subjected to post-mortem inspection and health marked, if found fit for human consumption, under the supervision of an official veterinarian. There are no specific regulations dealing with origin of meat served in restaurants. However, if origin information is provided it must not be false or misleading.

Foundation Trusts

Chris Grayling: To ask the Secretary of State for Health what the total size is of the funding facility being made available by the Department of Health to meet capital bids by the first wave foundation trust applicants. [133185]

Mr. Hutton: There will not be a specific allocation of capital to the financing facility. Monies disbursed will be a function of the aggregate of each national health service foundation trust's ability to borrow under the Prudential Borrowing Code and not of centrally allocated budgets.

Ian Lucas: To ask the Secretary of State for Health whether an area specified by an applicant for foundation trust status under sub-section 3(1)*(a)* of Schedule 1 to the Health and Social Care (Community Health and Standards) Bill may include an electoral area in Wales. [133981]

Mr. Hutton: No. The areas for the public constituency in question will be limited to England. However, if a national health service foundation trust's constitution includes provision for patients or carers of patients to be members of the public constituency, patients of that NHS foundation trust living in Wales would be eligible to join.

GPs

Chris Grayling: To ask the Secretary of State for Health under what circumstances general practitioners can charge British citizens for a consultation. [132769]

Mr. Hutton: General practitioners may charge a British citizen for a consultation only if the patient is not registered with the GP's practice under the National Health Service.

Chris Grayling: To ask the Secretary of State for Health what requirement there is in the NHS for patients to be given prior notice of the retirement of their general practitioner. [132773]

Mr. Hutton: Regulations place a duty on primary care trusts to give notice to patients if their registered provider will no longer be able to provide services whether because of retirement or for other reasons.

Havering Primary Care Trust

John Cryer: To ask the Secretary of State for Health if he will make a statement on the progress of the Local Investment Finance Trust scheme within the Havering primary care trust area. [133275]

Mr. Hutton: The Barking and Havering Local Investment Finance Trust scheme selected its preferred bidder in May 2003 and plans to reach financial close shortly.

Health Inequalities

Mr. Andrew Turner: To ask the Secretary of State for Health what the average journey time is for patients to the nearest *(a)* general practitioner surgery, *(b)* dentist and *(c)* accident and emergency unit in each county south of the River Thames. [134875]

Ms Rosie Winterton *[holding answer 29 October 2003]:* The Department does not collect information on journey times to health services.

Health Services (North-West)

Mr. Evans: To ask the Secretary of State for Health how many dentists work in the NHS in the North West of England. [134894]

Miss Melanie Johnson: The number of dentists working in the national health service in the North West of England at 30 June 2003 is shown in the table.

Number of dentists working in the NHS in the North West of England at 30 June 2003

	North west region
General Dental Service (GDS)	2,281
Personal Dental Service (PDS)	127
Community Dental Service (CDS)	172
Salaried Service of the GDS	16
Total	2,596

Notes:

This data relates to 30 June 2003 except for CDS Dentists. The figures for CDS dentists are from 30 September 2001 which is the latest available data.

Dentists working in more than one dental service are included in each service, apart from dentists working in both the PDS and GDS who are counted in the GDS only.

Mr. Evans: To ask the Secretary of State for Health how many patients have been treated in hospitals in the North West in each year since 1992. [134985]

Miss Melanie Johnson: The information requested is shown in the table.

North West Region of Treatment (Y08)—count of finished in year admission episodes—NHS Hospitals 1992–93 to 2001–02

	Admissions
1992–93[1]	906,614
1993–94[1]	945,498
1994–95[1]	1,066,424
1995–96[1]	1,086,028
1996–97	1,677,755
1997–98	1,721,164
1998–99	1,792,784
1999–2000	1,821,111
2000–01	1,780,595
2001–02	1,667,105

[1] Change in organisation names and codes: previously known as North Western Regional Health Authority (YOP).

Note:

Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.

Source:

Hospital Episode Statistics (HES), Department of Health.

Health Strategy (Children/Adolescents)

Chris Grayling: To ask the Secretary of State for Health whether his Department contributed to the World Health Organisation's discussion forum on the planned strategy on the health of children and adolescents. [133923]

Dr. Ladyman: Yes. The Department was represented at the World Health Assembly meeting in May 2003 and the World Health Organisation's Regional Committee for Europe in September 2003, both of which discussed the development of a comprehensive strategy on the health of children and adolescents.

Hospital at Night Project

Chris Grayling: To ask the Secretary of State for Health when the first report on the Hospital at Night project is due to be completed. [133223]

Mr. Hutton: Information about the Hospital at Night project is currently available on the Configuring Hospitals website at www.doh.gov.uk/configuringhospitals. Further information will be made available on the site as the project progresses.

Chris Grayling: To ask the Secretary of State for Health which hospitals are participating in the Hospital at Night project. [133224]

Mr. Hutton: The following four sites are piloting the hospital at night concept across adult acute specialties:

Morecambe Bay National Health Service Trust.

Wirral Hospital NHS Trust.

Royal Liverpool and Broadgreen University Hospitals NHS Trust.

Homerton Hospital NHS Trust.

The methodology is being extended to maternity and paediatrics, and three pilots have been established:

South East London (a sector-wide pilot). This includes:

Bromley Hospitals NHS Trust
Guy's and St Thomas' Hospital NHS Trust
King's College Hospital NHS Trust
Queen Elizabeth Hospital NHS Trust
Queen Mary's Sidcup NHS Trust
The Lewisham Hospital NHS Trust
Newham Healthcare NHS Trust.
Morecambe Bay NHS Trust.

Hospital Machinery

Mr. Burstow: To ask the Secretary of State for Health how many *(a)* ultrasound machines, *(b)* gamma cameras, *(c)* x-ray machines and *(d)* CT scanners the NHS has, in which hospital trust each machine is situated; and what the age of each machine is. [132780]

Miss Melanie Johnson: There is no information held by the Department of Health concerning the location or age of ultrasound scanners or x-ray machines. The latest available published data on locations of gamma cameras is available from a survey carried out in 2000 and is published at: http://www/canceruk.net/reports/gammadata/gammadata.htm

There are currently 322 computed tomography (CT) scanners installed in the National Health Service in England.

A programme to provide an additional 50 machines was announced on 22 May 2003 as well as funding to support a programme of replacement over the next three years. We anticipate there will be approximately 375 CT scanners by the end of 2004, and by December 2006, no CT scanner will be older than 10 years.

The list of CT scanners currently installed has been placed in the Library.

Working Time Directive

Chris Grayling: To ask the Secretary of State for Health by what date NHS hospital trusts have to submit plans for the implementation of the European Working Time Directive changes due in 2004. [133222]

Mr. Hutton: National health service trusts have been asked to prepare fully costed and robust action plans to their respective strategic health authorities by 31 December 2003.

Hypertension

Chris Grayling: To ask the Secretary of State for Health how much funding his Department has contributed towards National Blood Pressure Testing Week 2003; and what targets have been set. [130112]

Miss Melanie Johnson: The Department of Health has agreed to contribute the majority of the costs for the Blood Pressure Association's National Blood Pressure Testing Week 2003.

We were aiming for a minimum of 70,000 individuals in England to have their blood pressure checked during the week, but early estimates based upon a random sample of testing stations suggest that the numbers tested were double this figure.

Besides the benefit to individuals of knowing their blood pressure numbers, the National Blood Pressure Testing Week helps to extend public and professional awareness of the problem of high blood pressure people through local and national media coverage and promotion of the event.

Chris Grayling: To ask the Secretary of State for Health what his Department is doing to help people with uncontrolled blood pressure. [130116]

Miss Melanie Johnson: Under the proposed new general medical services (GMS) contract general practitioners will be expected to produce a register of patients detailing the percentage with coronary heart disease whose notes have a record of blood pressure in the previous 15 months, and also the percentage of patients with coronary disease, in whom the last blood pressure reading (measured in the last 15 months) is 150/90 or less. The standard for records has indicators for the recording of blood pressure in patients aged 45 and over.

Additionally, the Department of Health is taking action to help prevent high blood pressure—through our work to improve diet, particularly to reduce salt in the diet, and to increase physical activity.

Infant Formula Milk

Mrs. Brooke: To ask the Secretary of State for Health what action he is taking to ensure that the Infant Formula and Follow-on Formula Regulations 1995 are being observed. [135036]

Miss Melanie Johnson *[holding answer 29 October 2003]:* Day to day enforcement of these regulations is the responsibility of local authority trading standards and environmental health services. Specific guidance on the enforcement of the regulations has been issued to local authorities by the local authorities co-ordinator of regulatory services. The Food Standards Agency routinely monitors and audits local authority food law enforcement services and provides specific advice on all aspects of food law enforcement, including these regulations, on request.

Integrated Care Records

Chris Grayling: To ask the Secretary of State for Health what estimate he has made of the impact of using the integrated care records system on the time general practitioners spend with patients. [134288]

Mr. Hutton: The package of new information technology applications and systems will greatly reduce the requirement for general practitioners to chase test results, referral letters, appointments, process non-standard summaries and information around prescriptions. The wasted time through patients failing to attend appointments will also be reduced.

There are significant efficiency opportunities for GPs, and the high degree of computerisation across GP practices already collects and maintains much of the data that will become standard.

The overall result will not be a reduction in the time GPs have available to spend with their patients. Indeed, the availability of accurate and up-to-date information

through the integrated care records service will improve the quality of care that GPs are able to provide to their patients.

Medical Staff

Chris Grayling: To ask the Secretary of State for Health how many *(a)* general practitioners, *(b)* hospital doctors and *(c)* consultants in London are over (i) 45 and (ii) 55; and what proportion of the total these figures represent. [133739]

Mr. Hutton: The number of general practitioners, hospital doctors and consultants in London broken down by age is shown in the table.

Hospital, Public Health Medicine, Community Health Services (HCHS) and General and Personal Medical Services: General practitioners, medical and dental consultants and hospital doctors
England, as at 30 September 2002 *numbers (headcount)*

		of which:		of which:
	All Doctors	*General Practitioners*	*HCHS Doctors*	*Consultants*
All age-bands	19,990	4,727	15,263	5,491
Under 30	3,823	187	3,636	—
30–34	3,667	559	3,108	91
35–39	3,242	646	2,596	982
40–44	2,637	750	1,887	1,310
45–49	2,063	654	1,409	1,086
50–54	1,858	713	1,145	895
55–59	1,538	630	908	682
60–64	831	357	474	364
65–69	281	201	80	68
70 and over	50	30	20	13
Percentage aged 45 or over	33.1	54.7	26.4	56.6
Percentage aged 55 or over	13.5	25.8	9.7	20.5

Sources:
Department of Health medical and dental workforce census.
Department of Health General and Personal Medical Services Statistics.

Mental Health

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the efficiency of each Mental Health Review Tribunal English administrative office; and if he will make a statement. [134196]

Ms Rosie Winterton: Each Mental Health Review Tribunal office was examined in detail during the Robert Lee review. Robert Lee reported that each office had regional variations in efficiency and practice, linked to their geographical position and workload.

The benefits of consolidating the regional offices into one model across two closely linked centres, chime with those set out in the review of tribunals and the independent review of the Mental Health Review Tribunal administration.

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the benefits of establishing a single English administrative office of the Mental Health Review Tribunal; and if he will make a statement. [134197]

Ms Rosie Winterton: In 2001, Sir Andrew Leggatt reported to the Lord Chancellor on his review of tribunals. His recommendations included a central administration for all tribunals.

In early 2002, Robert Lee undertook a review of the administration of the Mental Health Review Tribunal (MHRT). He reported in October, and a key recommendation was to reduce the four MHRT offices to one in order to support consistency of practice, systems and use of resources.

Both reports supported a single administration. Current plans are to rationalise the service over two centres in London. Benefits will be:

- consistency of approach to the management and listing of cases;
- better and more flexible use of staff and judicial resources; and
- assurance for the Secretary of State for Health that his statutory obligations are met.

Mr. Burstow: To ask the Secretary of State for Health what factors underlay *(a)* the decision to maintain the two London offices of the Mental Health Review Tribunal and *(b)* the timing of the reorganisation; and if he will make a statement. [134198]

Ms Rosie Winterton: The decision to consolidate the administration in the two London offices is based upon the availability of suitable accommodation and the retention of as much staff expertise as possible.

The timing is part of a project plan to deliver the consolidation of the administrative model by the end of this financial year.

Tim Loughton: To ask the Secretary of State for Health what his policy is on access to patient records by patients with mental illnesses. [134807]

Ms Rosie Winterton: Access to patient records by any patient, regardless of whether they are mentally ill, must be in accordance with the provisions of the Data Protection Act 1998.

Tim Loughton: To ask the Secretary of State for Health what his policy is on access to mental health records of patients by voluntary sector bodies providing care to those patients. [134808]

Ms Rosie Winterton: Access to mental health records by voluntary sector bodies must be in accordance with the Data Protection Act 1998, common law obligations of confidentiality and other relevant legislation.

Midwifery

Mrs. Mahon: To ask the Secretary of State for Health how many student nurses and midwives who left their courses in each year since 2000 as a result of pregnancy did not return after maternity absence. [133013]

Mr. Hutton: The information requested is not available centrally.

Mrs. Mahon: To ask the Secretary of State for Health what would be the annual cost nationally of *(a)* continuing the bursary for student midwives who have babies during their studies, *(b)* paying statutory maternity pay to these students and *(c)* paying maternity allowance to them. [133014]

Mr. Hutton: The Department does not collect information on the number of student midwives who suspend their training as a result of pregnancy. It is not, therefore, possible to assess the cost of continuing to pay bursaries to such students. Similarly, and although students in general are not eligible for either statutory

maternity pay or maternity allowance (these being dependent on a woman satisfying qualifying conditions based on employment and earnings), it is not possible to estimate the notional cost of paying either of these to any group of national health service-funded students.

Mrs. Mahon: To ask the Secretary of State for Health how many student midwives and nurses enrolled on diploma and degree courses between 2000 and 2003; how many student midwives and nurses took maternity leave within that period; and how many diploma students, who took maternity absence, were required to repay part of their bursary. [133015]

Mr. Hutton: During the period 2000–01 to 2002–03 the national health service commissioned a total of 67,020 nursing and midwifery training places, including post-registration places for those qualified nurses training in midwifery as a second professional registration.

The Department does not collect information on the number of student nurses and midwives who withdraw from or suspend their training as a result of pregnancy.

Mrs. Dean: To ask the Secretary of State for Health (1) what estimate he has made of the number of midwives needed per 100,000 of the population to provide proper safety for mothers and their babies; [133088]

(2) how many midwives per 100,000 of the population there are in *(a)* the East Staffordshire Primary Care Trust area and *(b)* England. [133089]

Mr. Hutton: The Government has not made any assessment of the number of midwives needed per 100,000 population. The Government expects there to be 2,000 more midwives being employed in the National Health Service in 2006 than there were in 2000. Since 2000, there has already been an increase of 680 midwives in the NHS. As at September 2002, there were 23,249 midwives.

Information on staff in post figures for primary care trust areas is not available. Information on the number of midwives per 100,000 population in England and Shropshire and Staffordshire Strategic Health Authority is shown in the table.

Midwives employed in the NHS per 100,000 population as at September 2002

	Headcount	*Whole-time equivalents*
England	47	37
Shropshire and Staffordshire SHA	44	34

The Department funded the Royal College of Midwives to produce Birthrate Plus, a tool for assessing workforce requirements in maternity units. It is for individual units and trusts to decide whether to use it.

Mrs. Dean: To ask the Secretary of State for Health how many places are available for midwifery training; and if he will make a statement. [133090]

Mr. Hutton: In 2002–03, there were 1,433 pre-registration training places for midwifery; a further 677 nurses entered training for a second qualification as a midwife. The Government is committed to increasing the number of training places for midwifery; the NHS Plan pledged that, by 2004, there would be 5,500 more students entering training for a first qualification to become a nurse or midwife than in 1999. Since 1999–2000, there has been an overall increase of 4,249 towards the target, including 418, or 41 per cent., more midwifery training places.

National Staff Survey

Chris Grayling: To ask the Secretary of State for Health when he will publish the results of the national staff survey. [133929]

Ms Rosie Winterton: The Commission for Health Improvement is expected to publish the results of the national survey in February 2004.

NHS Estate

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 14 October 2003, *Official Report*, column 52W, on the NHS Estate and health and safety, how many *(a)* beds and *(b)* patients are normally accommodated within the floor area concerned. [134067]

Mr. Hutton *[holding answer 27 October 2003]:* This information is not collected in the format requested.

NHS Senior Management

Mr. Norman: To ask the Secretary of State for Health how many NHS trust chief executives there are in England and Wales, broken down by *(a)* sex, *(b)* background in medicine, *(c)* background in nursing, *(d)* background in a profession allied to medicine, *(e)* ethnic minority and *(f)* disability. [133514]

Mr. Hutton: There are currently 619 national health service trust chief executives in England, of whom 393 are male and 226 are female. Chief executives are not obligated to supply information on their ethnic group, nor on their background. The available information is shown in the tables. The Department does not hold information on disability of NHS trust chief executives.

Information for Wales is a matter for the devolved administration.

1. NHS trust chief executives by ethnic group

	Headcount
Total	619
White UK	348
White other	9
Asian	2
Not given	260

2. NHS trust chief executives by background

	Headcount
Total	619
Medical	10
Nursing	24
Clinical other	11
Previous NHS managerial	134
Public sector	34
Private sector	18
Voluntary sector	5
Finance	21
Not given	362

NHS Spending Limits

Chris Grayling: To ask the Secretary of State for Health what total capital spending limits are set for the NHS in the next three years. [133184]

Mr. Hutton: The table shows the net national health service capital expenditure plans for 2004–05 to 2006–07 (England).

Total net NHS capital expenditure plans[1], England 2004–05 to 2006–07

£ billions

	Capital expenditure
2004–05	[2] 3.4
2005–06	[2] 4.4
2006–07	[2] 5.2

[1] Plans as announced by the Chancellor in the Budget, 2002.
[2] Plan.

NHS University

Helen Jones: To ask the Secretary of State for Health (1) what assessment he has made of the impact on the recruitment and retention of NHS staff which would occur if the NHS University were to require its students to pay tuition fees; [133887]

(2) for which courses the NHS University is considering charging tuition fees; and what the expected level of such fees is; [133888]

(3) what discussions his Department has held with *(a)* NHS human resources managers and *(b)* trade unions about the impact which charging tuition fees for NHS University courses would have on workforce development; and if he will make a statement. [133889]

Mr. Hutton *[holding answer 27 October 2003]:* The National Health Service University (NHSU) will provide additional high quality learning opportunities at all levels for people working in health and social care. It will not generally levy charges on students for the learning opportunities offered in its initial roll-out phase. The NHSU is currently working with local employers and commissioners, through strategic health authorities, to develop its longer-term business model, and expects to attract income from a wide range of public and private sources. Any decision to levy charges on NHS staff will take account of the need to increase and widen access to education and training within health and social care. There will be appropriate consultation on these matters with all the relevant stakeholders, including employers in the sector and trades unions.

NHS Waiting Lists

Chris Grayling: To ask the Secretary of State for Health how many people have been removed from NHS waiting lists in each of the past three years because *(a)* they have died and *(b)* they have been admitted as an emergency for the same condition. [133247]

Mr. Hutton: I refer the hon. Member to the reply I gave him on Thursday 22 May 2003, *Official Report*, column 971W.

Nurse Training

Chris Grayling: To ask the Secretary of State for Health how much *(a)* time and *(b)* weighting is placed on hygiene and cleanliness in the standard training programme for an NHS nurse. [132308]

Mr. Hutton: Information on the time and weighting of hygiene and cleanliness training in pre-registration courses is not held centrally.

Pre-registration nursing education programmes are jointly approved by the regulator, the Nursing and Midwifery Council (NMC), and the relevant higher education institution. While the content must meet NMC and EU requirements, additional content may be included to reflect the employment needs of the local service providers. The current curriculum provides a grounding in nursing that would be progressed by undertaking post-registration training.

Nursing and Midwifery Council

Annabelle Ewing: To ask the Secretary of State for Health how many full-time staff were employed by the Nursing and Midwifery Council in each year since 2000; how many of these staff were deployed in processing *(a)* European applications and *(b)* other applications; how many applications were received in each year since 2000; what the average length of time was for dealing with applications received in each year since 2000; and how many applications received in each year since 2000 were not dealt with within this average length of time. [132886]

Mr. Hutton: The Department does not collect this information. The Nursing and Midwifery Council is responsible for publishing information about its performance.

Annabelle Ewing: To ask the Secretary of State for Health if he will provide a breakdown by country of the applications *(a)* received and *(b)* rejected by the Nursing and Midwifery Council in each year since 2000. [132889]

Mr. Hutton: The Department does not collect this information. The Nursing and Midwifery Council is responsible for publishing information about its performance on applications it has received for registration and its decisions on those applications.

Paddington Health Campus Project

Mr. Randall: To ask the Secretary of State for Health what costs have been incurred by the Paddington Health Campus project on external consultants and advisers in each of the financial years since its inception. [132566]

Mr. Hutton: A total of £3.177 million has been spent to 31 March 2003 on advisers' fees for planning the Paddington Health Campus.

£1.479 million was spent on fees until October 2000 by the former Kensington and Chelsea and Westminster Health Authority (on behalf of the West London Partnership Forum) to provide a strategic outline case and an outline business case. These costs include fees forthe town planning application submissions necessary as a component of this process.

£231,000 was spent on fees between October 2000 and March 2001 by St Mary's Hospital National Health Service Trust on behalf of the Paddington Heath Campus project, whose partner organisations are St Mary's, the Royal Brompton and Harefield NHS Trust and Imperial College London.

£520,000 was then spent on fees in the financial year 2001–02 and £947,000 in 2002–03.

Patient Forums

Chris Grayling: To ask the Secretary of State for Health (1) what the results have been of the campaign to recruit members of the public for patient forums; [133927]

(2) how many of the patient forums he expects to have a full quota of members by 1 December 2003. [133928]

Ms Rosie Winterton: The programme of recruitment to the patients' forums is still under way. We understand the national and local advertising campaigns have elicited a large number of applications, which are currently being processed by the Commission for Patient and Public Involvement in Health (CPPIH).

The CPPIH is on track for achieving full forum coverage by 1 December 2003.

Pharmacies

Brian Cotter: To ask the Secretary of State for Health what framework regulates *(a)* mail order and *(b)* internet based pharmacies; what monitoring his Department undertakes of their activities; and if he will make a statement. [135397]

Ms Rosie Winterton *[holding answer 30 October 2003]:* Mail order and internet-based pharmacies are governed by the provisions of the Medicines Act 1968 and, if they provide national health service pharmaceutical services, by the NHS Act 1977. The Medicines and Healthcare products Regulatory Agency (MHRA) is responsible for enforcing the provisions of the Medicines Act and related legislation which regulate the sale and supply of medicines. The MHRA does not routinely monitor internet-based pharmacies. However, its enforcement group investigates any allegations of illegal activity of which it is made aware.

In addition, the Royal Pharmaceutical Society of Great Britain is responsible for inspecting all pharmacy premises for registration purposes under the Medicines Act, including mail-order and internet based pharmacies. Its code of ethics and standards sets out the further professional standards required of remote delivery and on-line pharmacy services including safe and secure transportation and delivery of medicines, patient confidentiality, provision of information and advice and record keeping.

Portable Oxygen Cylinders

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 2 October 2003, *Offical Report*, col. 1334W, on medical equipment how many portable oxygen cylinders have been purchased for *(a)* England, *(b)* each strategic health authority and (c) each NHS trust under the contract; and if he will make a statement. [132508]

Miss Melanie Johnson: The national contract is for the rental of portable oxygen cylinders, rather than the purchase. In 2002, a review revealed 18,000 cylinders from the contract were in place in National Health Service trusts in England. Information is not held centrally for each NHS trust or strategic health authority.

Primary Care Trusts

Tim Loughton: To ask the Secretary of State for Health if he will make a statement on the impact on the Adur, Arun and Worthing primary care trust area of his Department's health policies since 1997, expressed *(a)* in total terms and *(b)* by expenditure by head of population compared with equivalent national average figures. [134780]

Ms Rosie Winterton: Figures are provided for Adur, Arun and Worthing Primary Care Trust (PCT) and in total for all PCTs in England in 2002–2003.

It is not possible to provide any historic figures due to the re-organisation of the National Health Service. The Adur, Arun and Worthing PCT has only been in existence for the one year 2002–03.

Total commissioning expenditure and expenditure per resident head of population is shown—weighted population figures are not available for PCT areas. It should also be noted that the individual and national figures are not directly comparable because the strategic health authorities would have differing commissioning policies in different areas.

Commissioning Net Operating Costs 2002–2003

	Expenditure in total per head (£000)	*Expenditure per head (£)*
Adur, Arun and Worthing PCT	209,560	968.45
PCTs (England)	42,387,867	865.62

Note:
2002–03 data remains provisional.
Sources:
Primary care trust audited summarisation schedules 2002–03.
Primary Care Organisations—Resident Populations.

Risk Management

Chris Grayling: To ask the Secretary of State for Health which hospital trusts have achieved *(a)* CNST Level 3 and *(b)* a lower level of compliance. [132383]

Ms Rosie Winterton: Information on the levels of compliance for the clinical negligence scheme for trusts, as at 31 March 2003, published by the Commission for Health Improvement has been placed in the Library.

Chris Grayling: To ask the Secretary of State for Health which NHS hospital trusts *(a)* do and *(b)* do not have a current risk management/quality control system in place. [132384]

Mr. Hutton: All national health service trusts have risk management and internal control systems in place.

As part of statutory reporting, chief executives are required to sign a statement on behalf of their board to the effect that they have reviewed the effectiveness of the system of internal control. This statement is published in the annual report and accounts of every NHS organisation.

School Meals

Chris Grayling: To ask the Secretary of State for Health what percentage of 4 to 7-year-olds are entitled to participate in the national school fruit scheme; and when he expects this scheme to be in place for all children. [133910]

Miss Melanie Johnson: The national school fruit scheme will entitle every child aged four to six in local education authority schools to a free piece of fruit each school day. Children aged seven or three will also receive fruit where they share classes with children aged six or four. Region-wide pilots for the scheme have been introduced so far in four of the nine English regions, with funding from the New Opportunities Fund, and nearly half of all eligible children in England are in schools that are participating in the scheme. We are examining the practicalities of the scheme through these pilots before rolling it out nationally next year.

Severance Payments

Chris Grayling: To ask the Secretary of State for Health how many severance payments in excess of *(a)* £500,000 and *(b)* £700,000, including all benefits, have been made to NHS executives serving in the areas covered by the Surrey and Sussex and South West London strategic health authorities in the past 12 months. [132385]

Mr. Hutton: The information requested is not held centrally.

Sight Tests

Tim Loughton: To ask the Secretary of State for Health how many free sight tests were given to *(a)* pensioners, *(b)* children and *(c)* others in (i) West Sussex and (ii) England in each year since 1997. [134779]

Ms Rosie Winterton: The table shows the number of National Health Service sight tests paid for in West Sussex Health Authority for 1997–98 to 2002–03. Figures for the number of sight tests by age are not collected centrally. The table shows the number of sight test in the categories "children aged 0 to 15" and "patient aged 60 and over".

Eligibility to NHS sight tests was extended to those aged 60 and over from 1 April 1999. There was an increase of 2.4 million sight tests between 1998–99 and 1999–2000 in England. It is fair to assume that the vast majority of this increase was due to newly eligible people aged 60 or over obtaining NHS sight tests.

However, some patients aged 60 and over will be eligible for sight tests for other reasons as well, for example, on income grounds. The classification for such patients will depend on the patient and the practitioner. The increase in the number of sight tests for those over 60 may therefore reflect an increasing awareness of the eligibility of over 60s.

General Ophthalmic Services: Number of sight tests paid for in West Sussex Health Authority and England for the year's 1997–98 to 2002–03

Thousands

Year	*Sight tests for children 0 to 15*	*Sight tests for those aged 60 and over*	*Sight tests for other categories*	*Total number of sight tests*
West Sussex				
1997–98	34.0	-	-	95.4
1998–99	39.1	-	-	97.3
1999–2000	34.5	73.7	41.0	149.3
2000–01	36.5	77.4	40.5	154.4
2001–02	36.5	84.2	31.6	152.3
2002–03	30.7	89.5	34.8	155.0
England				
1997–98	2,385.5	-	-	6991.3
1998–99	2,458.9	-	-	6992.3
1999–2000	2,425.7	3,301.4	3,672.3	9399.4
2000–01	2,404.0	3,753.3	3,409.8	9567.1
2001–02	2,374.9	4,013.0	3,419.5	9807.4
2002–03	2,284.4	4,135.7	3,242.0	9662.1

Note:
Data on eligibility category is derived from a 2 per cent. sample.

Smoking

Chris Grayling: To ask the Secretary of State for Health what the incidence of smoking is in the UK, broken down by ethnic origin. [133246]

Miss Melanie Johnson: The information is not available in the form requested. The available data are shown in the table.

Prevalence of cigarette smoking amongst adults aged 16 and over, by minority ethnic group—England 1999

Cigarette smoking status (self reported)	*Black Caribbean*	*Indian*	*Pakistani*	*Bangladeshi*	*Chinese*	*Irish*	*General population*
Men							
Current cigarette smoker	35	23	26	44	17	39	27
Ex-regular cigarette smoker	18	12	7	10	18	29	31
Never regular cigarette smoker	47	65	67	46	65	32	42
Women							
Current cigarette smoker	25	6	5	1	9	33	27
Ex-regular cigarette smoker	11	1	1	1	3	25	22
Never regular cigarette smoker	64	93	94	98	88	42	52

Source:
Department of Health report: 'Health Survey for England—The Health of Minority Ethnic Groups 99' (adapted from table 4.1).
Available from the internet at:
http://www.archive.official-documents.co.uk/document/doh/survey99/hse99-t4-1.htm

Chris Grayling: To ask the Secretary of State for Health where the smoking cessation co-ordinators in post at 31 March 2002 were based; and how many smoking cessation co-ordinators are in post. [133914]

Miss Melanie Johnson: On 31 March 2002, there were 109 smoking cessation co-ordinators (whole time equivalent) in post in the former health authorities. Further information is not available.

Chris Grayling: To ask the Secretary of State for Health how much funding has been allocated for the campaign to highlight the dangers of smoking *(a)* in 2003–04 and *(b)* 2004–05. [133915]

Miss Melanie Johnson: To date, a total of £24,103,130 has been committed to the tobacco information campaign in 2003–04. The final total for this year is not yet available and the sum allocated for 2004–05 has not been set.

Private Patients

Mr. Dobson: To ask the Secretary of State for Health what the total amount invoiced to private patients by NHS trusts was in each of the last five years. [135911]

Mr. Hutton: The Department does not keep any information relating to such invoices.

Social Care

Tim Loughton: To ask the Secretary of State for Health what the running cost of the General Social Care Council was in each of the last five years. [134809]

Dr. Ladyman: The General Social Care Council has only been in operation since October 2001. Its operating costs were £4,034,000 in the financial year 2001–02 and £9,786,000 in the financial year 2002–03, its first full year of operation.

Tim Loughton: To ask the Secretary of State for Health how many people are employed by the General Social Care Council. [134810]

Dr. Ladyman: The General Social Care Council currently employs 119 members of staff: 113 full-time and six part-time.

Waiting Lists

David Davis: To ask the Secretary of State for Health how many people were on in-patient waiting lists for *(a)* Hull Royal Infirmary and *(b)* Castle Hill Hospital in the last month for which figures are available. [132524]

Miss Melanie Johnson *[holding answer 16 October 2003]:* Information relating to individual hospital sites is not held centrally. However, as at 31 August 2003, 10,349 patients were waiting for elective inpatient admission at the Hull and East Yorkshire Hospitals National Health Service Trust, none of whom had been waiting for more than 12 months.

Source:
Department of Health.

Chris Grayling: To ask the Secretary of State for Health if he will list hospital trusts in London which have experienced an increase in *(a)* in-patient, *(b)* out-patient and *(c)* total waiting lists in the past two years. [133746]

Mr. Hutton: Information is not collected centrally on the total out-patient waiting list in London. National health service trusts which have shown an increase in their elective in-patient admission waiting lists are shown in the table.

NHS Trusts within London who have shown an increase in their elective in-patient admission list in comparison with their over 12 month waiters

	August 2001		*August 2003*		*Difference over time*	
NHS trusts	*Total list*	*Over 12 month waiters*	*Total list*	*Over 12 month waiters*	*Total list*	*Over 12 month waiters*
Barnett & Chase Farm Hospitals NHS Trust	7,575	601	8,513	0	938	-601
Bromley hospitals NHS Trust	5,576	147	5,610	0	34	-147
Chelsea & Westminster Hospitals NHS Trust	2,873	52	2,927	0	54	-52
Hammersmith Hospitals NHS Trust	5,592	179	6,314	0	722	-179
Hillingdon Hospital NHS Trust	2,136	34	2,171	0	35	-34
Lewisham Hospital NHS Trust	3,839	400	3,927	0	88	-400
Queen Elizabeth Hospital NHS Trust	2,564	0	3,302	0	738	0
Royal Marsden Hospital NHS Trust	83	0	291	0	208	0

Waiting Times

Mr. Burstow: To ask the Secretary of State for Health if he will list the *(a)* average and *(b)* maximum waiting time in (i) England, (ii) each strategic health authority and (iii) each NHS trust for CT scans in each of the last six years. [132781]

Miss Melanie Johnson: Data is not collected centrally on waiting times for computed tomography (CT) scans. The length of time that a patient may have to wait for a scan is dependent on their clinical condition. Emergency cases need to be seen immediately. Other cases will be carried out as quickly as possible, dependent on the clinical priority of all patients waiting to be scanned.

Where a CT scan forms part of the diagnostic process for a patient urgently referred with suspected cancer, this will be covered by the target of a maximum two months wait from urgent referral to first treatment, which will be in place for all cancers by the end of 2005.

The Cancer Capital Modernisation Fund and the NHS Cancer Plan has provided funding for 200 new and replacement CT scanners to increase the capacity of diagnostic services by 2004.

Written Answers to Questions

Tuesday 4 November 2003

CULTURE, MEDIA AND SPORT

Television (Rural Areas)

Mr. Peter Duncan: To ask the Secretary of State for Culture, Media and Sport whether she plans to change her policy on the self-help scheme to provide assistance for rural residents outside the reach of analogue television signals. [135268]

Estelle Morris: We recognise the benefit of existing analogue self help schemes in extending terrestrial television to rural communities not reached by the broadcasters' television transmitters. These schemes continue to be licensed by my Department. We will be considering the potential of self help schemes to enable communities to receive digital television services in the context of on-going work under the Digital Television Action Plan.

Mr. Peter Duncan: To ask the Secretary of State for Culture, Media and Sport what her plans are for those rural areas that will be unable to receive analogue television signals in 2010. [135269]

Estelle Morris: The Government are committed to ensuring that terrestrial analogue broadcasting signals are maintained until: everyone who can currently get the main public service broadcasting channels in analogue form (BBC1, BBC2, ITV, Channel 4/S4C and Five) can receive them on digital systems; switching to digital is an affordable option for the vast majority of people; and as a target indicator of affordability, 95 per cent. of consumers have access to digital equipment. A Digital Television Action Plan is already in place, designed to deliver these pre-conditions for switching off analogue terrestrial transmissions. A copy of the Action Plan is available at www.digitaltelevision.gov.uk.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Culture, Media and Sport how much *(a)* electricity and *(b)* other energy her Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans she has to reduce usage; and if she will make a statement. [135049]

Mr. Caborn: The figures for the Department for Culture, Media and Sport for years 1997 to 2002 were provided to the hon. Member by the Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs my hon. Friend the Member for Exeter (Mr. Bradshaw), on 3 November 2003, *Official Report*, columns 403–06W.

In the year 2003 the Department anticipates that it will use 415,000 KWH of electricity and 346,000 KWH of gas.

Consumption Figures in Kilowatt hours per square metre are 313 for electricity and for 260 gas.

In year 2004 the Department anticipates that it will use 4,450,000 KWH for electricity and 346,000 for gas.

Consumption figures per square metre would then be 335 for electricity and 260 for gas.

The Department is initiating energy audits and is working with Office of Government Commerce contractors to reduce consumption.

Ministerial Visits

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if she will list visits made by ministers in her Department in England in each of the last five years, broken down by constituency. [135524]

Mr. Caborn: The information requested could be provided only at disproportionate cost.

Olympic Games

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what funding has been made available to British sportsmen and women in preparation for the Olympic Games in Athens in 2004. [135831]

Tessa Jowell: Funding to our elite sportsmen and women is provided from the National Lottery. The Government committed £100 million to support elite British Sportsmen and women in the four-year period from the Sydney to the Athens Olympics. This commitment maintains the level of lottery funding to elite athletes at the same level in the run up to the Athens Olympics as was provided in the run up to the Sydney Games.

Mr. Sanders: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with disability groups on the involvement of disabled people in planning for the 2012 Olympic Games bid. [135841]

Tessa Jowell: Arrangements for holding the Paralympic Games form an important and integral part of hosting the Olympic Games. London 2012 is responsible for preparing the London Olympic bid and has appointed Mike Brace, Chairman of the British Paralympic Association, as a member of its board. Disability groups have been in contact with my officials about ensuring the London Olympic bid is inclusive and delivers a sustainable legacy.

Television Licence Fee

Mr. Peter Duncan: To ask the Secretary of State for Culture, Media and Sport how much was paid in television licence fees by residents of Dumfries and Galloway in the last year for which figures are available. [135254]

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport how much was paid in TV licence fees by residents of Chorley parliamentary constituency in each of the last five years. [135522]

Estelle Morris: The information requested is not available, since TV Licensing, who administer the television licensing system for the BBC, do not maintain statistics of television licence sales and revenues by locality.

Mr. Peter Duncan: To ask the Secretary of State for Culture, Media and Sport what percentage of television licence fee holders in *(a)* Dumfries and Galloway, *(b)* Scotland and *(c)* the UK are able to receive (i) all five terrestrial television channels and (ii) Freeview. [135260]

Estelle Morris: The ITC and BBC advise that the available estimates of terrestrial television coverage are as follows:

	UK households	*Scotland households*
Analogue BBC1, BBC2, ITV, Channel 4	99.4	98.1
Analogue Five	80	[1]
Freeview digital terrestrial television (all multiplexes)	73.1	80.5

[1] Estimate not available

Further details of Five analogue terrestrial television coverage can be found at the website: www.five.tv and details of digital terrestrial television coverage at: www.dtg.org.uk and www.freeview.co.uk.

TRANSPORT

RAF Lyneham

Mr. Laurence Robertson: To ask the Secretary of State for Transport what steps he is taking to increase air freight traffic through Lyneham; and if he will make a statement. [135023]

Mr. Ingram: I have been asked to reply.

I have taken the hon. Member's question to refer to civilian freight traffic. No steps have been taken to increase such traffic through RAF Lyneham; requests are considered on a case-by-case basis and are fulfilled on repayment terms, using irreducible spare capacity at the Station.

Air Travel

Mr. Maude: To ask the Secretary of State for Transport what estimate he has made of the total demand for air travel in the UK in 2060, expressed as a multiple of the present number of passengers using Heathrow, on the basis of the forecast rates of growth used to calculate the economic benefits of various runway options in the consultation on the Future of Air Transport. [135187]

Dr. Howells: The forecasts presented in the consultation document, "The Future Development of Air Transport in the United Kingdom: South East", 2002, extended to 2030. No forecast has been made of the total demand for air travel in the UK in 2060. However, for the purposes of the analysis of economic benefits of runway options, the forecasts were projected forward to 2060, assuming a 50 per cent. increase in demand from 2030 to 2060.

Mr. Maude: To ask the Secretary of State for Transport pursuant to the answer of 11 September 2003, *Official Report*, column 373W, on air travel, what estimate has been made of the percentage change in the cost of air travel from 2000 to 2030, if no new runways were to be built in the UK. [135218]

Dr. Howells: The mid point forecasts in the consultation document: The Future Development of Air Transport in the United Kingdom-South East, assumed an underlying trend reduction in air fares of 1 per cent. per annum. In addition to this, if no new runways were built in the South East, passengers at Heathrow would pay a fare premium of £67.50 on a single journey in 2030. This fare premium would be higher if airport capacity outside the South East was also constrained, but no estimate has been made of this. The combined effect of these two factors would be an 18 per cent. increase in the cost of air travel in this case.

Airport Infrastructure

Mr. Challen: To ask the Secretary of State for Transport what *(a)* financial and *(b)* other support his Department will provide for new airport infrastructure, including associated transport links. [135651]

Mr. McNulty: The question of Government support for any new airport infrastructure is being considered in the context of decisions about future development. In our consultation, we invited views on the use of public money to support airport development and surface transport links, and we are analysing the responses. We will set out our policy in the air transport White Paper.

Deep Vein Thrombosis

Mr. Kidney: To ask the Secretary of State for Transport what funding the Government have contributed to the World Health Organisation's research into deep vein thrombosis; and what progress has been made in the research. [135477]

Mr. McNulty: To date, the Government have contributed approximately £400,000 to the WHO research project. We expect our total contribution to be in excess of £1.1 million. Epidemiological studies are being carried out in the Netherlands: two at the Leiden University Medical Centre and one at the Amsterdam Medical Centre. Clinical and physiopathological studies are being carried out in the UK.

At the Leiden centre, work is well advanced on the cohort study among business travellers, following a successful pilot study of the employees of an international company in Switzerland. The proposed methodology for the case-control study among frequent travellers was also piloted. However, for technical reasons an alternative methodology has been proposed, which I understand the Scientific Executive Committee responsible for the research protocols has approved in principle. At the Amsterdam centre, following extensive planning and preparation, the first test of the travel and non-travel immobility study will start shortly. This will comprise an eight-hour flight before, during and after which blood samples from volunteer passengers will be drawn for examination. Further tests will be carried out

on the same volunteers to assess their clinical response to eight hours immobility, without travel, and eight hours engaged in normal activities.

The other stream of the research, examining the effects of hypobaria and hypoxia on the risk of deep vein thrombosis, is already under way under the auspices of Leicester University. Hypobaric chamber tests are being carried out at the aviation medical facilities at RAF Henlow to examine the effects of reduced atmospheric pressure on the cardio-vascular systems of volunteers seated for eight hours.

The World Health Organisation is due to publish the results of the research at the end of 2004 or early 2005.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for Transport how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135059]

Mr. McNulty: In respect of *(a)* and *(b)* I would refer the hon. Member to the answer given by the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw) on 3 November 2003, *Official Report*, columns 403–08W.

Energy management is delegated to local energy managers who are responsible for assessing usage and tailoring procurement decisions and awareness campaigns accordingly.

The Department is committed in its Greening Operations Policy Statement to reducing energy usage. The Department will communicate with staff and contractors about environmental policies and best practice and continue with office equipment 'switch off' and other energy awareness campaigns.

Airports Consultation

Mr. Randall: To ask the Secretary of State for Transport (1) whether the report of the Inspector of the Terminal 5 Inquiry at Heathrow is included as part of the consultation into Future Development of Air Transport in the UK; [135291]

(2) if he will uphold the recommendations of the Inspector for the Heathrow Terminal 5 Inquiry in the forthcoming Aviation White Paper. [135292]

Mr. McNulty: In his decision of 20 November 2001 on the Heathrow Terminal 5 planning application, the then Secretary of State for Transport, Local Government and the Regions said that matters about the future of Heathrow airport (other than his decision on Terminal 5) would be for the review of airports policy and this would take account of the Inquiry Inspector's comments.

Paragraph 7.2 of "The Future Development of Air Transport in the United Kingdom: South East" consultation referred to the approval for Terminal 5 at Heathrow.

Mr. Randall: To ask the Secretary of State for Transport whether nitrogen dioxide is assessed as a relevant pollutant in section 7.29 of the Government's consultation paper The Future Development of Air Transport in the United Kingdom. [135293]

Mr. McNulty: Yes.

M5 (Roadworks)

Mr. Flook: To ask the Secretary of State for Transport if he will list the *(a)* current and *(b)* projected roadworks on the M5 motorway between Bristol and Tiverton; and how long each section of work is expected to take. [135423]

Mr. Jamieson: I have asked the Acting Chief Executive of the Highways Agency, Mr. Stephen Hickey, to write to the hon. Member.

Letter from Richard Bennett to Mr Adrian Flook, dated 4 November 2003:

I am writing on behalf of Stephen Mickey, who has been asked by David Jamieson to reply to your recent Parliamentary Question about the current and projected roadworks on the M5 motorway

The Highways Agency has a four-year rolling programme of works. This includes resurfacing (including overlay of concrete roads), the upgrade of signs and safety fence installations well as improvements to reduce congestion. Those works due to begin in this financial year are listed in Table 1. Those due to start in the next financial year are still subject to decisions on funding and prioritisation before a list can be provided.

Table 1

Scheme title and location	*Approximate works duration*
Works currently undertaken	
M5 Junction 20–21 Resurfacing	Eight weeks
Works to be undertaken in 2003–04	
M5 Junction 26–27 Concrete Resurfacing	13 weeks (starts March 04)
M5 Signing Upgrade	Rolling Programme
M5 Junction 19 Park and Ride Signing	Four weeks

Motorcycling

Lembit Öpik: To ask the Secretary of State for Transport (1) what assessment he has made of the safety proposals of the Government Advisory Group for Motorcycling; and if he will make a statement; [135880]

(2) what plans he has to introduce safety-related legislation regarding the use of motorised two wheelers; and if he will make a statement; [135881]

(3) what plans he has to promote motorcycles as an environmentally friendly alternative to cars; and if he will make a statement. [135882]

Mr. Jamieson: The Advisory Group on Motorcycling, which I chair, has been considering a range of issues related to the role of motorcycling, including safety and environmental performance. The Advisory Group is not due to report until next year, following which the Government will determine its strategy for motorcycling. It is too early to say what Government policy will include, as it would be inappropriate to pre-empt the findings of the Advisory Group.

Public Transport (Safety and Security)

Keith Vaz: To ask the Secretary of State for Transport what action the Government is taking to increase the *(a)* security and *(b)* safety of public transport in London. [135383]

Mr. McNulty: The Government fully support the British Transport Police (BTP) who as the police force for London's railways and London Underground are an integral part of the city's anti-terrorism policing strategy. There is very close liaison and co-operation between BTP and the rail industry, Transport For London (TfL), Government departments, the Metropolitan Police and other emergency services at all levels. The Health & Safety Executive, as rail regulator, also work closely with London Underground and the national rail operators on safety related issues.

In addition, TfL is part of a joint initiative with the Metropolitan police—the Transport Policing Initiative, which is aimed particularly at increasing safety and security on London's bus services.

The Secretary of State for Transport also issues the Strategic Rail Authority (SRA) with directions and guidance, which require the SRA to encourage train operators to participate in both the Secure Stations and Secure Car Park schemes, which award accreditation when specified standards of design and management are reached. Further to this, the Modern Facilities at Stations programme will provide CCTV at some of London's stations.

Rail Traffic Congestion (Birmingham New Street)

Richard Burden: To ask the Secretary of State for Transport what assessment he has made of the impact of rail traffic congestion at and around Birmingham New Street station on the performance of the national rail network. [135373]

Mr. McNulty: The Strategic Rail Authority (SRA) has developed a 'Capacity Utilisation Policy' aimed at delivering the most efficient use of the current network. Individual 'Route Utilisation Strategies' (RUS) will now be developed. The SRA intends to consult on the RUS for the West Midlands in Spring 2004. The outcomes are expected to include improved capacity and performance.

The SRA has also announced a new approach to the long term planning of the railway network through Regional Planning Assessments (RPAs). These will form the basis on which the development of Britain's railway is planned over the medium to longer term (5–20 years). The provisional date for the publication of the West Midlands RPA is Autumn 2004.

Railway Stations

John Thurso: To ask the Secretary of State for Transport pursuant to his answer of 17 July 2003, *Official Report*, column 618W, on station improvements, if he will list the stations where improvements are *(a)* taking place and *(b)* being considered. [131454]

Mr. McNulty: Further to the answer I gave to the hon. Gentleman of 17 July: at Table 1 is a list of the Strategic Rail Authority's Rail Passenger Partnership (RPP) schemes that include station improvements and which have been approved for RPP funding. Table 2 lists a further 68 stations that are being considered by the Authority under its Modern Facilities at Stations Scheme (MFAS). The SRA and Network Rail are currently developing a schedule of work for the stations included in the programme. The timetable has yet to be finalised. Table 3 is a list of schemes in Scotland. Some of these are funded through RPP and some through the Incremental Outputs Statements scheme (IOS). In other cases new stations are also being provided as part of a wider project.

Table 1: Rail Passenger Partnership Schemes

Station scheme	*Status*
1. Witham	Now withdrawn
2. Burnham on Crouch	Completed
3. Waterbeach	In progress
4. Littleport	Contracts being finalised
5. Bury St. Edmunds	In progress
6. Downham	Contracts being finalised
7. Brentford	Completed
8. Tees Valley	In Progress
9. Thornaby	Completed
10. Macclesfield	Completed
11. Horwich	In progress
12. Chorley	Contracts being finalised
13. Hexham/Carlisle	Completed
14. Ramsgate Interchange	Contracts being finalised
15. Saltash	Contracts being finalised
16. Penzance Interchange	Completed (Phase 1)
17. Liskeard Interchange	Contracts being finalised
18. Plymouth	Completed
19. Chippenham	Contracts being finalised
20. Bodmin	Completed
21. Redruth	Completed
22. Beauly	Completed
23. Edinburgh Park	In progress
24. Ludlow	Completed
25. Burnley Central	Contracts being finalised
26. Bromsgrove	Completed
27. Gobowen	Completed
28. Haverfordwest	Completed
29. Doncaster	Now withdrawn
30. Sheffield	In progress

Table 2: Modern facilities at station schemes

Station scheme

1. Aintree
2. Audley End
3. Aughton Park
4. Bebington
5. Birkenhead Central
6. Bishops Stortford
7. BootleNew Strand
8. Bootle Oriel Road
9. Bromborough
10. Brondesbury
11. Brondesbury Park
12. Bush Hill Park
13. Cheshunt
14. Clacton-on-Sea
15. Colchester
16. Colchester Town
17. Davenport
18. Downham Market
19. Edmonton Green

20. Elsenham
21. Enfield Lock
22. Enfield Town
23. Erdington
24. Flitwick
25. Forest Gate
26. Formby
27. Four Oaks
28. Freshfield
29. Goodmayes
30. Green Lane
31. Hadfield
32. Harlington
33. Harlow Hill
34. Harlow Town
35.Hatfield Peverel
36. Hazel Grove
37. Hightown
38. Hillside
39. Hockley
40. Hooton
41. Ingatestone
42. Kelvedon
43. Kensal Rise
44. Laindon
45. Leagrave
46. Lichfield City
47. Manningtree
48. Marks Tey
49. Marple
50. Moreton
51. New Mills Newton
52. Newport (Essex)
53. Old Roan
54. Orrell Oak
55. Rye House
56. Sandhills
57. Seven Kings
58. Shelford
59. Spital
60. St. Margarets (Herts)
61. Stansted Mountfitchet
62. Town Green
63. Ware
64. Waterloo (Merseyside)
65. West Hampstead
66. West Kirby
67. Whittlesford
68. Wivenhoe

Table 3: Schemes in Scotland

Scheme	*Status*
Edinburgh Park station (RPP)	Due to open November 2003
Beauly station (RPP)	Completed
Gourock station	Development plan under consideration
Edinburgh Waverley station	Development options being considered
Edinburgh Crossrail (RPP[1])	Completed
Stirling-Alloa-Kincardine line[2]	Statutory powers being sought
Airdree-Bathgate line[2]	Engineering study let

Table 3: Schemes in Scotland

Scheme	*Status*
Larkhall-Milngavie line[2]	Contract tendered
Scottish Borders line[2]	Statutory powers being sought
Glasgow Airport Link[2]	Engineering study
Edinburgh Airport Link[2]	Engineering study
Aberdeen Crossrail[2]	Feasibility stage
Platform extensions at 25 stations:[3]	Due for completion October 2004
Uphall	
Livingston North	
Bathgate	
South Gyle	
North Queensferry	
Dalgety Bay	
Aberdour	
Kinghorn	
Glenrothes	
Cardenden	
Lochgelly	
Cowdenbeath	
Dunfermline Queen Margaret	
Rosyth	
Bridge of Allan	
Larbet	
Camelon	
Pollockshaws West	
Thornliebank	
Giffnock	
Clarkston	
Busby	
Thorntonhall	
Hairmyres	
East Kilbride	

[1] RPP support for operating costs only

[2] New stations provided or proposed as part of a wider project.

[3] Jointly funded through the SRA's Incremental Output Statements scheme and the Scottish Executive's Integrated Transport Fund

Mrs. Ellman: To ask the Secretary of State for Transport when he expects that Liverpool Lime Street station will be owned by Network Rail; and if he will make a statement. [136452]

Mr. McNulty: In common with the other 2,500 railway stations on the rail network, Liverpool Lime Street is already owned by Network Rail.

Network Rail are, however, in negotiations with First North Western to take operational control of the station. Network Rail inform me that negotiations are well advanced.

Speed Limits

Mr. Martyn Jones: To ask the Secretary of State for Transport what representations he has received in support of a review of the speed limits on roads; and what plans he has to undertake such a review. [135299]

Mr. Jamieson: The Road Safety Strategy, published in March 2000 gave a commitment to review guidance on setting local speed limits. The Transport Select Committee on Road Traffic Speed that reported last year also recommended a review of speed limit guidance and this was supported by local authorities and road safety professionals.

Work has already started on revised guidance to local authorities and we expect a first draft to be available in spring 2004.

Stansted Airport

Mr. Prisk: To ask the Secretary of State for Transport what assessment his Department has made of the cross-subsidy in favour of Stansted Airport. [135629]

Mr. McNulty: Stansted is a designated airport subject to price cap regulation under the 1986 Airports Act. As such, the issue of cross-subsidy in favour of Stansted was considered by the CAA as part of its price cap review and decisions on BAA's London airports, published in February 2003. The Government will set out their policy on this issue in the Air Transport White Paper.

Transport Managers

Mr. Peter Duncan: To ask the Secretary of State for Transport whether it is mandatory for a transport manager to be in the employment of the licence holder under EU Directive 96/26. [135272]

Mr. Jamieson: Section 58 of the Goods Vehicles (Licensing of Operators) Act 1995 defines a transport manager as

> "an individual who is in, or is engaged to enter into, the employment of the holder of a standard licence who, either alone or jointly with one or more other persons, has continuous and effective responsibility for the management of the transport operations of the business".

This complies with the requirements of EU Directive 96/26/EC in respect of transport managers.

It is for the statutorily independent traffic commissioners who administer the goods operator licensing system to interpret the law and to satisfy themselves that transport managers meet its requirements.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the extent to which the Administration of Mr. Hamid Karzai is considered to be a credible national Government across Afghanistan; and if he will make a statement. [133623]

Mr. Mike O'Brien: President Karzai and the Afghan Transitional Administration (ATA) are the legitimate Government of Afghanistan, following President Karzai's election by the Emergency Loya Jirga in June 2002.

Convention on Certain Conventional Weapons

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what his Department's aims are at the Convention on Conventional Weapons negotiations in November; and if he will make a statement. [135848]

Mr. MacShane: The Government recognises the importance of the Convention on Certain Conventional Weapons and will continue to play an active role in the negotiations at the United Nations in Geneva. Our immediate aims for the November meeting will be to continue to work for conclusion of an agreement on a new and legally binding instrument on Explosive Remnants of War (ERW) and to reach consensus on a negotiating mandate for 2004 to take forward constructive work on Mines Other Than Anti-Personnel Mines (MOTAPMS).

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department's representatives at the Convention on Certain Conventional Weapons negotiations in November will seek agreement on a mandate for future negotiations on cluster munitions. [135849]

Mr. MacShane: The UK will seek a mandate for negotiations on an instrument that could contain technical standards to be phased in for cluster munitions. This would aim to improve the reliability of cluster munitions so that fewer of them remain unexploded.

Ethiopia/Eritrea

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the generals of *(a)* Ethiopia and *(b)* Eritrea concerning the implementation of the decision on the border dispute; and if he will make a statement. [136530]

Mr. Mullin: We have had no direct discussions with generals on either side on this subject. However, the UN Mission in Ethiopia and Eritrea (UNMEE) Forces Commander has had regular, joint discussions with the military commanders of both sides in the Military Co-ordination Committee (MCC). And we are in close touch with the Governments of both countries.

European Commission Vacancies

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what role the UK representative office has in selecting candidates for European Commission vacancies; what guidelines have been issued on this process; and if he will make a statement. [135891]

Mr. MacShane: The European Commission is responsible for selecting candidates for vacancies within its services. Most such vacancies are filled through internal procedures by permanent Commission employees who have been recruited through open competition. For a small number of temporary appointments the Commission inform member states of vacancies and invite them to submit names of potential candidates. A Commission Selection Committee decides on such appointments.

Iraq

Mr. Djanogly: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications of opening Basra International Airport to non-governmental commercial and passenger flights for *(a)* trade with and *(b)* the reconstruction of Iraq. [135361]

Mr. Rammell: Opening Basra airport to commercial aviation would have a positive effect on trade and reconstruction. We intend that the airport should be

opened to commercial aviation as soon as possible once the relevant security and other requirements have been met.

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the coalition governments have had with Red Crescent officials regarding involvement in Iraq; and if he will make a statement. [135598]

Mr. Rammell: The Coalition Provisional Authority has had contacts with the Iraqi Red Crescent Society, which is active throughout the country. The Iraqi Red Crescent Society works with the local authorities in the search for, and identification of bodies in, mass graves; contacting families and assisting with burials; basic first aid; ambulance services; and rehabilitation of its four hospitals.

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the United States State Department informed the Government of the outcome of the work undertaken by the working groups on the likely political, economic and security situation in a post-invasion Iraq. [135628]

Mr. MacShane: There have been frequent and regular meetings between the Government and members of the United States State Department before, during and after the conflict, at which all aspects of policy in Iraq have been discussed.

Land Mines

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what he is doing to combat the *(a)* production and *(b)* export of land mines worldwide. [136477]

Mr. Rammell: The Government considers universalisation of the Ottawa Convention to be the best means of combating the production, use, stockpiling or transfer of anti-personnel land mines. The United Kingdom was among the first states to ratify the Convention and continues to play a leading role in follow-up work, including encouraging the widest possible adherence to the treaty. Through our diplomatic missions overseas we have recently lobbied states not party to the Convention, urging their ratification or accession at the earliest opportunity.

Religious Freedom (Egypt)

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise the issue of religious freedom with the Egyptian Government and urge it to permit Muslim converts to Christianity to change their *(a)* religion and *(b)* names in their identity papers. [135499]

Mr. Rammell: The British Government is committed to promoting tolerance and mutual respect between religions. Although the majority of people in Egypt are Muslim, there is a large Christian minority who are free to practice their own religion. The Egyptian State upholds Article 18 of the Universal Declaration of Human Rights and their obligations under the International Covenant on Civil and Political Rights. Egyptian citizens are therefore free to convert to Christianity. The lack of an administrative provision for converts to Christianity to change their religious affiliation on their identity cards is a problem. We understand that a suit has been brought in the Egyptian courts to remove this affiliation altogether.

Serbia

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans there are to rebuild the bridges at Novi Sad; and if he will make a statement. [135599]

Mr. MacShane: The 3 bridges destroyed at Novi Sad during the 1999 NATO intervention have been replaced. However, one of these is a temporary pontoon structure, which will be removed on completion of a €40 million European-Union funded reconstruction of the 'Sloboda' bridge, due in May 2005. The EU also contributed €22 million to the successful clearance of bris and unexploded ordnance from the riverbed, which was completed in June 2003.

Stability Pact

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the European Union's Stability Pact for the Balkans; what projects have been completed; what projects are under way; what stage they are at; when they are estimated to be completed; what projects have been agreed to but have not yet commenced; what projects have been submitted for consideration and are awaiting decision; and which of these relate to Serbia and Montenegro. [135440]

Mr. MacShane: The Stability Pact for South Eastern Europe was established in 1999. It has helped the region address a wide range of issues in support of stabilisation, development and reform. The Stability Pact's activity is divided into three Working Tables: Human Rights and Democratisation (Working Table I); Economic Reconstruction, Development and Cooperation (Working Table II); and Security Issues (Working Table III). The Pact's umbrella currently covers 26 different initiatives. The Pact has six priorities for 2003: Local Democracy and Cross Border Cooperation; Media (both Working Table I): Regional Infrastructure/ Energy; Trade and Investment (both Working Table II); Organised Crime; and Managing and Stabilising Population Movements (both Working Table III).

The Pact has no budget (except for its own Secretariat) with which to fund or implement projects. Its principal function is to act as a conduit for project implementers and donors. It is therefore difficult to provide information on the status of projects profiled under the auspices of the Pact, as these remain owned by the donor(s).

In relation to Serbia and Montenegro (SaM), the Pact has helped with the following items under the six priorities during 2003:

Local Democracy and Cross Border Cooperation

Launch of the Nis-Skopje-Sofia local government Euroregion initiative.

Establishment of a network of National Associations and Local Authorities in South Eastern Europe (which will cover SaM).

Media

Production of a grid of media related projects (the most recent version had nine projects relating specifically to SaM).

Support for implementation of broadcast legislation in Montenegro.

Identification of donor funds to support specialist schools of journalism in the region, including one in Podgorica.

Regional Infrastructure/Energy

Support for Industry Round Tables in Prague in February and Sofia in October.

Assistance for a meeting of senior government Energy advisers from the region in Vienna in June was supported. SaM representatives participated in these.

Trade and Investment

Facilitation of discussions to help overcome obstacles to the practical implementation of SaM's bilateral free-trade agreements with the rest of the region.

Organised Crime

Experts' meetings organised within the South Eastern European Cooperation Process in June and October. SaM representatives attended these meetings.

Managing and Stabilising Population Movements

Facilitation of discussions on resolving the issue of pension payments for returnees between SaM and Croatia.

Support for a comprehensive return agreement between SaM and Bosnia Herzegovina, signed in October.

Further details can be found on the Stability Pact's website (www.stabilitypact.org).

Sudan

Mr. Dawson: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to *(a)* promote respect for human rights and justice among participants in the Inter-Governmental Authority on Development sponsored peace process in Sudan and *(b)* encourage the inclusion and participation in the peace process of hitherto excluded political parties and civil society groups. [136223]

Mr. Mullin: In their decision to end the civil war, the parties recognise that the principle of human rights must be at the core of any peace agreement. We have taken every opportunity to reiterate this message. On 14 October the Government of Sudan released from house arrest Dr. Hassan al-Turabi, the leader of the Popular National Congress, as well as other political prisoners. We welcome this step towards reconciliation of all parties.

We are considering ways to strengthen civil society participation in consolidating peace and, with others, to support the establishment of a Human Rights Commission and other relevant institutions following a peace agreement. We will also look at ways to support the development of an effective public administration and judicial system throughout Sudan.

Human Rights is at the forefront of our policy in helping Sudan reach a comprehensive peace agreement.

Mr. Dawson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the Government of Sudan since the end of the temporary ceasefire on finding a political solution to the conflict in Darfur. [136225]

Mr. Mullin: Our Embassy in Khartoum continues to focus on the issue of Darfur and is following closely both the humanitarian situation and the political dialogue at the Abeche peace talks.

We believe that the Abeche Agreement did not stipulate an end to the cease-fire and we call on both parties to respect that agreement. Our Ambassador to Sudan has spoken to the Government of Sudan on a number of occasions, and continues to do so, about the need for a process of political engagement.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Sudan on the house detention of Dr. Hassan al-Turabi. [136492]

Mr. Mullin: I refer my hon. Friend to the answer I gave to him on 23 October 2003, *Official Report*, column 713W. Dr. Hassan al-Turabi, and other political prisoners, were released on 13 October 2003.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security agreement signed between the government of Sudan and the Sudan People's Liberation Army/Movement; and what assessment he has made of the prospects for long-lasting peace in Sudan. [136494]

Mr. Mullin: I refer my hon. Friend to the joint press statement made by my right hon. Friend the Foreign Secretary and my noble Friend the then Secretary of State for International Development (Baroness Amos) on 25 September in which they welcomed the Framework Agreement on Security Arrangements during the Interim Period. A copy of the statement is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/news/press-releases. We believe that this is a reflection of the commitment of both Parties and an important step towards peace.

We are encouraged by the progress made so far and are optimistic for the prospects of peace in the long term.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken to trail assets moved by spouses and children of senior ZANU PF officials; and if he will make a statement. [135259]

Mr. Mullin: In 2002 the EU imposed an asset freeze on senior members of the Zimbabwe government. The list of targets includes Grace Mugabe, Robert Mugabe's wife. We are obliged to locate and freeze any assets held by her in the UK. While no other spouses or children of senior Zanu PF officials are on the sanctions list, if a UK bank suspects that an account in someone else's name is being used by or for a Zimbabwean on the sanctions list then it should be reported to the Bank of England.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he

has made to the threat by Mr. Robert Mugabe to use British citizens as hostages in the event of British action. [135310]

Mr. Mullin: Mugabe has made a range of threats in response to alleged British plans to intervene in Zimbabwe. There are no such plans.

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his response to the Eighth Report of Session 2002–03 from the Foreign Affairs Committee on Zimbabwe, if he will now revisit his decision not to take steps to strip Mr. Robert Mugabe of his honorary knighthood. [135342]

Mr. Mullin: Our position on this remains unchanged. We do not view the removal of Mugabe's honorary knighthood, conferred on him in 1994, on the recommendation of the previous government, as an immediate priority. Our current efforts are focused on providing humanitarian assistance to the people of Zimbabwe, whilst encouraging the return of a democratically accountable government which respects human rights and the rule of law. We may nevertheless revisit this question in the future.

Mr. Malins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his plans for *(a)* the consular section of the British High Commission in Harare and *(b)* the processing of applications for entry clearance from Zimbabwean nationals. [135428]

Mr. Mullin: The High Commission in Harare is currently offering a full range of consular and entry clearance services. There are no plans to change the consular services provided by the British High Commission in Harare, including the processing of entry clearance applications.

ELECTORAL COMMISSION

Expenditure

Mr. Prisk: To ask the hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission what total expenditure by the Electoral Commission has been on *(a)* consultations, *(b)* pilot schemes, *(c)* conferences, *(d)* publications and *(e)* staffing costs for each financial year from 2001; and if he will make a statement. [135068]

Mr. Viggers: Total expenditure by the Electoral Commission, rounded to the nearest £1,000, on *(a)* consultations, *(b)* pilot schemes, *(c)* conferences, *(d)* publications and *(e)* staffing costs, for each financial year from 1 April 2001, is set out in the following table:

£000

	(a) Consultations	*(b)* Pilot schemes	*(c)* Conferences	*(d)* Publications	*(e)* Staffing
2001–02	69	n/a	1	697	1,371
2002–03	964	168	45	1,548	3,136
2003–04[1]	672	701	59	563	2,044

[1] To end September 2003.

Notes:

1. Figures given in columns *(a)* and *(b)* exclude staffing, publications and conference costs relating to these work streams. These costs appear as part of the global figures in columns *(c)*, *(d)* and *(e)*.
2. Consultation costs include consultation activities and public opinion research undertaken by the Electoral Commission in relation to policy reviews under section 6 of the Political Parties, Elections and Referendums Act 2000 (PPERA) and to inform the preparation of statutory election reports under section 5 of PPERA. It also includes consultation exercises carried out by the Boundary Committee for England since April 2002 in relation to Periodic Electoral Reviews. Boundary Committee for England costs associated with consultations carried out as part of the current Local Government Reviews are also included; however, there is an offsetting Appropriation in Aid from the budget of the Office of the Deputy Prime Minister to meet these costs.
3. The Boundary Committee for England was established as part of The Electoral Commission on 1 April 2002. Costs for 2001–02 therefore do not include the costs associated with periodic electoral reviews of English local authorities, which in that year were being undertaken by the Local Government Commission for England.
4. The Commission first evaluated an electoral pilot scheme in April 2002. No costs were therefore incurred in 2001–02.
5. Staffing costs include secondees and agency staff.

TRADE AND INDUSTRY

Double Summer Time

Mr. Sanders: To ask the Secretary of State for Trade and Industry what research she has commissioned on the effects of the possible introduction of double summertime. [135833]

Mr. Sutcliffe: The Government have no current plans to alter the present summer time arrangements as previous research concluded that the disadvantages outweighed the benefits.

Fireworks

Mr. Battle: To ask the Secretary of State for Trade and Industry what steps she is taking to tackle the public use of Chinese fireworks; and if she will make a statement. [135756]

Mr. Sutcliffe: Most fireworks sold to the general public in the United Kingdom originate in China. But whether fireworks are imported or made here in the UK, all which are intended for use by the general public must meet the requirements of the Fireworks (Safety) Regulations 1997 and the British Standard BS 7114, the safety standard governing the safe construction, testing and labelling of consumer fireworks.

We advise the public therefore to buy only fireworks marked as complying with "BS 7114 Part 2". Also it is illegal for shopkeepers to sell fireworks to the public which do not meet the requirements of the Fireworks (Safety) Regulations 1997 and BS 7114.

Mr. Tynan: To ask the Secretary of State for Trade and Industry (1) in respect of what *(a)* weight and *(b)* number of items of fireworks import licences were granted to Global Fireworks Ltd. (i) prior to 5 April 2002, (ii) between 6 April 2002 and 5 April 2003 and (iii) from 6 April 2003 to date; [135638]

(2) how many import licences for fireworks were granted to Global Fireworks Ltd. *(a)* prior to 5 April 2002, *(b)* between 6 April 2002 and 5 April 2003 and *(c)* from 6 April 2003 to date. [135646]

Mr. Sutcliffe: Licensing controls on imports of fireworks from China applied from 15 March 1994 to 10 March 2003. Licences specified weight of shipment rather than the number of items. The ending of the licensing regime was one of the conditions of China's entry into the World Trade Organisation (WTO). The following licences were issued to Global Fireworks Ltd.:

(a) Prior to 5 April 2002: four licences totalling 103,608 kg

(b) Between 6 April 2002 and 5 April 2003: no licences issued

(c) From 6 April 2003 to date: no licences issued.

Mr. Battle: To ask the Secretary of State for Trade and Industry what steps she is taking to tackle the sale of illegal fireworks through the internet; and if she will make a statement. [135784]

Mr. Sutcliffe: United Kingdom based companies selling over the internet are subject to the provisions of the Fireworks (Safety) Regulations 1997. We cannot legislate for those companies who operate outside the UK. However, we advise consumers to exercise the utmost caution when buying fireworks over the internet from outside the UK. Also it is illegal to supply fireworks in the UK which have not been classified by Health and Safety Executive's Explosives Inspectorate.

Scottish Aerospace Strategy

Sir Nicholas Winterton: To ask the Secretary of State for Trade and Industry what assessment she has made of the efficacy of the Scottish Aerospace Strategy Initiative; what plans she has to establish a similar strategy for the aerospace industry in the North West of England; what discussions she has had with the Scotland Office about developing the aerospace industry in Scotland; and if she will make a statement. [134013]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry has made no assessment of the efficacy of the Scottish Aerospace Strategy Initiative, as this is a matter of economic development and devolved to the Scottish Executive.

In May 2002, my right hon. Friend the Secretary of State for Trade and Industry established the Aerospace Innovation and Growth Team (AeIGT) to produce a 20-year vision for the future of the aerospace industry across the whole of the UK and to make recommendations as to how to make that vision a reality. Those recommendations were published in June 2003 and give strategic direction for the aerospace industry across the UK, including the North West of England. The Chairman of the North West Regional Development Agency is a member of the AeIGT and continues to be, closely involved in its work. It is for the North West Regional Development Agency to consider the need for a regional strategy.

The Department has an on-going relationship with the Scottish Executive and its economic development agencies both as part of the dialogue of Working with the Regions and Devolved Administrations and in the context of the implementation of the AeIGT report.

Airbus/Aircraft Carrier Projects

Mr. Andrew Turner: To ask the Secretary of State for Trade and Industry what her policy is on the provision of launch aid to businesses in the supply chain for *(a)* Airbus and *(b)* aircraft carrier projects. [135405]

Jacqui Smith *[holding answer 30 October 2003]:* The provision of Launch Investment is entirely discretionary. Each application is considered on its merits against a range of established criteria and against public expenditure constraints.

The Government are currently investing £530 million of Launch Investment to Airbus UK for the design and development of the Airbus A380 wings. The support provided to the prime contractor such as Airbus UK benefits the whole of the supply chain by securing strategically important projects for the UK. On the A380 programme more than 400 companies located throughout the UK are already contributing to the programme.

Launch Investment is only available to the civil aerospace sector and therefore aircraft carrier projects would not be eligible for support.

Arms Trade

Mr. Gardiner: To ask the Secretary of State for Trade and Industry (1) pursuant to her answer of 6 October 2003, *Official Report*, column 1067W, whether her Department's proposals for secondary orders under the Export Control Act 2002 will comply with the text adopted by the plenary session of the European Parliament on 19 June 2003 (B5–0312/2003); [135102]

(2) pursuant to her answer of 6 October 2003, *Official Report*, column 1069W, if she will change her proposals on the secondary orders on export control to comply with the text adopted by the plenary session of the European Parliament on 19 June 2003 B5–0312/2003, regarding *(a)* full extraterritorial control and *(b)* a register of arms dealers. [135103]

Nigel Griffiths: The European Parliament resolution is exhortatory so the question of compliance with it does not arise.

Alan Simpson: To ask the Secretary of State for Trade and Industry how many exhibitors at the recent Arms Trade Fair in London did not have licences to trade and possess such weapons in the United Kingdom; what proportion of the total exhibitors and traders were unlicensed; and on what basis they were allowed to continue to participate in the fair. [134905]

Caroline Flint: I have been asked to reply.

I understand from the Metropolitan police that 44 out of some 1,000 exhibitors required certificates of registration as firearms dealers. Of those, 41 needed the authority of the Secretary of State under section 5 of the Firearms Act 1968 to possess prohibited weapons. Many of the exhibitors were exhibiting items such as boats, vehicles, equipment and clothing for which no licensing was required.

A total of nine exhibitors arrived without the necessary documentation and arrangements were made for this to be rectified before they were allowed to exhibit any firearms.

Broadband

Mr. Evans: To ask the Secretary of State for Trade and Industry if she will estimate the cost of broadband telecommunications charges to public bodies within the Ribble Valley constituency in 2002–03; and what plans there are for improving value for money. [131699]

Mr. Timms: Estimates of the cost of broadband telecommunications charges to public bodies within the Ribble Valley-constituency in 2002–03 are not available.

The Government are improving value for money through the aggregation of public sector demand for broadband connectivity. In the coming month, nine new Regional Aggregation Bodies (RABs) will be set up, one in each of the English regions to join up individual public sector requirements and present them to the market in larger units. They will deliver better value deals and drive up availability by making it more attractive to telecommunications companies to make the capital investment necessary to provide broadband in new areas. Their work will also improve broadband availability for non-public sector users in those areas by encouraging service providers to use the infrastructure to provide broadband services to the public and small businesses.

Community Interest Companies

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will make a statement on the timescale for the introduction of community interest companies. [136087]

Jacqui Smith: I announced in a Written Ministerial Statement on 10 July 2003, *Official Report*, column 62WS, that the Government intend to move ahead with legislation on Community Interest Companies, alongside some company law issues, as soon as parliamentary time allows.

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with the Secretary of State for Health on the introduction of community interest companies as a means for delivering foundation hospitals. [136088]

Jacqui Smith: None. Subject to legislation, NHS Foundation Trusts are to be incorporated as public benefit corporations, as set out in the Guide to NHS Foundation Trusts and the Health and Social Care (Community Health and Standards) Bill.

Mr. Drew: To ask the Secretary of State for Trade and Industry if she will list the contributors to the Government's consultation on community interest companies. [136089]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry announced in a Written Ministerial Statement on 22 October 2003, *Official Report*, column 41WS, that a report on the outcome of the consultation on Community Interest Companies has been published. A list of the 134 respondents to the consultation is included at Annex A of the report. Copies have been placed in the Libraries of the Houses and on the DTI website.

European Software Patent Directive

Adam Price: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's policy on the European Software Patent Directive. [135283]

Ms Hewitt: The Government's policy remains the same as that announced in 2001 after a public consultation on the patentability of software. The Government's conclusion from that consultation was to reaffirm the principle that patents are for technological innovations. Software should not be patentable where there is no technological innovation, and technological innovations should not cease to be patentable merely because the innovation lies in software. However, the consultation also concluded that business methods should remain unpatentable.

Subsequently, we have supported the introduction by the European Commission of a draft Directive on the Patentability of Computer-Implemented Inventions, in order to clarify the legal position across the European Union. Discussions on this Directive are on-going and I await the outcome of further discussions between the EU institutions on its progress.

Interpol

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 6 October 2003, *Official Report*, column 1069W, on Interpol, for what reason her Department does not use Interpol's international weapons and explosives tracking system. [135113]

Nigel Griffiths: The DTI does not have responsibility for tracking weapons or explosives.

Manufacturing

Mr. Djanogly: To ask the Secretary of State for Trade and Industry what plans she has to encourage an increase in the capital per worker ratio in UK manufacturing. [134869]

Jacqui Smith: By maintaining a stable macroeconomic environment, together with measures such as reforming capital gains tax, making permanent enhanced capital allowances for small and medium-sized firms, and introducing the Research and Development Tax Credit, we are providing a climate conducive to investment for the long-term in UK manufacturing.

The global slowdown in 2001 and added uncertainty in 2002 have led firms to postpone investment decisions, but the UK's strong economic fundamentals mean that manufacturers are well placed to benefit when the global recovery shifts up a gear.

Mr. Rosindell: To ask the Secretary of State for Trade and Industry if she will make a statement on manufacturing industry. [135581]

Jacqui Smith: While we should remain cautious, we may now be at the start of a recovery path, with positive data from the last four Chartered Institute of Purchasing and Supply (CIPS) surveys and manufacturing output from the Office for National Statistics up by 0.5 per cent. in the three months to August. However, the sector clearly remains under considerable pressure and we are doing all we can to help.

For example, the Manufacturing Advisory Service has been a real success as a major source of advice and support for small- and medium-sized manufacturers. Since it launched in April 2002, the Manufacturing Advisory Service has handled over 17,000 enquiries from manufacturing companies and has carried out over 3,000 diagnostic and advisory visits. Over 1,000 firms have benefited from in-depth consultancies to help them improve their productivity. The total value added benefit to firms helped by the Manufacturing Advisory Service is over £18 million.

Martu Aborigines

Angus Robertson: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the *(a)* impact on and *(b)* cost to UK companies of the reclamation of land in 2002 by the Martu Aborigines of Western Australia; and if she will make a statement. [133640]

Mr. Mike O'Brien: None. Since no representations have been made to the Department on this issue.

Oil and Gas Industry

Mr. Spring: To ask the Secretary of State for Trade and Industry what representations the Government have received from *(a)* the Oil and Gas Industry Liaison Team and *(b)* other parties concerning the proposed Energy Chapter in the draft European Constitution; and if she will make a statement. [135884]

Mr. Timms: The Oil and Gas Industry Liaison Team, in an open letter to the my right hon. Friend the Prime Minister on 22 October 2003, set out their view of the implications for the UK oil and gas industry posed by the Energy Chapter of the draft European Constitution. A number of organisations with UK oil and gas interests have also made representations to Ministers. Under the Treaty establishing the European Community, there is already Union activity in energy matters and we believe there is a strong case for making the legal base for policy in this area more transparent. However, the UK Government will only agree to an extension of competence in energy policy if it is consistent with British national interests.

Overseas Visits

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what overseas visits *(a)* she and *(b)* her ministerial colleagues plan to make in the next year to promote trade with the United Kingdom. [135475]

Ms Hewitt: Next year's overseas visits programme for Ministers, in support of trade development and policy, has yet to be finalised. All plans will take into account other travel proposals across Government.

Post Office Closures

David Davis: To ask the Secretary of State for Trade and Industry how many sub-post offices have closed in *(a)* Haltemprice and Howden constituency and *(b)* the East Riding of Yorkshire in (i) each of the last 12 months and (ii) the previous five years. [135923]

Mr. Timms: I am advised by Post Office Ltd. that data on post office numbers is not available in the form requested.

However, I understand that since March 2000 the company has recorded details of post office closures on the basis of Government Region and in the Yorkshire and Humberside Region as a whole, the numbers of net closures were as follows:

2000–01: 50

2001–02: 21

2002–03: 26 (including seven closures under the urban reinvention programme)

Post Office Ltd. produces information on post office closures on a quarterly basis. There were 19 net closures (including 18 closures under the urban reinvention programme) of post offices in the Yorkshire and Humberside Region to the end of June 2003, the latest quarter for which figures are currently available.

Pottery Products

Mr. Stevenson: To ask the Secretary of State for Trade and Industry what recent meetings she has had with her counterpart in the United States of America to discuss import tariffs on United Kingdom pottery products; and if she will make a statement. [135478]

Ms Hewitt: US tariffs on pottery products are being addressed as part of the ongoing WTO Doha Development Agenda multilateral negotiations on market access for non-agricultural products. In these talks the EU negotiates as one and maintains regular contact with other WTO members including the United States of America.

Printer Cartridges

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry (1) what steps her Department is taking to encourage the manufacture of reusable printer cartridges; [135887]

(2) what discussions she has had with *(a)* the Secretary of State for Environment, Food and Rural Affairs and *(b)* the National Assembly for Wales on the consequences of classifying printer cartridges as consumer products for (i) environmental targets and (ii) sustainable development commitments; [135889]

(3) what assessment she has made of the effects the exclusion of printer cartridges under the Waste Electrical and Electronic Equipment Directive will have on *(a)* the UK and *(b)* the Welsh re-manufacturing industry. [135890]

Mr. Timms: The transposition of the WEEE Directive into UK legislation is being overseen by an inter-departmental team, including officials from all of the Departments concerned and the devolved Administrations.

The Department has had extensive dialogue with cartridge manufacturers and the UK Cartridge Remanufacturers Association on the scope of the WEEE Directive in relation to printer cartridges, but there is no formal assessment by Government on the effects of inclusion or exclusion on either manufacturers or re-manufacturers.

My Department continues to welcome the reuse and re-manufacture of printer cartridges, as a useful contribution to sustainable consumption and production, but does not operate a promotional programme specifically aimed at encouraging printer cartridge re-manufacture.

Redundancies

Paul Holmes: To ask the Secretary of State for Trade and Industry how many redundancies were notified, broken down by nation and region, in each year since 1997; what these figures represent as a percentage of the total work force, broken down by nation and region; and if she will make a statement. [133497]

Mr. Sutcliffe: The following tables show the available information. The notification requirements apply only where an employer proposes to make redundant 20 or more employees at one establishment. Such notifications should be made 30 days in advance. If an employer proposes to make 100 or more employees redundant at one establishment, the notifications should be 90 days in advance. In addition, there is no information about how many of the proposed redundancies actually take place. The purpose of the advance notifications is to alert trade unions and employment and other support services to likely future job losses. They do not purport to represent a measure of the numbers of redundancies occurring in the economy.

Table 1 shows the total numbers of proposed redundancies notified. Table 2 shows these numbers as a percentage of the total number of employee jobs in England, Scotland and Wales, respectively. There are no percentages for individual regions of England as the figures for notified proposed redundancies are not compiled on the same regional basis as those for employee jobs.

Table 1: Number of proposed redundancies notified in advance

Thousand

Region	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
West Midlands	20.1	27.4	38.4	43.1	52.3	24.7
East Midlands	28.4	31.5	35.1	40.0	54.9	31.0
South West	13.9	22.0	17.5	20.2	41.6	19.2
London and South East	64.2	82.0	101.5	115.7	229.9	94.4
Northern	23.1	21.2	20.0	16.4	24.4	8.5
North West	33.3	36.8	46.3	41.7	71.5	23.8
Yorkshire and Humberside	25.6	27.6	29.0	30.3	50.4	18.8
Total for England	208.6	248.5	288.8	307.4	524.9	220.4
Scotland	25.7	29	35.4	25.5	54.1	27.6
Wales	9.4	13.6	14.5	15.0	18.0	11.6

Table 2: Total employee jobs at December each year

Thousand

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
England	20,658.9	21,022.9	21,488.9	21,808.2	21,883.5	21,828.7
Scotland	2,121.6	2,161.1	2,171.6	2,232.5	2,281.1	2,257.2
Wales	1,019.3	1,035.2	1,070.6	1,085.4	1,074.8	1,072.6

Table 3: As a percentage of total employee jobs

Region	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
England	1.0	1.2	1.3	1.4	2.4	1.0
Scotland	1.2	1.3	1.6	1.1	2.4	1.2
Wales	0.9	1.3	1.4	1.4	1.7	1.1

Regional Economies

Mr. Djanogly: To ask the Secretary of State for Trade and Industry what plans she has to strengthen regional economies in the UK. [134870]

Jacqui Smith: The Department jointly owns, along with the Office of the Deputy Prime Minister and the Treasury, a public service agreement to make sustainable improvements in the economic performance of all English regions and, over the long term, reduce the persistent gap in growth rates between the regions. The

joint team taking this work forward has been reviewing the key drivers of economic growth in the regions and the market failures which result in under-performance in some of them, and examining the regional impact of current policies in the three departments and across Government. A coherent and effective package of policy proposals will then be developed to be taken forward as part of the next spending review and beyond.

In addition, strengthening regional economies and improving the economic performance of the regions forms one of the key areas identified in DTI's five-year strategy, launched in September 2003. Regional thinking will play a bigger role in DTI policy formation, so that national and regional strategies reinforce and complement each other. As part of this, DTI will consider regional impacts throughout its business planning process. The Regional Development Agencies (RDAs) have a pivotal role to play as strategic drivers of regional economic development. Funding for the RDAs under the Single Pot is set to rise: it will be worth £2 billion a year in 2005–06—up from £1.8 billion in 2003–04.

Shipbuilding/Offshore Industries

Mr. Nicholas Brown: To ask the Secretary of State for Trade and Industry how many *(a)* new starters and *(b)* people returning to the industry (i) have been trained and (ii) are being trained for the (A) ship building, (B) ship repair and (C) offshore industries under schemes supported by One NorthEast. [133392]

Jacqui Smith: Available figures[1] show that, over the last 12 months, 76 new trainees/apprentices joined ship building and offshore companies in the North East of England.

ONE NorthEast, the Learning and Skills Council, COGENT (the Sector Skills Council for the Oil and Gas Extraction, Chemicals Manufacturing and Petroleum Industries) and SEMTA (the Sector Skills Council for the Science, Engineering and Manufacturing Technologies) are working closely together on skills issues, including the development of a comprehensive Energy Cluster Skills Action Plan covering the offshore, marine, defence and renewables sectors. The Action Plan will identify sector skills gaps and propose solutions on issues including crafts levels, graduate skills and employee retention. An initial draft will be available in the next few weeks.

[1] The figures do not identify whether these places were created under the schemes supported directly by ONE NorthEast. Statistics are not broken down between new starters and those returning to the industry, nor are reliable statistics currently available separately for the ship building, ship repair and offshore industries.

Trade

Mr. Rosindell: To ask the Secretary of State for Trade and Industry if she will make a statement on the relationship between Britain and *(a)* New Zealand and *(b)* Australia.

Ms Hewitt: Britain has a healthy bilateral trade relationship with *(a)* New Zealand and *(b)* Australia. From January to July 2003, bilateral trade in goods between the UK and New Zealand was worth £0.55 billion representing a 9 per cent. increase over the same period of last year, and bilateral trade in goods between the UK and Australia was worth £2.3 billion representing a 1.8 per cent. increase over the same period of last year.

Angus Robertson: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the impact of the Institution for the Multilateral Protection of pan-African Commercial Transactions on UK companies investing in Africa; and if she will make a statement. [134447]

Ms Hewitt: My Department has not made an assessment of the impact of the Institution for the Multilateral Protection of pan-African Commercial Transactions (IMPACT) on direct investment in Africa. My right hon. Friend the Secretary of State for International Development confirmed that such an assessment would be most appropriately carried out by the World Bank, who provided a US $5 million IDA loan for the establishment of the Africa Trade Insurance Agency (as IMPACT is also known) in 2001, and as such the initiative would be subject to EDA procedures for assessment and review.

Waiapi Indians

Angus Robertson: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the *(a)* impact on and *(b)* cost to UK companies of the 2002 judicial ruling to allow the Waiapi Indians of Amazonia to surface mine in their land; and if she will make a statement. [133641]

Mr. Mike O'Brien: None, since no representations have been made to the Department on this issue.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Call Centre Work

Mr. Connarty: To ask the Secretary of State for Environment, Food and Rural Affairs whether her Department plans to outsource call centre work to premises outside the United Kingdom. [132104]

Alun Michael: The Department has no plans to outsource call centre work to premises outside the UK, nor through OJEU procurement process at present.

Chicken Farming

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs what regulations govern the *(a)* quantity and *(b)* type of therapeutic and non-therapeutic drugs given to chickens; and if she will make a statement on their use. [134704]

Mr. Bradshaw: The regulation of medicines given to chickens and all other animals is governed by European legislation. Directive 2001/82/EC requires all veterinary medicines, including therapeutic products, to be assessed against statutory criteria for quality and efficacy before they are authorised for use. This assessment in this context includes the health and welfare of the treated animal, the operator, the environment and the safety of consumers of any food products from the treated animals. All therapeutic antimicrobials are classified as Prescription Only

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Medicines (POM) and can be administered only on the basis of a prescription issued by a veterinary surgeon. The Veterinary Medicines Directorate (VMD), an executive agency of Defra, is responsible for the authorisation of therapeutic veterinary medicinal products in the UK.

The authorisation and use of non-therapeutic products administered to farm animals in their feed is subject to controls set down by the European Union (Council Directive 70/524/EC as amended). Under these rules, such products cannot be authorised for use unless they satisfy statutory criteria designed to ensure that, at the level permitted in feedstuffs, they will not adversely affect human or animal health or the environment. Additionally, they may only be used in accordance with the terms set out in an annex to the Directive, which specifies the species in which they may be used, authorised dosage rates and the withdrawal periods that must be applied before animals can be slaughtered for human consumption. Non-therapeutic products administered to farm animals in their feed are authorised centrally in the EU.

Flooding

Norman Lamb: To ask the Secretary of State for Environment, Food and Rural Affairs what the threshold score will be for securing funding from her Department for sea defence and flood alleviation schemes in the next period for which a threshold is set. [136153]

Mr. Morley *[holding answer 3 November 2003]:* In general, in order to be approved for grant aid, proposed schemes must satisfy the Department's economic, environmental and technical criteria and achieve a minimum threshold priority score which is set annually at around this time for the following financial year. Changes to the threshold do not affect schemes which have already been approved.

The threshold for projects to start in 2003–04 is 22 (out of a maximum possible score of 44). The Department is still analysing operating authority returns detailing their funding requirements for 2004–05 but I hope to be in a position to announce the threshold score for 2004–05 shortly.

Genetically Modified Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the regulatory framework which will need to be put in place for the introduction of GM crops. [135760]

Mr. Morley: There is already a comprehensive regulatory framework for the control of GM crops, with several regulatory approvals being needed before a given crop could be introduced for commercial cultivation.

Under European Directive 2001/18/EC each particular GM crop must be judged on its own merits according to scientific evidence of any risks it may pose to human health or the environment. A person or company wishing to market such a GM crop must supply a detailed dossier of information and a detailed environmental risk assessment on that GM crop. This information is open to scrutiny by all 15 member states and their expert advisers and the European Commission and its expert advisers, and an EU-wide public consultation must be held. No GM crop may be grown commercially unless and until EU member states have agreed collectively that it is safe.

In addition, each GM crop will need approval under EU seeds legislation before it can be grown commercially. Also, any GM crop intended for use with a particular herbicide or pesticide will need approval under EU pesticides legislation. And any GM crop intended to be used as a food will need approval under EU novel foods legislation. Furthermore, from spring 2004 all GM crops and any products derived from them will become subject to comprehensive new EU GM traceability and labelling legislation, which significantly extends the provisions for traceability and labelling already required by Directive 2001/18.

In addition to these regulatory frameworks we will be considering the terms on which GM and non-GM crops might co-exist in the light of a report on this issue expected shortly from the Agriculture and Environment Biotechnology Commission.

Joan Ruddock: To ask the Secretary of State for Environment, Food and Rural Affairs what published research she has assessed on the *(a)* persistence and *(b)* invasiveness of (i) GM herbicide tolerant and (ii) other crops in disturbed habitats where herbicides and fertilisers are used; and what research she has commissioned on this subject. [136063]

Mr. Morley: When assessing the potential impact of the release of a GM crop in England the Department is advised by an independent statutory expert body, the Advisory Committee on Releases to the Environment (ACRE). In considering each case, ACRE will take account of all available relevant information on the implications of the proposed release.

A large body of research has been published on the persistence and invasiveness of GM (and non-GM) crops and weeds in disturbed, improved and tilled land. This includes Government-commissioned work and work conducted independently of Government. The body of literature was recently reviewed by the GM Science Review Panel as part of the GM Dialogue, and their final report is available at www.gmsciencedebate.org.uk. Section 6.2 of that report specifically refers to the potential persistence and invasiveness of GM crops. This report has been made available to ACRE.

Details of all Defra-commissioned GMO related research work are available on our website at www.defra.gov.uk/environment/gm/research. This includes details of completed projects and links to download or order any published reports. Several of these include a consideration of persistence and invasiveness, including:

'Environmental Risks of Herbicide-Tolerant Oilseed Rape' (March 1999);

'Investigation of Feral Oilseed Rape Populations' (February 1999);

'Monitoring largescale releases of genetically modified crops, incorporating report on project EPG 1/5/30: monitoring releases of genetically modified crop plants' (December 2002);

'Consequences for agriculture of the introduction of GM crops' (October 2003).

A further project investigating aspects of persistence of oilseed rape is currently underway entitled 'Factors affecting cross-pollination in oilseed rape varieties, particularly of low male fertility, growing under typical UK conditions' and due to be completed in 2006.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what research has been *(a)* commissioned and *(b)* published about the biochemical implications of introducing genes coding for enzymes under the control of host gene regulation systems; and what the implications are of this in respect of the host GM plant. [136169]

Mr. Morley *[holding answer 3 November 2003]:* The Department has not commissioned research into the biochemical implications of introducing genes coding for enzymes under the control of host regulatory elements because it is not relevant to the risk assessment of current GM crop releases. However, there has been a large volume of research commissioned elsewhere, which would inform decision making if this issue became relevant to proposed releases in the future.

The biochemical implications of using regulatory elements will vary in each specific case, and where relevant, would be taken into account by our expert advisers alongside other factors. In general, the use of regulatory elements native to plants will result in lower levels of transgene expression than those derived from bacteria and viruses as used in current GM crops (e.g. 35S cauliflower mosaic virus promoter).

There is a possibility that introducing copies of regulatory elements that are already present in the host plant could result in partial or complete silencing of native genes under the control of these elements. In recent years, there has been a substantial body of high quality research on 'gene silencing', an issue which is addressed in Chapter 3 of the GM Science Review, published in July 2003 (http://www.gmsciencedebate.org.uk/).

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what research has been *(a)* commissioned and *(b)* published about the (i) behaviour and (ii) fate in the environment of toxins used in the production of GM insect resistant crops. [136190]

Mr. Morley *[holding answer 3 November 2003]:* In July 2001 the Department commissioned research into the "Environmental Impact of Bt Exudates from Roots of Genetically Modified Plants". We expect it to be published early in the new year on the Defra website. Other publications regarding the issues on the behaviour and fate in the environment of toxins (Bt) used in the production of GM insect resistant crops have been considered recently in the GM Science Review, which was published in July 2003. No GM insect resistant crops have been grown or trialed in the UK apart from two small scale research trials involving potato and strawberry plants in the mid-1990s.

Adam Price: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the legal processes relating to the EU directive on the GM contamination threshold for conventional seeds. [135273]

Mr. Morley: The European Commission has decided that the appropriate mechanism for establishing statutory thresholds for the adventitious presence of approved GMOs in conventional seeds would be as follows:

1. The thresholds would be set, by species, in the Regulatory Committee established under the Directive on the deliberate release into the environment ofGMOs(2001/18/EC);

2. These same thresholds would then be inserted into the seeds marketing Directives by agreement in the Standing Committee on Seeds.

Fish Stocks (Irish Box)

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs how many square miles of water off the Irish coast have been opened up to European fishing fleets as a result of removal of restrictions relating to the Irish box; and what steps are being taken to protect fish stocks in this area. [134836]

Mr. Bradshaw: The Irish Box, part of Western Waters, was established by Council Regulation (EC) No 685/95. It comprises the area to the west of Great Britain south of latitude 56 30° North, east of longitude 12 West and north of latitude 50 30° North and includes some some sixty to sixty five thousand square miles of water in parts of ICES Sub Areas VI and VII. Effort ceilings for Community vessels over 18 metres operating in specified fisheries within Western Waters, including the constituent parts of the Irish Box, were subsequently set by Council Regulation (EC) No 2027/95. Under new measures agreed by the Council of Ministers on 13 October 2003, to take effect no later than 1 August 2004, separate effort ceilings will no longer operate for the Irish Box other than for a smaller management area off the south west coast of Ireland designed to protect juvenile hake stocks. Future fishing effort by vessels over 15 metres in the Irish Box will fall to be contained within new effort ceilings to be established for the totality of Areas VI and VII on the basis of actual fishing effort in those areas between 1998 and 2002. In addition a statement added to the minutes of the 13 October Council states that in this and other areas where vessels have previously been excluded the Commission and Member States concerned shall carefully monitor fishing activities in order to ensure that such activities are consistent with the measures already in place for the conservation of fisheries resources.

Live Sheep Exports

Mr. Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs how many live sheep were exported from Dover to Europe on 18 September; when and where health certification was carried out in respect of the sheep; how many of the sheep were rejected as unfit for the intended journey *(a)* during inspection for health certification purposes and *(b)* at Dover docks, and to where those sheep were taken; and what the address was of the final destination given on the route plan for each of the consignments. [135179]

Mr. Bradshaw: The information is requested is as follows:

Date	18 September 1993
Total animals	2,615
Where consignments were certified	England and Scotland
Animals rejected at certification	0
Animals rejected at Dover docks	0
Destination	France

The sheep for the consignment above were certified within 24 hours prior to export. There were no rejected animals either during health certification or at Dover docks. The consignment was of sheep for further fattening which were transported to holdings in France.

Livestock Markets

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with representatives from *(a)* the Meat and Livestock Commission, *(b)* local authorities and *(c)* the livestock industry about the (i) extent and (ii) impact of livestock market closures. [136192]

Mr. Bradshaw *[holding answer 3 November 2003]:* In consultation with its stakeholders the Department keeps the network of livestock auction markets throughout the country under review. This includes the extent and impact of closures in view of the importance of these enterprises in the rural economy.

Meat Inspections

Mr. Weir: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with *(a)* EU representatives, *(b)* the Food Standards Agency and *(c)* the Scottish Executive on the impact of proposals on animal welfare from the European Commission to replace independent meat inspection with inspection by the meat industry. [133120]

Mr. Bradshaw: Defra officials continue to liaise with the European Commission, other Government Departments and the Devolved Administrations on issues relating to primary production and animal welfare and the proposed Food Hygiene Regulations.

Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects to receive the detailed proposals for better controls on intermediate level radioactive waste conditioning and storage as reported in the Government's First Progress Report to the Environment, Food and Rural Affairs Committee on Managing Radioactive Waste Safely. [134075]

Mr. Morley: Advice from the regulators is expected shortly.

Restaurants (Local Produce)

Mr. Jim Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what steps are being taken to encourage restaurants to use local produce. [133895]

Mr. Bradshaw *[holding answer 27 October 2003]:* As part of the Department's Strategy for Sustainable Farming and Food, we have agreed a programme of measures aimed at helping find new outlets (including restaurants) for locally produced food and drink. Implementation of the programme is being led by Food from Britain in England with the help of additional funding from this Department and includes:

- regional food exhibitions and meet the buyer events with the specific objective of targeting caterers and chefs;
- organising a series of seminars this year aimed at raising the profile of locally produced food and drink with catering college students;
- producing, with "Visit Britain", an in-depth trade guide aimed at helping producers understand the opportunities presented by the public's growing enthusiasm for locally produced food and drink when eating out; and
- supporting a new guide, to be launched later this year, which highlights those restaurants and hotels providing the best locally produced food and drink.

US Ships (Disposal)

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with her US counterpart about importation for dismantling purposes of the ships from the US Reserve Fleet which have set sail for the United Kingdom. [133290]

Mr. Morley *[holding answer 20 October 2003]:* None. However, there is on-going contact between officials in the relevant regulatory authorities, both here and in the US, and they are working to ensure that potential risks to the environment, during the transport and recycling phases, are thoroughly assessed.

Wild Birds

Mr. Paul Marsden: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in increasing the number of *(a)* finches, *(b)* tits and *(c)* buntings in the wild. [132207]

Mr. Bradshaw: The Marsh tit, Willow tit, Linnet, Bullfinch, Yellowhammer, Cirl bunting, Reed bunting and Corn bunting are red-listed in the 2002 birds of conservation concern listings. The Lesser redpoll is amber listed. The Long tailed tit, Coal tit, Blue tit, Great tit, Chaffinch, Greenfinch, Goldfinch are green listed. The colour listing relates to their conservation status, with red representing the steepest decline in numbers. (Gregory et al. 2002: *British Birds* 1995).

The National Woodland Bird Survey gathers information about the probable causes of change in woodland bird populations and is the first step in identifying possible new approaches to management of woodlands for songbirds; it was initiated in spring 2003 and is organised by the British Trust for Ornithology and the RSPB and funded by Governmental and non governmental bodies. To date, no general national management scheme has been initiated to recover woodland bird populations, although some local management changes brought about through managing both national forests and designated sites may have benefited woodland species. Recent increases in some woodland species are likely to be due to largely natural factors.

As part of the UK Biodiversity Action Plan, species action plans for the conservation and enhancement of the cirl bunting, corn bunting, reed bunting and

bullfinch were published in 1998. Implementation of the plans is being taken forward through partnerships including government, the agencies and NGOs. The plans identify a wide variety of measures that are being pursued to help improve the status of the species.

Some of the work has been very specific, for example for the cirl bunting there have been special management options made available to farmers. For some of the other species, in addition to some specific measures, general changes to agri-environment schemes to benefit farmland birds have been put in place.

The yellowhammer is a new addition to the birds of conservation concern red-list and as such does not have a formal Species Action Plan. It is, however, one of the core 20 farmland bird species that are included in the government's Farmland Bird Indicator and as such will benefit from actions being taken to improve general farmland habitat management. Defra has recently piloted a new Entry Level agri-environment scheme in England which relies on much simpler management options to benefit widespread farmland habitats—the advantage with this, if it is implemented, will be that it could cover a much greater area of farmland than under current schemes and so ultimately have much greater benefits for farmland birds.

SOLICITOR-GENERAL

Iraq

Mr. Marshall-Andrews: To ask the Solicitor-General whether, in concluding that Iraq had failed to comply with UN Resolution 1441, the Attorney-General relied upon facts and assertions contained in Cm 5769 as material to his conclusion and to the opinion he gave as to the authority to use force; and which such facts and assertions were so relied upon. [135602]

The Solicitor-General: In reaching his view of the legal basis for the use of force against Iraq, as set out in the written statement made in Parliament on 17 March 2003, the Attorney-General had regard to the terms of all the Security Council resolutions set out in Cm 5769. In addition, in concluding that Iraq had failed to comply with its obligations under Security Council resolution 1441, the Attorney-General took into account the statements by the Executive Chairman of UMOVIC and the Director General of the IAEA dated 27 January 2003 and 14 February 2003.

Sickness Absence

Mr. Bercow: To ask the Solicitor-General how many staff in the Department were on long-term sick leave in each of the last five years. [109262]

The Solicitor-General *[pursuant to her answer of 9 June 2003, Official Report, c. 574W]:* The figures I provided on the numbers of staff within the Crown Prosecution Service who have had periods of long-term sick leave in each of the last five years were unfortunately incorrect. "Long-Term" is defined as being a continuous spell of sick absences lasting four weeks or more. Further analysis of the data has revealed it included persons who had more than one period of sickness which cumulatively added up to 20 days or more. The corrected figures are:

	Number of people	*Total number of employees*	*Percentage of employees*
1998	312	6,274	5.0
1999	523	6,360	8.2
2000	650	6,440	10.1
2001	674	6,613	10.2
2002	698	7,219	9.7

Mr. Bercow: To ask the Solicitor-General pursuant to her answer of 9 June 2003, *Official Report*, column 574W, on sickness absence, what assessment she has made of the reasons for the rise in the level of long-term sick leave from the Crown Prosecution Service since 1998. [128545]

The Solicitor-General: I refer the hon. Gentleman to the answer above. The Crown Prosecution Service has not carried out any detailed analysis of the reasons for the rise in the level of long-term sick absence since 1998. However, there continues to be a programme to reduce the overall level of sick absence in line with Government targets for the Civil Service as a whole. The Crown Prosecution Service is actively managing sick absence in line with the Cabinet office's initiative and the figures given in my answer above indicate a reduction in long-term sick absence from 2001 to 2002. The present figures for sick absence in the Crown Prosecution Service are broadly similar to Civil Service figures. The latest Cabinet Office figures show 9.7 per cent. of Civil Service staff had periods of absences lasting 21 days or more.

WALES

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for Wales how much the Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134699]

Mr. Touhig: The Wales Office was established in 1999. It is not responsible for maintenance, renovation, council tax or running costs of any residential properties.

Departmental Offices

Norman Lamb: To ask the Secretary of State for Wales how many offices are *(a)* owned and *(b)* rented by his Department in countries other than the UK, broken down by country. [133622]

Mr. Touhig: The Wales Office does not own or rent any accommodation outside the UK.

HOME DEPARTMENT

Alcohol Misuse

Mr. Frank Field: To ask the Secretary of State for the Home Department pursuant to his Answer of 15 July 2003, *Official Report*, column 221W, on alcoholism, when the report on the cross-governmental alcohol harm reduction strategy for England will be published. [135517]

Ms Blears: On 19 September the Prime Minister's Strategy Unit published their Interim Analytical Report on the harms associated with alcohol misuse. This will help inform the development of the cross-governmental alcohol harm reduction strategy for England. The final report setting out the Strategy will be published in time for implementation to begin in 2004.

Administrative Court

Mr. Gerrard: To ask the Secretary of State for the Home Department how many cases are waiting to be dealt with by the Administrative Court which relate to section 55 of the Nationality, Immigration and Asylum Act 2002. [135454]

Mr. Lammy: I have been asked to reply. 882 cases are awaiting final determination.

National Criminal Intelligence Service

Mr. Simon Thomas: To ask the Secretary of State for the Home Department how many staff of the National Criminal Intelligence Service have the monitoring of allegations of bribery of foreign public officials as part of their job description; what percentage of time they are recommended as part of their job description to give to such monitoring; and in which department of NCIS they are based. [134677]

Caroline Flint: I refer the hon. Member to the answer given on 27 October 2003, *Official Report*, column 115W.

Mr. Simon Thomas: To ask the Secretary of State for the Home Department how many allegations of corruption the National Criminal Intelligence Service has received since *(a)* 14 February 2002 and *(b)* January 2003 following the Memorandum of Understanding on Implementing Part 12 of the Anti-Terrorism, Crime and Security Act 2001; how many of these allegations have resulted in investigations; and what subsequent arrests have been made under Part 12 of the Act. [134676]

Caroline Flint: I refer the hon. Member to the answer given on 27 October 2003, *Official Report*, column 115W.

Breast Cancer Relief

Mr. Lidington: To ask the Secretary of State for the Home Department (1) what steps the Charity Commission has taken to ensure that internet donations to Breast Cancer Relief are not misapplied; [135432]

(2) what assessment the Charity Commission has made of the role of Breacan Fundraising as owner of the website operated for Breast Cancer Relief; [135352]

(3) what assessment the Charity Commission has made of the volume of donations made to Breast Cancer Relief via its website since the charity was placed in the control of a receiver manager; [135353]

(4) what action the Charity Commission took, and when, to alert WorldPay to the appointment of a receiver manager for Breast Cancer Relief. [135356]

Fiona Mactaggart: These are matters for the Charity Commission as the non-ministerial Government Department responsible for the registration of charities in England and Wales. The Director of Operations will write to the hon. Member and a copy of his reply will be placed in the Library.

Community Support Officers

Tim Loughton: To ask the Secretary of State for the Home Department how many Community Support Officers are deployed in each local authority area in Sussex. [135171]

Ms Blears *[holding answer 28 October 2003]:* In total 65 Community Support Officers (CSOs) have been deployed in Sussex. Of these, 55 are wholly or partly funded by the Home Office. 10 of the 20 CSOs deployed in Brighton and Hove are wholly locally funded. The table gives a breakdown of CSO deployment by local authority.

Local authority	*Number of CSOs*
Adur	3
Arun	5
Chichester	3
Worthing	4
Rother	3
Hastings	6
Lewes	4
Wealden	2
Eastbourne	5
Brighton and Hove	20
Horsham	3
Crawley	4
Mid Sussex	3
Total	65

Correspondence

David Winnick: To ask the Secretary of State for the Home Department when the hon. Member for Walsall, North (1) will receive a reply to his letter of 24 July 2003 regarding a constituent, ref: M3906/3; [128955]

(2) will receive a reply to his letter of 24 July regarding pay negotiations in the Probation Service, reference: M3906/3; and what the reasons are for the delay. [132830]

Paul Goggins *[holding answers 11 September 2003 and 20 October 2003]:* The information requested is as follows:

We have received numerous letters from Members of Parliament and their constituents, querying the delay in the settlement of this year's pay negotiations for the National Probation Service.

I have replied to my hon. Friend on 4 November 2003 and I apologise for this unacceptable delay.

A pay offer was made to the Trade Unions on 22 July and has been accepted following ballots of members.

Crime (North-West)

Mr. Evans: To ask the Secretary of State for the Home Department what the recorded crime figures were for the north-west in each year since 1992. [134899]

Ms Blears: The requested information is given in the table. The north-west region is comprised of the following police force areas: Cheshire, Cumbria, Greater Manchester, Lancashire and Merseyside.

Total number of crimes recorded by the police for the north west region

	Number
1992	801,832
1993	765,664
1994	719,653
1995	720,732
1996	702,372
1997	649,310
1998–99	726,730
1999–2000	736,381
2000–01	720,055
2001–02	777,809
2002–03	795,024

Note:
Up to 1997, offences were recorded on a calendar year basis, and on a financial year basis thereafter.

There was a change of counting rules for recorded crime on 1 April 1998, which had the effect of increasing the number of crimes counted. Numbers of offences for years before and after this date are therefore not directly comparable.

The National Crime Recording Standard (NCRS) was introduced across England and Wales in April 2002. Some police forces adopted the Standard prior to this date. Cheshire and Merseyside police forces introduced the Standard in April 2002, Greater Manchester in January 2002, Cumbria in April 2001, and Lancashire in August 2000. Broadly, the NCRS had the effect of increasing the number of crimes recorded by the police. Therefore, following the introduction of the Standard, numbers of recorded crimes are not comparable with previous years.

Ministerial Travel

Mr. Flight: To ask the Secretary of State for the Home Department what the cost was to his Department for *(a)* ministerial cars and drivers, *(b)* taxis, *(c)* train travel, *(d)* the use of helicopters, *(e)* airline tickets and *(f)* chartered aeroplanes in each year since 1997. [123076]

Fiona Mactaggart: Information on the costs of categories *(a)* ministerial cars and drivers and *(f)* chartered planes, in respect of ministerial travel, is being provided centrally by the Cabinet Office in a parallel question.

With regard to the departmental cost of taxi, train and air travel since 1997, the detailed information requested is not held centrally within the Home Office and could be obtained only at disproportionate cost. All official travel undertaken by Home Office employees is in accordance with the requirements of the Civil Service Management Code. All ministerial travel is undertaken in accordance with the rules set out in the "Ministerial Code" and "Travel by Ministers".

David Davis: To ask the Secretary of State for the Home Department if he will list the *(a)* foreign and *(b)* UK visits he has made since 1 April; with the cost to public funds of each; whom he met; and the gifts received. [126899]

Mr. Blunkett: The Government publishes an annual list of gifts received by Ministers valued at more than £140. The information for 2003–04 will be published after the end of the financial year.

The Government also publishes on an annual basis the cost and details of all Ministers' visits overseas. The information for 2003–04 will be published after the end of the financial year.

Detailed information for all Ministers in respect of UK travel is not held centrally and could be provided only at disproportionate cost. All travel is undertaken fully in accordance with the rules set out in the Ministerial Code and Travel by Ministers, copies of which are in the Library.

Entitlement Cards

Mr. Oaten: To ask the Secretary of State for the Home Department pursuant to his answer to the hon. Member for Southwark, North and Bermondsey (Simon Hughes) of 7 April 2003, *Official Report*, column 36W, on entitlement cards, when the summary of responses to the consultation on entitlement cards will be published. [133969]

Beverley Hughes: We would prefer to publish the summary of responses to the consultation alongside an announcement of how the Government intends to proceed. This is currently being considered by Ministers.

Ministerial Allowances

Mr. Oaten: To ask the Secretary of State for the Home Department whether there is a ministerial allowance for mobile phone costs. [135785]

Fiona Mactaggart: There is no ministerial allowance for mobile phone costs. Ministers have access to mobile phones for ministerial duties should they require them.

Mr. Oaten: To ask the Secretary of State for the Home Department if he will list the financial allowances that Home Office Ministers are allotted; and how much each Home Office Minister has spent of their allowance so far this financial year. [135918]

Fiona Mactaggart: Ministers are not allotted financial allowances.

People Trafficking

Mr. Reed: To ask the Secretary of State for the Home Department what recent assessment he has made of the number of *(a)* women and *(b)* children being trafficked into (i) the UK and (ii) Leicestershire through the illegal sex industry in the last 24 months. [134354]

Caroline Flint: The nature of trafficking means that it is a hidden crime. The only available estimates of the levels of trafficking are based on a Home Office research

study 'Stopping Traffic' (Police Research Series 125, published in 2000), which indicated that there was intelligence to suggest that some women and children are trafficked into the UK for the purposes of sexual exploitation. This was estimated at between 140 and 1,400 per year but it was impossible to make a more accurate assessment of numbers. The report concluded that there was no evidence to suggest that this was on a large scale compared with other European countries.

However, the very nature of the crime demands that it is treated very seriously, which is why the Government have introduced criminal sanctions covering traffickers and has tasked the Reflex group with coordinating the response to this problem. Leicestershire Constabulary are engaged with Reflex in building up intelligence and multi-agency working to tackle trafficking at a regional and national level. Reflex is sponsoring a major Association of Chief Police Officers (ACPO) conference on 13 November on this issue.

The Nationality, Immigration and Asylum Act received Royal Assent in November last year, and sections 145 and 146 of it came into force on 10 February 2003. Data on numbers of prosecutions under these sections will be collected in the usual way and published in Home Office Criminal Statistics. Given that the powers came into effect recently there is not any information yet held centrally about numbers of prosecutions.

Local Policing (New Earswick)

Miss McIntosh: To ask the Secretary of State for the Home Department what assessment he has made of the experiment in local policing at New Earswick; and if he will make a statement. [135336]

Ms Blears: Any assessment of the local policing experiment in New Earswick is for the Chief Constable of North Yorkshire to make. Nonetheless, the Government encourages the principle of local people's involvement and participation in delivering police services for their communities.

The Government published on 4 November a consultation document on police reform, which seeks views on involving communities in shaping and delivering their policing services.

Police Force (Racial Discrimination)

Keith Vaz: To ask the Secretary of State for the Home Department what action he intends to take in relation to racial discrimination in the police force. [135384]

Ms Blears: I am committed to driving out racist attitudes wherever they are found. We are engaged with the leadership of the Police Service in addressing diversity and racism in recruitment, training and development and in the conduct of officers and staff. I welcome the service's determination to confront racism, as evidenced by Association of Chief Police Officers (ACPO's) seven point programme. I welcome too the Commission for Racial Equality's investigation announced on 30 October and their wish to work consultatively with Her Majesty's Inspectorate of Constabulary and the Independent Police Complaints Commission.

We have developed new selection processes which test candidates' attitudes towards race and diversity vigorously through interviews, role play and written assessment. These processes are already in place in 13 forces and will be implemented in the remainder of the service by summer 2004. Those candidates who do not meet the standard are not recruited, regardless of performance elsewhere in the assessments.

Fundamental changes to the way in which probationer constables are trained are under way. The focus will be in delivery of practice-based training within the local community rather than in residential police training centres. This new approach is already being piloted in several areas of the country. A new curriculum is being designed which will reinforce high professional standards and respect for race and diversity. Engagement with the community will be a key element in the new programme. The training of trainers and tutor constables in race and diversity awareness will also be addressed. The new programme will start to be trialled from April 2004.

A review of the delivery of Community and Race Relations training in the Police Service was published by Her Majesty's Inspectorate of Constabulary in March 2003 and the recommendations of that report are being taken forward. The strategy for the next phase of the training will call for leadership at all levels to drive cultural change.

There are procedures under the Police Act 1996 and the Police (Misconduct) Regulations 1999 to deal with conduct which falls below the required standard. These procedures can be invoked by way of a complaint from a member of the public or a report or allegation from any other person. This includes any complaint or allegation of racial discrimination or attitudes. The Police Reform Act 2002 introduces a new complaints system to come into force on 1 April 2004, under which serious racial discrimination is a category of a complaint that must be referred to the Independent Police Complaints Commission, which will decide how such a complaint will be dealt with.

It is important that attitudes within the service change and that staff themselves are confident to bring forward evidence of racism. I do not wish to rely on revelations by the media but on proper investigation, analysis and decisive action by senior officers when they are made aware of such evidence.

Police Pay

Mr. Oaten: To ask the Secretary of State for the Home Department what the *(a)* hourly wage for a newly qualified police officer, *(b)* the average hourly wage for serving police officers and *(c)* the hourly wage of newly qualified police officers for overtime work are; and how much money was spent by police forces in employing police officers on overtime in each of the last three years. [135868]

Ms Blears: The information is as follows.

(a) Police officers are not paid an hourly wage, instead they receive an annual salary. Upon completion of initial training, an officer will receive £21,462 per year.

(b) Figures are not available for the average hourly wage for serving police officers. The average length of service for constables is 11 years. A constable with 11 years service receives £29,589 per year.

The figures do not include any regional allowances which may be payable.

(c) Overtime is payable at the rate of one twenty-fourth of a day's pay for each completed period of 15 minutes of overtime worked.

Figures for the amount spent on overtime in the police service are currently only available centrally for 2001–02 with a total United Kingdom spend of £400,392,000. This was made up of £319,620,000 for England and Wales, £26,097,000 for Scotland and £54,675,000 for Northern Ireland.

Details of overtime payments for other years have not been aggregated.

Prison Population

Simon Hughes: To ask the Secretary of State for the Home Department what his most recent estimates are of the *(a)* uncrowded and *(b)* maximum capacity of prisons in England and Wales and of the average daily prison population for each of the next five years. [131652]

Paul Goggins: As at 17 October 2003, the certified normal accommodation (uncrowded) for the prison estate in England and Wales was 66,738 and the useable operational capacity was 74,775. Average projections for the next five years are set out in the following table.

Average daily figures for prison population projections are not available.

Capacity projections forecast 2003–08

	Uncrowded	*Usable operational capacity*
2003	65,900	74,200
2004	67,500	75,800
2005	69,800	78,200
2006	70,400	78,750
2007	70,400	78,700
2008	70,400	78,700

Proceeds of Crime Act

Mr. Hepburn: To ask the Secretary of State for the Home Department what the value of criminal funds seized since the introduction of the Proceeds of Crime Act has been in *(a)* the Jarrow constituency, *(b)* South Tyneside, *(c)* the North East and *(d)* the UK. [133220]

Caroline Flint: Information is available for the United Kingdom only.

The confiscation powers in the Proceeds of Crime Act 2002 are triggered by offences committed after the provisions were brought into force on 24 March 2003, so it will be some time before cases are dealt with by the Crown Court in numbers. As of 16 October, nine confiscation orders with a total value of £89,000 had been made against convicted offenders in England and Wales; these orders have yet to be enforced. No confiscation orders under the new legislation have been made in Scotland. The total amount of cash seized by police and customs officers under new powers in the Act which came into effect on 30 December 2002 is £41 million in England, Wales and Scotland. In addition, the Assets Recovery Agency has obtained freezing orders on assets with a total value of over £10 million on 16 cases which are under investigation under the new powers in the Act for civil recovery of criminal assets.

Road Deaths

Mr. Amess: To ask the Secretary of State for the Home Department how many deaths there have been because of *(a)* dangerous driving, *(b)* driving under the influence of illegal drugs and *(c)* driving under the influence of alcohol in (i) Southend-on-Sea and (ii) Essex in each year since 2001. [132757]

Caroline Flint: The requested information has not been published and is therefore not available centrally. Recorded crime figures for Southend are collected at Crime and Disorder Reduction Partnership (CDRP), and Basic Command Unit (BCD) level. At CDRP and BCD level, figures are published for six key offences only, which are violence against the person, sexual offences, robbery, burglary in a dwelling, theft of a motor vehicle, and theft from a vehicle.

Sani Abacha

Mr. Colman: To ask the Secretary of State for the Home Department for what reasons he has not responded to requests for documentation sought by the Nigerian Government in connection with funds believed to have been stolen from the country by the late Sani Abacha; and what steps the Government are taking to assist Nigeria in repatriating these funds. [131987]

Caroline Flint: We are still awaiting receipt of information from the Federal Government of Nigeria, requested a year ago that will permit me to make a fully informed decision on transmission of the requested evidence to them. There are court orders that have been issued in Nigeria, which have the apparent effect of precluding the Nigerian authorities from pursuing the mutual legal assistance requests it has issued. We are awaiting confirmation from the Federal Government of Nigeria that those court orders have been lifted or overturned on appeal by them. The Federal Government of Nigeria has confirmed through their solicitors in the United Kingdom that although they contest the validity of those judgments, they would comply with them so long as they remained in force.

In the light of a previous judicial review, it has been made clear that to attempt to transmit the evidence when such court orders were apparently outstanding would leave my discretionary decision liable to being overturned on judicial review. Equally, it would serve no purpose to transmit evidence to Federal Government of Nigeria that they may not be able to use in their criminal proceedings. We prefer to await the outcome of those proceedings before transmitting the requested evidence. We are also not in a position to repatriate any funds that may be in the United Kingdom until the outstanding matters have been addressed by them. We have not been asked to enforce Nigerian confiscation orders in this case.

Stop and Search (London)

Simon Hughes: To ask the Secretary of State for the Home Department how many stop and searches have been carried out during each of the last three years under section 44 of the Terrorism Act 2000 in London; what the charges of those arrested were; and how many have resulted in successful prosecutions. [135165]

Mr. Blunkett: Figures on stops and searches under section 44(1) and section 44(2) of the Terrorism Act 2000 are published annually in the Home Office Statistical Bulletin. The latest published figures are for the financial year 2001–02 and show that in the Metropolitan police district, 3,598 stops and searches were carried out under section 44(1) resulting in 63 arrests. 473 stops and searches were carried out under section 44(2), resulting in 11 arrests.

For the same period in the City of London police district, 3,409 stops and searches were carried out under Section 44(1) resulting in 92 arrests. 86 stops and searches were carried out under section 44(2), resulting in 8 arrests.

Figures for 2002–03 are due to be published later this year. Figures for 2003–2004 will be published when the relevant data has been collated and verified.

The data collected on stops and searches made under Section 44 of the Terrorism Act 2000 is not automatically cross-referenced with subsequent charges or prosecutions, and could be provided only at disproportionate cost.

Young Offenders

Mr. Wray: To ask the Secretary of State for the Home Department what plans he has to combat youth offending; and if he will make a statement. [132938]

Ms Blears: On 8 September we published "Youth Justice—The Next Steps", consulting on how to take further our youth justice reform programme for England and Wales. A copy has been placed in the Library. The document sets out changes we would like to make over the next few years in the way young offenders are dealt with. It includes proposals to:

Strengthen parenting interventions

Improve understanding of trials and trial preparation

Manage juvenile remandees better in the community

Establish a simpler sentencing structure with more flexible interventions

Provide intensive supervision and surveillance as the main response to repeat and serious offending while still having custody available

Introduce a more graduated progression between secure, open and community facilities

Improve youth justice skills and organisation; and

Invites views on how pre-court interventions can be developed further.

Consultation ends on 1 December and we encourage anyone with an interest in these issues to let us have their views on whether the proposals represent the best way forward.

These proposals complement the wide programme of work put forward in "Every Child Matters", published on the same date by my right hon. Friend the Chief Secretary to the Treasury. This consults in particular on how to help children achieve their full potential and how to tackle the risks of adverse outcomes including offending which some face in their early lives. The paper consults on ways to strengthen the work of the services which deal with children.

Chris Ruane: To ask the Secretary of State for the Home Department how many *(a)* police authority and *(b)* Crown Prosecution Service region fast tracking cases involved persistent youth offenders in the last year for which figures are available. [133053]

Ms Blears: Figures on the time taken from arrest to sentence for persistent young offenders are collected by Criminal Justice Area. Nationally, the number of persistent young offender cases dealt with over the last year for which figures are available, was:

	Persistent young offender cases
2002	
August	2,065
September	2,041
October	2,341
November	2,120
December	1,675
2003	
January	2,316
February	2,164
March	2,123
April	2,144
May	2,109
June	2,111
July	2,503
Total	25,712

NORTHERN IRELAND

Asbestos

Dr. Cable: To ask the Secretary of State for Northern Ireland pursuant to his answer of 24 June 2003, *Official Report*, column 707W, on asbestos, if he will list the buildings which have been identified as containing asbestos. [130950]

Mr. Pearson: Two schedules, one of which lists those buildings within the Northern Ireland Civil Service office estate that contain asbestos, and one of which lists the specialist buildings owned by NICS departments that contain asbestos, will be placed in the Library.

Concessionary Fares

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland hold a Translink senior smart pass issued under the Northern Ireland Concessionary Fares scheme. [136139]

Mr. Spellar: Translink report that, up to 30 October 2003, 166,345 Senior smart passes have been issued under the Northern Ireland Concessionary Fares scheme.

Driving Licences

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland hold a driving licence. [136137]

Angela Smith: Figures at 31 October 2003 show that 1,191,574 people in Northern Ireland hold a valid driving licence.

Electoral Identity Cards

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people have been issued with an electoral identity card in each of the parliamentary constituencies. [136136]

Mr. Spellar: The number of cards issued at 31 October 2003 in each of the 18 Northern Ireland constituencies is as follows:

Constituency	*Number of cards issued*
Foyle	7,093
East Londonderry	4,338
North Antrim	5,091
East Antrim	3,299
Mid-Ulster	4,465
West Tyrone	5,376
Fermanagh and South Tyrone	5,380
Upper Bann	3,974
Newry and Armagh	4,038
South Down	4,326
Lagan Valley	4,208
Strangford	3,865
South Antrim	3,590
North Down	2,929
Belfast, East	3,700
Belfast, South	3,453
Belfast, West	6,339
Belfast, North	5,789
Total	81,253

Passports

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland hold *(a)* a British and *(b)* an Irish passport. [136138]

Mr. Paul Murphy: My right hon. Friend the Secretary of State for the Home Department has advised me that records are not kept on the numbers of British passports issued in a particular region of the United Kingdom.

Irish passports are the responsibility of the Irish Government.

EDUCATION AND SKILLS

Adult and Community Learning Fund

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the future of the Adult and Community Learning Fund. [134979]

Mr. Ivan Lewis: I have decided to transfer the available budget to the Learning and Skills Council from April 2004. The money will be used to support the LSC's Widening Participation Strategy, meet our Skills Strategy commitment to build on the experience of the ACLF, and complement the LSC's strategy for working with the voluntary and community sectors. The decision has the support of NIACE and the LSC.

Asian Language Teaching

Sarah Teather: To ask the Secretary of State for Education and Skills what plans he has to include Asian languages as part of modern language education at primary level. [132726]

Mr. Stephen Twigg: The National Languages Strategy, "Languages for All: Languages for Life", published in December 2002, sets out the Government's commitment that all pupils throughout Key Stage 2 will have the entitlement to learn a language at least in part in class time by the end of this decade. That entitlement must comprise one of the working languages of the European Union. Schools are able to take local decisions about which languages they will offer, and whether or not they wish to teach a community language alongside the teaching of a European language. If a school wishes to teach additional languages, including Asian languages, they are free to do so.

By September 2005, specimen materials for three initial stages of the developing National Recognition System, which will endorse language competence, will be available in a number of languages including Urdu and Punjabi. By 2006, similar materials will also be available in Bengali, Gujarati and Hindi. All of these materials will support the initial stages of language learning, including learning undertaken by young people.

Condover Hall School

Mr. Paul Marsden: To ask the Secretary of State for Education and Skills, (1) if he will make a statement on the range of disabilities of children at Condover Hall School; [135321]

(2) what estimate he has made of the average funding per pupil at Condover Hall School in the last year for which figures are available;. [135322]

(3) if he will publish the correspondence between his Department and the Royal National Institute for the Blind on the closure of Condover Hall School. [135287]

Mr. Charles Clarke *[holding answer 30 October]:* We understand that Condover Hall School makes provision for pupils who are visually impaired with multiple and complex needs. Some children are non-ambulant. The School also makes specialist provision for deaf-blind pupils.

As a non-maintained special school, local education authorities placing children at Condover Hall negotiate with the school about the fees to be paid for each child. Fee levels vary depending on the complexity of the child's needs and the type of placement, for example, day placement, weekly boarding, 38 week or in some cases 52 week boarding. Average funding per pupil varies between around £30,000 p.a. and £100,000 p.a. depending on the type of placement. In the current financial year Condover Hall received around £70,000 in grants from the Department for Education and Skills (DfES), designed to raise standards.

My Department was formally notified by the RNIB about the proposed closure of Condover Hall in a letter dated 24 July this year. As my hon. Friend the Minister for School Standards said in his reply to the hon. Gentleman's earlier questions about Condover Hall School, officials at the DfES have asked the RNIB to clarify its plans for the closure of Condover Hall, and in particular to explain how the RNIB intends to ensure that appropriate and realistic plans for the placement of children currently attending the school are in place. They are currently awaiting a response. Copies of the relevant correspondence have been forwarded to the hon. Member.

Education (16-year-olds)

Mr. Stevenson: To ask the Secretary of State for Education and Skills what percentage of 16-year-olds stayed in full-time education and training in Stoke-on-Trent local education authority in each year since 1997. [135479]

Mr. Ivan Lewis: The percentage of 16-year-olds participating in full-time education, and in education and training in Stoke-on-Trent local education authority for end 1997 to end 2000, the latest available year, are shown in the table.

Participation in education and training by 16-year-olds in Stoke-on-Trent LEA

	End 1997	*End 1998*	*End 1999*	*End 2000*
Full-time education[1]	49	52	58	60
Education and training	[2]n/a	68	73	78

[1] Includes participation in full-time education, part-time education and government supported training.
[2] Education and training figures by LEA were first published for 1998.
Note:
Population data do not include any revisions following the 2001 census.
Source:
DfES Statistical Bulletin, published 16 December 2002.

Participation rates by LEA for 16-year-olds are published in an annual statistical bulletin, 'Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England'.

Educational Maintenance Allowance

Mr. Chaytor: To ask the Secretary of State for Education and Skills when he decided to set the maximum educational maintenance allowance at £30 per week; and if he will make a statement. [134257]

Mr. Ivan Lewis: Decisions about the various elements of the national scheme were taken in June 2003, including the maximum weekly payment. This has drawn on evidence from the pilot scheme. This information was then disseminated to local partners and schools and colleges in the form of a general leaflet; copies of this were also placed in the House of Commons Library.

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will estimate the cost of the national introduction of educational maintenance allowances in *(a)* 2004–05, *(b)* 2005–06 and *(c)* 2006–07 if the upper limit is set at (i) £30 per week and (ii) £40 per week. [134258]

Mr. Ivan Lewis: The EMA pilot has been extensively evaluated, including those variants testing different maximum payments. We have drawn from the evidence to develop what I believe will be the most effective model for the national EMA scheme. Evidence indicated that an upper limit of £40 per week was no more effective at increasing participation than the maximum of £30 per week. We have, however, been able to raise the lower threshold for receiving the maximum payment to £19,000 compared to £13,000 in the pilot scheme.

The estimated cost of the scheme for each of the three years is:

	Cost (£ million)	*Estimated number of young people on EMA*
2004–05	238	274,000
2005–06	374	390,000
2006–07	462	439,000

Mr. Chaytor: To ask the Secretary of State for Education and Skills what action he is planning to promote the take-up of educational maintenance allowances; and if he will make a statement. [134259]

Mr. Ivan Lewis: Plans to promote the take up of the national EMA scheme focus on three main phases of promotional activity, which are:

February 2004—a helpline opens for young people and their parents, along with an interactive website and a main promotion launch.

April/May 2004—second phase of the main promotional activity to raise awareness to coincide with the application packs being made available from April.

August/September 2004—third phase of main promotional activity to coincide with GCSE results and enrolment in further education.

Some promotional activity is already under way to raise awareness in the form of: a general EMA leaflet for local partners and schools and colleges, a leaflet specifically for young people, information in careers materials and a series of regional conferences.

Financial Literacy

Mr. Sheerman: To ask the Secretary of State for Education and Skills what steps he will take to increase the level of financial literacy. [135757]

Mr. Miliband: Some aspects of financial literacy are covered within the new Citizenship curriculum, which is already compulsory in secondary schools. For example, 14 to 16-year-old pupils should be taught about how the economy functions, including the role of business and financial services. The non-statutory framework for Personal, Social and Health Education, provides for personal finance education to be taught to all age groups, allowing teachers to cover the wide range of topics as set out in the Department's "Financial Capability through Personal Financial Education" guidance for schools.

From 2005/6 a new £60 million Enterprise Education entitlement will provide all Key Stage 4 pupils with the equivalent of five days' enterprise activity which will develop enterprise capability—including personal financial capability as well as business understanding. 151 Pathfinder projects in nearly 400 secondary schools were approved for September 2003 start. They will help DfES to develop additional guidance including case studies and lesson plans related to financial literacy, including advice from the Financial Services Authority and financial institutions.

Free School Milk

Mr. Hoyle: To ask the Secretary of State for Education and Skills (1) what measures he will take with local authorities to ensure that all children under the age of 11 receive free school milk; [136069]

(2) what measures he will take to encourage education authorities to use the EU subsidy for provision of school milk; [136070]

(3) what financial support he will give to *(a)* education authorities and *(b)* schools to provide free school milk for all those aged 11 and under; [136071]

(4) what discussions he has had with the Department for Environment, Food and Rural Affairs regarding *(a)* the provision of free school milk and *(b)* the provision of free school milk to all those aged 11 and under. [136102]

Mr. Stephen Twigg: This Department supports the provision of free and paid for milk in maintained schools and encourages schools and local education authorities to offer it to pupils. In addition, our guidance on school lunches includes a strong recommendation that drinking milk is made available to all pupils as an option every day. Following a 20 per cent. reduction in the EU subsidy on school milk from January 2001, this Department agreed jointly with the Department of Health and the Department for Environment, Food and Rural Affairs to top up the annual £1.5 million shortfall. This assistance helps prevent increases in the cost of providing school milk.

Key Stage 3 Strategy

Mr. Willis: To ask the Secretary of State for Education and Skills what evaluation of the Key Stage 3 strategy has taken place that compares schools in the original pilot with a similar range of schools outside the pilot; and what the result was. [136305]

Mr. Miliband: Final school level Key Stage 3 data will become available later this year when school performance tables are published. We will then be undertaking an analysis comparing the performance of schools which participated in the Key Stage 3 pilots and other schools in similar circumstances. I will write to the hon. Member to inform him of the outcome of this analysis in the New Year.

Local Education Authority Expenditure

Michael Fabricant: To ask the Secretary of State for Education and Skills what the average *(a)* primary and *(b)* secondary formula spending share per pupil will be in each local education authority in England and Wales for (i) 2004–05 and (ii) subsequent years. [136167]

Mr. Miliband: Figures for 2004–05 will not be available until we have announced the provisional Local Government Finance Settlement in mid-November: figures for future years will become available at the time of the Settlement for each year. The system in Wales is different and is the responsibility of the Welsh Assembly.

Parliamentary Questions

Mrs. Gillan: To ask the Secretary of State for Education and Skills when he will answer the questions, references *(a)* 129889 and *(b)* 129891, tabled by the hon. Member for Chesham and Amersham on 10 September 2003. [135964]

Mr. Stephen Twigg: I refer the hon. Member to the answers given by my hon. Friend the Minister of State for Lifelong Learning, Further and Higher Education on 3 November 2003, *Official Report*, columns 449W and 455W.

School Funding

Mr. Brady: To ask the Secretary of State for Education and Skills what the average per pupil funding for *(a)* primary, *(b)* secondary and *(c)* special schools was in each Excellence in Cities area for (i) 2002–03 and (ii) 2003–04. [133604]

Mr. Miliband *[holding answer 21 October 2003]:* The information requested has been placed in the Libraries.

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills (1) whether his pledge of increased school funding is related to a baseline that involves excluding *(a)* capital funding used for revenue purposes, *(b)* balances used to permit higher revenue spending, *(c)* staff reductions, redundancies or non-appointments made to reduce revenue spending and *(d)* funding incorporated into school mainstream budgets in 2002–03 that in previous years was made by way of special grants; [136301]

(2) if he will make a statement on the base used to calculate each school's 4 per cent. increase in funding. [136302]

Mr. Miliband: The proposed baseline for the per pupil minimum funding guarantee is an adjusted version of a school's budget share for the financial year 2003–04. It therefore does not include any reference to capital funding used for revenue, spend from school balances, the effect of staffing changes, or additions to 2002–03 budgets. The adjustments to the 2003–04 budget shares would have the effect of adding to the baseline any sums

made available from Additional Budget Support Grant, whether within a redetermined budget share or allocated separately; and excluding the following items: rates; amounts for named pupils, including those for special educational needs; prior year adjustments and sixth form funding from the Learning and Skills Council.

School Meals

Chris Grayling: To ask the Secretary of State for Education and Skills what systems are in place to ensure that compulsory nutrition standards for school lunches are maintained. [133909]

Mr. Stephen Twigg: It is the responsibility of the local education authority or, where the budget for school meals has been delegated to them, a school's governing body, to ensure that the statutory nutritional standards for school lunches are met. The Department for Education and Skills, in partnership with the Food Standards Agency, have commissioned research by Kings College London to assess whether food provided for and consumed during school lunches in a sample of maintained secondary schools in England complies with statutory nutritional standards and associated guidance. We expect that the findings of this survey will be available in spring 2004.

Specialist Schools

Vera Baird: To ask the Secretary of State for Education and Skills what assessment he has made of the performance of *(a)* specialist schools and *(b)* specialist schools in Redcar and Cleveland borough, in achieving 5A*-C grades at GCSE compared to the national average; and if he will make a statement. [135903]

Mr. Miliband *[holding answer 3 November 2003]*: 56.1 per cent. of 15-year-olds in specialist schools[1] gained 5 or more A*-C grades at GCSE/GNVQ in 2003, based on provisional data. For non-specialist[2] schools, the figure was 48.7 per cent. The national average was 52.6 per cent.

This supports our view that every secondary school should be given the opportunity to attain specialist status when it is ready to do so. The breakdown of data for specialist schools in Redcar and Cleveland is not yet available. GCSE/GNVQ Performance Table data will be published in January 2004.

[1] Specialist schools cover the 979 maintained, mainstream schools which were operational specialists as at September 2002, with 2003 GCSE/GNVQ results.

[2] Non-specialist schools cover maintained, mainstream schools with 2003 GCSE/GNVQ results.

Source:

SFR 29/2003, October 8th 2003: GCSE/GNVQ Examination Results for Young People in England, 2002/2003 (Provisional), Tables 1 and 2. http://www.dfes.gov.uk/rsgateway/DB/SFR/s000419/index.shtml

Student Income

Mr. Pickles: To ask the Secretary of State for Education and Skills what the average gross income of students was in the last 12 months, broken down by income quintile. [135358]

Alan Johnson: The Department has conducted a Student Income and Expenditure Survey (SIES) for the 2002/03 academic year. It will provide up-to-date information on students' income in the 2002/03 academic year for full-time, young, single, childless, English and Welsh domiciled students who are undertaking an undergraduate degree at publicly funded Higher Education Institutions in England and Wales in 2002/03.

The Department will announce a date for publication once a finalised report has been agreed with the researcher. Once published, the Department will use the data for further analysis of students' income.

Teachers

Mr. Willis: To ask the Secretary of State for Education and Skills how many newly-qualified teachers have failed to start an induction year four terms after starting daily supply work since the regulation was introduced; and who is responsible for enforcing this regulation. [136304]

Mr. Miliband: The Department does not collect any data on the number of newly qualified teachers that fail to start an induction year four terms after starting daily supply work.

It is the responsibility of the parties involved in the induction process—heads, governors and local education authorities, as well as the individual teachers themselves, to ensure that the regulations are observed.

Transitional Grants

Mrs. Brooke: To ask the Secretary of State for Education and Skills which criteria for the newly announced transitional grants for low funded authorities Poole local education authority does not meet. [136490]

Mr. Miliband: In 2004–05, we are targeting transitional grant at LEAs which have received increases of less than 12 per cent. in Education Formula Spending and DfES grant between 2002–03 and 2004–05. On provisional figures, Poole does not fall into that category. We will be announcing details of the calculations at the time of the provisional Local Government Finance Settlement in mid-November 2003.

Truancy

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many officials in his Department have been employed on projects to reduce truancy in each year since 1997. [133698]

Mr. Ivan Lewis: The number of officials working on the co-ordination and implementation of projects to reduce truancy and improve school attendance has varied between five in 1997 and 11 today.

University Applications

Mr. Amess: To ask the Secretary of State for Education and Skills how many applications there were for university places in England and Wales in each year since 1997. [130376]

Alan Johnson: The latest available information from the Universities and Colleges Admissions Service (UCAS), covering those applying for entry to full time undergraduate courses is shown in the table. Over the same period, the number of applicants from England and Wales who were accepted for entry increased by 9 per cent., and the latest figures published by UCAS for 2003 entry indicate that there will be a further rise this year.

Applications through UCAS to full time undergraduate courses in England and Welsh institutions

Year of entry	*Number*
1997	1,851,316
1998	1,803,032
1999	1,750,075
2000	1,723,836
2001	1,729,702
2002	1,739,875

Note:
Each applicant can make up to six applications in each cycle.
Source:
UCAS

HEALTH

Hospital Acquired Infections

13. **Mr. Lilley:** To ask the Secretary of State for Health, what recent estimate he has made of the number of people who die from infections acquired in hospital. [135981]

Dr. Ladyman: Estimates of the number of deaths associated with these infections cannot be provided as certifying doctors may not have information on where an infection was acquired.

Emergency Calls (East Sussex)

14. **Gregory Barker:** To ask the Secretary of State for Health, what percentage of category A emergency calls were answered within eight minutes in East Sussex in the last 12 months; and if he will make a statement. [135982]

Ms Rosie Winterton: Response times to life threatening calls have significantly improved across the country. Latest information for the year 2002–03 showed that the Sussex Ambulance NHS Trust responded to 72.4 per cent. of life threatening category A calls within eight minutes, compared with 61.3 per cent. in 2000–01.

Foundation Hospitals

15. **Mr. Gordon Prentice:** To ask the Secretary of State for Health, how many putative NHS foundation hospital trusts have published material seeking public support for foundation status; and how much was spent in each case. [135983]

Mr. Hutton: The 25 applicants in the first wave for NHS foundation trust status are all currently consulting with patients, the public, staff and partner organisations on their application. The costs associated with this consultation are not kept centrally.

Phlebotomy Services

16. **Mr. Rendel:** To ask the Secretary of State for Health, what support his Department provides for phlebotomy services in general practice. [135984]

Mr. Hutton: Near-patient testing—including phlebotomy—in general practice depends on ensuring that there are enough doctors with the right support. We have just seen the biggest year-on-year increase in the number of GPs for 20 years, and they are supported by more practice nurses and other health care professionals than ever before.

Care Homes

17. **Mr. Andrew Turner:** To ask the Secretary of State for Health, if he will make a statement on the number of care home beds available in counties south of the Thames. [135986]

Dr. Ladyman: The number of care home places in counties south of the Thames at 31 March 2001 was 141,365. This was the last year that the Department of Health collected the data. The National Care Standards Commission now has responsibility for collecting this data.

Vera Baird: To ask the Secretary of State for Health if he will make a statement on the average differential between the cost to local councils of running an old people's care home and the residential fee level for independent care homes, with special reference to Redcar and Cleveland. [134945]

Dr. Ladyman: Data on fees charged for independent care home places are not available centrally.

For 2001–02 (the latest figures available), figures provided by councils suggest that the average gross weekly expenditure on supporting older people in council-run care homes in England was £446 and the corresponding expenditure on places in care homes in the independent sector was £286. Caution is needed in interpreting the difference between these figures. This is covered in "Personal Social Services Expenditure and unit costs: England 2001–2002", a copy of which is available in the Library. For example, the difference may in part reflect differences in the dependency of people cared for. Where council-run services are more expensive than those provided by the independent sector, councils need to demonstrate through best value reviews that those higher costs are justified.

According to information reported to the Department by Redcar and Cleveland council, the current gross cost of providing a place in a council-run care home is £456 per week. The average cost for a place in a care home for older people in the independent sector is £292 per week.

Care (Lancashire)

Mr. Hoyle: To ask the Secretary of State for Health how many *(a)* residential care home and *(b)* nursing home places were available in (i) Lancashire and (ii) Chorley in each of the last five years, broken down by (A) local authority homes, (B) private sector homes and (C) charity and non-profit homes. [135804]

Dr. Ladyman: The table shows the number of care home places by type of accommodation available in Lancashire as at 31 March for the years 1998 to 2001. Data below local authority and health authority level is not available.

Figures for later years have been collected by the National Care Standards Commission but comparable details broken down by authority are not available.

Number of care home places in Lancashire[1] by type of accommodation 31 March 1998 to 2001

Rounded data

		Residential homes			*Nursing homes*
	LA	*Private*	*Voluntary*	*Small*[2]	*Independent*
1998	2,850	10,985	1,080	550	7,555
1999	2,600	11,140	1,080	570	7,315
2000	2,550	11,275	1,045	580	6,930
2001	2,345	11,065	1,035	590	6,185

[1] For residential care Lancashire has been interpreted as Lancashire, Blackburn with Darwen and Blackpool for 1999 onwards; for 1998 it covered Blackburn with Darwen and Blackpool. For nursing care it has been defined as South, East and Northwest Lancashire health authorities.
[2] Independent registered care homes with less than four places.
Source:
RA and RH(N) form A.

Community Pharmacies

18. **Mr. Anthony D. Wright:** To ask the Secretary of State for Health, what steps are being taken to enhance the contribution community pharmacies make to the provision of health care. [135987]

Ms Rosie Winterton: Community pharmacy is an integral part of the NHS. Our pharmacy programme, supported by a new contractual framework aimed to be in place next April, sets out a strong, ambitious role for community pharmacy in providing high quality health care services, reducing inequalities and improving access and choice for patients.

NHS Treatment Entitlement

19. **Mr. Rosindell:** To ask the Secretary of State for Health what provisions the NHS has in place to ensure that only those entitled to NHS treatment receive it. [135988]

Mr. Hutton: Entitlement to free national health service treatment is based on residence in the United Kingdom. The National Health Service (Charges to Overseas Visitors) Regulations 1989 place a duty on NHS trusts to establish whether a patient is ordinarily resident or eligible for free NHS hospital treatment and if not to levy a charge for any treatment provided. The Government is consulting on proposals to strengthen the charging regulations.

Men's Health

20. **Bob Spink:** To ask the Secretary of State for Health what progress the Government has made in meeting targets set for men's health in the National Plan. [135989]

Miss Melanie Johnson: Work under way on the Department's priority areas, coronary heart disease and cancer—the major killers of men—is having the greatest impact upon men's health. This includes initiatives to reduce smoking and improve diet and nutrition. Action to tackle drugs and alcohol misuse will also impact preferentially on men's health.

New Cross Hospital, Wolverhampton

21. **Mr. Dennis Turner:** To ask the Secretary of State for Health when he proposes to visit New Cross Hospital, Wolverhampton to inspect the premises. [135990]

Dr. Ladyman: My right hon. Friend the Secretary of State has accepted an invitation to visit New Cross Hospital. The date has not yet been finalised.

NHS Dentistry

22. **Mr. Robathan:** To ask the Secretary of state for Health if he will make a statement on NHS dentistry provision in Leicestershire. [135991]

Dr. Ladyman: In common with a number of areas, the recruitment of NHS dentists is a challenge in the Leicestershire area. The Leicestershire, Northamptonshire and Rutland SHA is addressing access to NHS dentistry as a key priority. A number of options are being examined and these will be supported by funding which has been ring fenced with the aim of attracting more dentists to the area.

"Forecasting the Nation's Health"

Chris Grayling: To ask the Secretary of State for Health if he will make a statement on the pilot of the "Forecasting the Nation's Health"; if he will list the trusts which participated in the pilot of the "Forecasting the Nation's Health"; and what plans he has to expand the pilots of the "Forecasting the Nation's Health" to further trusts. [133930]

Ms Rosie Winterton: To support national health service managers in anticipating circumstances of weather related high demand, the Met Office (in partnership with the Department of Health and NHS pilot sites) ran a weather forecast/health demand trial project, "Forecasting the Nation's Health", supported by Her Majesty's Treasury "Invest to Save" funding over the winters of 2001–02 and 2002–03. The aim was to provide NHS managers with advance warning of whether to expect increased or reduced emergency admissions and allow them to plan the use of resources more efficiently.

This work was without precedent internationally. The trial project has been completed and two external evaluations examined the reliability and value of such workload forecasting for the NHS. NHS users have been closely involved in the evaluation. The following trusts participated in the pilot:

Addenbrooke's
Basildon and Thurrock General Hospitals NHS Trust
South Durham Healthcare NHS Trust
The Hillingdon Hospital NHS Trust
Birmingham Heartlands and Solihull NHS Trust
Central Manchester Healthcare NHS Trust
City Hospital NHS Trust
Ealing Hospital NHS Trust
Good Hope Hospital NHS Trust
Hinchingbrooke Healthcare NHS Trust
Mid-Staffordshire General Hospitals NHS Trust
Norfolk and Norwich University Hospital NHS Trust
North Manchester Healthcare NHS Trust
North Middlesex University Hospital NHS Trust
Nottingham City Hospital NHS Trust
Oldham NHS Trust
Plymouth Hospitals NHS Trust
Portsmouth Hospitals NHS Trust
Queen's Medical Centre, Nottingham University Hospital NHS Trust
Royal Berkshire and Battle Hospitals NHS Trust
Salford Royal Hospitals NHS Trust
Sheffield Teaching Hospital Trust
South Manchester University Hospitals NHS Trust
Stockport NHS Trust
The Royal West Sussex NHS Trust
The Royal Wolverhampton Hospitals NHS Trust
Trafford Healthcare NHS Trust
United Leeds Teaching Hospitals NHS Trust
University Hospital Birmingham NHS Trust
University Hospitals Coventry and Warwickshire NHS Trust
Whipps Cross Hospital.

The Department of Health is currently assessing the evaluations with particular interest in the reliability, accuracy and usability of the forecasts in order to make an informed decision about the future direction of support for health demand forecasting systems.

Chris Grayling: To ask the Secretary of State for Health what representations he has made to the Chancellor for funds to be made available for the continuation of the piloting of the "Forecasting the Nation's Health". [133931]

Ms Rosie Winterton: To support national health service managers in anticipating circumstances of weather related high demand, the Met Office (in partnership with the Department of Health and NHS pilot sites) ran a weather forecast/health demand trial project, "Forecasting the Nation's Health", supported by Her Majesty's Treasury "Invest to Save" funding over the winters of 2001–02 and 2002–2003.

The Department of Health is currently assessing the independent evaluations of this project before making a decision as to the future direction, support and funding of demand forecasting systems in the NHS. Any decisions about levels and sources of funding will depend on the outcome of this assessment.

Alternative and Complementary Medicine

Mr. Tredinnick: To ask the Secretary of State for Health when he will bring forward proposals on the statutory self-regulation of herbal medicine and acupuncture practitioners. [135972]

Mr. Hutton: The Government welcomes the recent publication of the reports of the Herbal Medicine and Acupuncture Regulatory Working Groups. We will give careful consideration to the working groups' recommendations, prior to consulting on the statutory regulation of herbal medicine and acupuncture practitioners. A consultation document will be published early next year.

Ashford (Middlesex) Hospital

Mr. Wilshire: To ask the Secretary of State for Health what proportion of the staff in the new treatment centre at Ashford (Middlesex) hospital will be *(a)* additional staff and *(b)* staff transferring from the NHS. [130935]

Mr. Hutton *[holding answer 18 September 2003]:* The exact position on staffing in this unit will be finalised as part of the final negotiations. It is expected that the professional staff will include additional staff provided by the independent sector provider and national health service staff working in the unit in an agreed and structured way.

Mental Health (Deaf People) Audiology

Tim Loughton: To ask the Secretary of State for Health (1) what steps the Government are taking to make its suicide prevention strategy accessible to deaf people; [134941]

(2) what measures he is taking to encourage the collection of information on suicides by deaf people at primary care trust level. [134942]

Ms Rosie Winterton: The suicide prevention strategy was launched in September 2002. The strategy is still available in hard copy and can also be accessed via the Department of Health and National Institute for Mental Health in England websites. The deaf community is able to request copies of the document through the Department of Health Publications Orderline on minicom.

Primary care trusts (PCTs) are required to carry out suicide audits as part of their performance review process, but this does not, however, require PCTs to collect data about deaf people as distinct from any other group.

The development of mental health services for deaf people, "A Sign of the Times", was the subject of a separate extensive consultation, which concluded earlier this year. Officials are currently considering how to represent the many high quality responses received.

Tim Loughton: To ask the Secretary of State for Health what measures the Government is taking to develop evidence-based service provision for the prevention of mental health problems in deaf people. [134943]

Ms Rosie Winterton: The evidence that we have indicates, as outlined in the consultation document Sign of the Times, that access to a full range of services,

support to parents in the early years and appropriate educational provision are likely to be the important factors.

The responsibility for assessing the needs of their entire populations, and for making the provision they consider most appropriate, lies with the primary care trusts.

Commission for Patient and Public Involvement in Health

Mr. Burstow: To ask the Secretary of State for Health if he will list each local network provider awarded a contract by the Commission for Patient and Public Involvement in Health, the areas they have been awarded contracts for, and their registered office address; how many patient forums they are responsible for; which aspects of the service they have sub-contracted; and to whom they have sub-contracted. [134066]

Ms Rosie Winterton *[holding answer 27 October 2003]:* A full list of local network providers, the area they cover and the patients' forums they support is available on the Commission for Patient and Public Involvement in Health's (CPPIH's) website at www.cppih.org. A copy of the relevant information has been placed in the Library. Local network providers have to seek approval from the CPPIH to sub contract the services for which they have been contracted to provide. No such requests have been made.

Data Protection

Dr. Iddon: To ask the Secretary of State for Health what guidance he has issued to *(a)* primary care trusts, *(b)* NHS trusts and *(c)* agencies of his Department on S.I., 2002, No. 2905, The Data Protection (Processing of Sensitive Personal Data) (Elected Representatives) Order 2002 and the involvement of hon. Members with cases; and if he will make a statement. [135261]

Ms Rosie Winterton: Guidance was issued to all primary care trusts, national health service trusts and agencies of the Department in July 2003 as part of the "Confidentiality: NHS Code of Practice". The guidance states the following in the case of disclosures of health data to hon. and right hon. Members.

> "If an investigation is appropriately authorised, disclosure will meet tests of necessity and appropriateness. The minimum necessary information should be disclosed. There is a balance to be drawn between ensuring that a patient has understood and properly consented to a disclosure of information and needlessly obstructing an investigation. Careful consideration of any written authorisation and prompt action are key, e.g. where an MP states, in writing, that s/he has a patient's consent for disclosure this may be accepted without further resort to the patient."

Plutonium Contamination

Norman Baker: To ask the Secretary of State for Health what recent studies his Department has evaluated relating to the level of plutonium in the teeth of children *(a)* in the Sellafield area and *(b)* elsewhere in the United Kingdom; and if he will make a statement. [129247]

Miss Melanie Johnson: The Department of Health funded studies on the contamination of the population of the United Kingdom by environmental plutonium and other radionuclides in the late 1990s.

The samples chosen for analysis were either teeth, removed for orthodontic purposes, or 24 hour urine samples. Teeth, mostly intact first pre-molars, were collected by district health authorities, batched into samples of 50 teeth, then analysed for plutonium-239 + 240 by alpha-spectrometry. Additional single teeth were analysed for their total alpha-activity by alpha-track counting with Tastrak 'R' and additional batches were analysed for radiostrontium. The results showed that the average concentrations of total alpha-emitters and radiostrontium were approximately three orders of magnitude greater than the equivalent concentrations of plutonium isotopes. Analysis indicated that the concentrations of plutonium, but not strontium-90 or total alpha-emitters decreased with increasing distance from the west Cumbrian coast and its Sellafield nuclear fuel reprocessing plant—suggesting that this plant is a source of plutonium contamination in the wider population of the British Isles. Nevertheless, the measured average absolute concentrations of plutonium-239 + 240 were so low that they are considered to present an insignificant radiological hazard. Moreover, additional analyses showed that the concentrations of other "high toxicity", natural alpha-emitting radionuclides (radium, thorium and uranium) were much higher than the levels of plutonium.

Trainee Dentists

Mr. Pike: To ask the Secretary of State for Health what proposals he has to increase the number of dentists training in *(a)* the North West, *(b)* East Lancashire and *(c)* England. [135496]

Ms Rosie Winterton: We are currently undertaking the first review of the dental workforce since 1987 in consultation with the dental profession—professional bodies, dental academics, as well as the British Dental Association. We hope to publish the review by the end of this year. The findings of this review will enable us to consider both the number of dentists and the location of their training in England.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Secretary of State for Health how much his Department spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by Ministers and officials in each year since 1997. [134691]

Ms Rosie Winterton: The Department and its executive agencies have no residential properties on its estate.

Insulin

Tim Loughton: To ask the Secretary of State for Health (1) how many people in the UK use *(a)* animal insulin and *(b)* GM insulin for treatment of diabetes; [134781]

(2) what the cost to the NHS of prescribing *(a)* animal insulin and *(b)* GM insulin for treatment of diabetes was in the last 12 months. [134783]

Ms Rosie Winterton: Data on the number of people using these insulins is not collected. However, the table shows the number of prescription items that were dispensed in the community in England, and their cost, in the twelve months ended June 2003.

Number of prescription items and net ingredient cost of Insulins that were dispensed in the community in England for the twelve months ending June 2003

	Number of prescription items (Thousands)	*Net ingredient cost (£000s)*
Highly purified animal insulin	128.1	4,217.2
Human sequence (GM Insulin)	3,522.0	150,528.8
All Insulins	3,650.0	154,746.0

Notes:
The data is from the Prescription Cost Anallysis (PCA) system which covers all prescription items that are dispensed in the community in England. This does not include drugs dispensed in hospitals or private prescriptions.
Insulins are those defined in the British National Formulary BNF) paragraph 6.1.1, "Insulins". Insulin drugs have been grouped into highly purified animal and human sequence (GM) insulin in line with the British National Formulary (BNF)
Doctors write prescriptions on a prescription form. Each single item written on the form is counted as a prescription item. The net ingredient cost refers to the cost (which the dispenser is reimbursed) of the drug before discounts and does not include any dispensing costs or fees.

Tim Loughton: To ask the Secretary of State for Health (1) how many people in the UK are known to be unable to use GM insulin for the treatment of diabetes; [134782]

(2) how many users of GM insulins for treatment of Type 1 diabetes have been found dead attributable to dead in bed syndrome in each of the last 10 years; [134785]

(3) what research he has *(a)* commissioned and *(b)* assessed regarding the (i) efficacy and (ii) side-effects of GM insulin against animal insulin on diabetes patients; [134788]

(4) what assessment he has made of the side-effects of GM insulin on certain diabetes sufferers. [134802]

Ms Rosie Winterton: We have no estimate of the numbers of people with diabetes who are known to be unable to use genetically modified (human) insulin. Decisions on the most suitable type of insulin should be made by people with diabetes in consultation with their healthcare providers. The Committee on Safety of Medicines (CSM) and the Medicines and Healthcare products Regulatory Agency has kept the safety of human insulins under close review. The CSM concluded that, although some patients have experienced problems on transferring to human insulin and are better suited to animal derived insulins, there is no evidence of a safety concern specific to human insulin. The CSM Sub-Committee on Pharmacovigilance reviewed the issue again in September 2000, following the publication of a systematic review of the literature. 52 randomised controlled trials were identified, in addition to 56 studies of other designs and case reports. The Sub-Committee considered the paper and agreed with the conclusions of the authors that there is no evidence of a safety problem specific to human insulin. In 2002, the Cochrane Library published a review of human insulin versus animal insulin in people with diabetes mellitus. This review included randomised controlled trials of at least one month in duration. No significant differences in metabolic control or hypoglycaemic episodes between various insulin species could be found. Data on the rare occurrence of dead in bed syndrome is not collected.

Tim Loughton: To ask the Secretary of State for Health (1) what measures the Government are taking to secure the continued availability of animal insulin to people who have shown a resistance to GM insulin for the treatment of diabetes; [134784]

(2) what discussions he has had with his Danish counterparts about the continued supply of animal insulin; [134786]

(3) from where the NHS sources *(a)* animal insulin and *(b)* GM insulin; [134787]

(4) what discussions he has had with the Insulin Dependent Diabetes Trust about the continued supply of animal insulin to diabetes patients in the UK. [134801]

Ms Rosie Winterton: There are two companies supplying animal insulin in the United Kingdom; CP Pharmaceuticals and Novo Nordisk. Both companies have confirmed that they will continue to supply animal insulin for the foreseeable future. Officials are in regular contact with these companies. I have had no discussions with either the Insulin Dependent Diabetes Trust or my Danish counterparts on this subject.

Diagnostic and Treatment Centres

Mr. Dobson: To ask the Secretary of State for Health if he will list the organisations invited to run private diagnostic and treatment centres; in how many cases such an organisation, its associated companies, subsidiaries or directors *(a)* have been indicted for defrauding taxpayers, patients, staff or their national revenue service and *(b)* are being investigated for such offences; and if he will list the offences in each case. [130355]

Mr. Hutton *[holding answer 16 September 2003]:* A list of bidders selected to run new treatment centres was announced on Friday 12 September.

In line with major public procurements, Official Journal of the European Communities procurement rules have been adhered to. Regulation 14 of the Public Services Contracts Regulations 1993 specifies the criteria for rejecting bidders. All bidders were required to complete a pre-qualification questionnaire confirming that no bidder had among other matters been convicted of a criminal offence or committed a grave misconduct in the course of its business of not fulfilling obligations relating to payment of taxes. Each appointed preferred bidder has confirmed that that there are no grounds applicable pursuant to which they could be rejected under Regulation 14.

Further, each preferred bidder has confirmed that there are no material nor employment related litigation or other legal proceedings relating to any of the projects that have undertaken which they relied on in their bid to demonstrate their experience of health care projects.

Mr. Hammond: To ask the Secretary of State for Health what research informed the grouping of diagnostic and treatment centres into the chain which includes the proposed Ashford centre. [131503]

Mr. Hutton: In autumn 2002, the national health service undertook a national capacity planning process lead by local NHS commissioners. This identified a range of capacity gaps that needed to be met for the NHS to meet the waiting time target set for 2005. Where the NHS was not able to demonstrate plans to meet this demand the residual activity was market tested in December 2002 through an Official Journal of the European Communities (OJEC) advert. In light of the preliminary response, the chains were configured to link capacity gaps of similar activity and organised in a way that the market could provide a rapid response.

Mr. Dobson: To ask the Secretary of State for Health whether privately run diagnostics and treatment centres will operate *(a)* in whole and *(b)* in part from NHS premises. [131906]

Mr. Hutton: A principal aim of the independent sector treatment centre programme is to make available to national health service commissioners additional capacity. Many of the units will either be new build or modular accommodation. In some cases, where local NHS commissioners have requested and where it fits within the local health economy, these units may use NHS accommodation for which they will pay the NHS rent.

Mr. Dobson: To ask the Secretary of State for Health whether NHS premises will be used by private sector diagnostic and treatment centres. [131051]

Mr. Hutton *[holding answer 18 September 2003]:* A principle aim of the independent sector treatment centre programme is to make available to national health service commissioners additional capacity. Many of the units will either be new buildings or modular accommodation (pre-built operating theatres or ward space). In some cases, local NHS commissioners will make available NHS accommodation that is not currently in use for these new units. In these cases the independent sector provider will pay rent to the NHS.

Trainee Doctors

Helen Jackson: To ask the Secretary of State for Health how many doctors were in training on the latest date for which figures are available. [135968]

Mr. Hutton: I refer my hon. Friend to the reply my right hon. Friend the Secretary of State gave my hon. Friend the Member for Colne Valley (Ms Mountford) earlier today.

Harefield Hospital

Mr. Wilkinson: To ask the Secretary of State for Health what percentage of personnel working at Harefield Hospital, Middlesex, indicated in the latest staff survey a willingness to transfer to a new cardiothoracic hospital at Paddington Basin in central London. [134656]

Mr. Hutton: Staff retention and recruitment is a major priority in the planning process for the Paddington Health Campus. The most recent Harefield staff survey was conducted by the Royal Brompton and Harefield National Health Service Trust in February 2003. This is a trust document and a copy is available from them on request.

Hospital Trusts (Performance Ratings)

Mr. Nicholas Brown: To ask the Secretary of State for Health what discussions he has had with the Commission for Health Improvement on the desirability of the Commission, when assessing the performance of hospital trusts, focusing on *(a)* outcome, *(b)* quality and *(c)* process. [133368]

Mr. Hutton: The Commission for Health Improvement has already introduced new performance indicators which reflect increasingly the outcomes and quality of treatment patients receive, as well as good processes. The Commission for Healthcare Audit and Inspection will, subject to parliamentary approval, take over from April 2004 responsibility for performance ratings and, in consultation with the national health service and the Department of Health, develop the assessment process further.

Mr. Nicholas Brown: To ask the Secretary of State for Health what discussions he has had with the Commission for Health Improvement concerning its commitment to reassess the way in which the Commission assesses the performance of hospital trusts. [133404]

Mr. Hutton: The Commission for Health Improvement (CHI) inherited and further developed a robust methodology for producing performance ratings. The Commission for Healthcare Audit and Inspection (CHAI), subject to parliamentary approval, will take over responsibility for the ratings from April 2004, and will consult the national health service and the Department of Health, to further develop the assessment process.

Local Pharmaceutical Services

John Cryer: To ask the Secretary of State for Health if patient registration will become an aspect of local pharmacy services pilots. [133268]

Ms Rosie Winterton: Local pharmaceutical services pilots can offer patient registration although there is no requirement for patients to use the scheme if they do not wish to do so.

Mental Health Bill

Tim Loughton: To ask the Secretary of State for Health when he plans to issue the results of the consultation on the Mental Health Bill; and in what form. [134775]

Ms Rosie Winterton: The Government's response to the consultation will be published before the introduction of the Bill. It will be available in hard copy and on the Department's website.

At that time, copies of responses will be placed in the Library, except in cases where respondents have asked for confidentiality.

NHS Cancer Plan

Mr. Gordon Marsden: To ask the Secretary of State for Health what discussions his Department has had with primary care trusts about their role in implementing the preventative elements of the NHS Cancer Plan in *(a)* Blackpool and *(b)* England. [135985]

Miss Melanie Johnson: No specific discussions have taken place with primary care trusts (PCTs) about their role in implementing the preventative elements of the NHS Cancer Plan in Blackpool and England. It is for PCTs to discuss with their respective strategic health authorities their role in implementing the preventative elements of the NHS Cancer Plan.

A resource handbook is available for PCTs to highlight the opportunities for the challenges locally from the national service frameworks entitled, "National Service Frameworks: A Practical Aid to Implementation in Primary Care (2002)".

A resource to help health professionals implement the prevention aspects of the NHS Cancer Plan was launched on 1 November 2002 by the Health Development Agency. "Cancer Prevention: A resource to support local action in delivering the NHS Cancer Plan" makes recommendations for action based on the evidence of what works best to tackle Smoking; Diet and Nutrition; Obesity; Physical Activity; Alcohol; Sunlight and Radon—the seven key cancer risk factors highlighted in the NHS Cancer Plan.

Support has been made available in respect of the role of PCTs in delivering NHS stop smoking services, namely recommendations produced by the Health Development Agency entitled, "Meeting Department Of Health Smoking Cessation Targets: Recommendations for Primary Care Trusts" (ISBN: 1–84279–125–7) and available on the Department of Health's tobacco website. These recommendations cover all aspects of service delivery in this area to help PCTs to commission effective, efficient services.

NHS Administrative Costs

Dr. Fox: To ask the Secretary of State for Health what the administrative costs of each health authority in England were in each year since 1997. [127339]

Mr. Hutton: A list of the administrative costs of each health authority in England in each year since 1997 has been placed in the Library.

The following table shows national commissioner administration, and provider management costs in the national health service 1997–98 to 2001–02.

	Total HA + PCT administration and NHS trust management costs (£000)	*NHS total expenditure England (£ million)*	*Percentage HA + PCT administration and NHS trust management costs of NHS budget*
1997–98	1,962,983	34,664	5.7
1998–99	1,935,116	36,608	5.3
1 999–2000	2,051,259	40,215	5.1
2000–01	2,124,710	43,951	4.8
2001–02	2,565,092	49,279	5.0

Management costs have, as a percentage of the overall NHS budget, fallen from 5 per cent. to 4 per cent. over the period 1997–98 to 2001–02.

CONSTITUTIONAL AFFAIRS

Departmental Energy Use

Mr. Laurence Robertson: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much *(a)* electricity and *(b)* other energy his Department and its predecessors has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135048]

Mr. Lammy: For the amount of energy consumed each year since 1997, in total, and per square metre for my Department I refer the hon. Member to the answer given him by my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs on 3 November 2003, *Official Report*, column 403W. This is based on annual returns provided by this Department.

My Department only forecasts energy usage for the forthcoming financial year and the current forecast for 2004–05 are set out in the following table. This table also includes details of our actual consumption for 2002–03 and our forecast consumption for 2003–04.

Consumption (GWH)

	Fossil	*Electricity*
2002–03[1]	104.5	[2]64.6
2003–04	95.7	61.7
2004–05	97.7	67.4

[1] The figures for 2002–03 have been weather corrected to the 1999–2000 20 year average.

[2] This includes 10 per cent. of energy which is from renewable sources and therefore exempt from CCL.

My Department plans to reduce energy usage by continuing its planned program of energy surveys, efficiency works and training courses for Accommodation Liaison Officers.

In addition my Department follows guidance on government procurement produced by the Department for Environment, Food and Rural Affairs. This requires all new contracts to meet minimum efficiency standards as well as value for money, when purchasing certain types of product. Types of product that must meet energy efficiency criteria include IT equipment, gas boilers, white goods (eg fridges and washing machines), televisions, lighting systems and light-bulbs 2003.

Judicial Committee

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many countries use the Judicial Committee of the Privy Council as their final court of appeal; and if he will make a statement. [134401]

Mr. Leslie: The Judicial Committee is used by 15 countries, as well as by the Sovereign Base area of Akrotiri and Dhekelia in Cyprus and by the United

Kingdom Overseas Territories. Fuller details are available on the Privy Council Office website www.privycouncil.gov.uk.

Magistrates Courts

Mr. Byers: To ask the Parliamentary Secretary, Department for Constitutional Affairs what amounts of fines were *(a)* due to be paid and *(b)* collected in each magistrates' court in the most recent year for which information is available. [136532]

Mr. Leslie: Magistrates' Courts Committees (MCCs) have a responsibility for the collection of a range of debts imposed by both the magistrates' courts and the Crown Court. Debt collected includes not only fines but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders. It is not yet possible to separate out only fines from the total so the figures provided in the table include all the elements above. Data are collected centrally at a MCC level, rather than at court level.

Debt Analysis—Financial Year April 2002—March 2003

	Including Confiscation Orders		*Excluding Confiscation Orders*	
	Amount Owed Total including Confiscation Orders	*Amount Collected Total Including Confiscation Orders*	*Amount Owed Total Excluding Confiscation orders*	*Amount Collected Total Excluding Confiscation Orders*
Avon and Somerset	8,181,788	5,259,280	8,037,845	5,201,617
Bedfordshire	3,480,794	2,025,001	3,369,920	1,990,976
Cambridgeshire	7,212,583	3,238,169	4,823,762	3,235,925
Cheshire	6,343,975	3,528,927	5,937,986	3,517,973
Cleveland	4,216,677	1,975,152	3,988,362	1,975,152
Cumbria	3,731,662	2,775,099	3,664,593	2,774,655
Derbyshire	8,019,991	4,686,960	7,701,784	4,375,281
Devon and Cornwall	8,789,409	5,532,765	8,611,511	5,427,765
Dorset	3,129,353	2,389,428	2,937,889	2,254,069
Durham	3,810,252	2,824,406	3,724,459	2,804,406
Dyfed Powys	2,998,274	1,960,800	2,985,359	1,955,054
Essex	11,051,684	8,218,465	10,823,161	8,187,035
Gloucestershire	2,810,188	2,354,218	2,778,482	2,285,011
Greater London	111,347,014	44,495,021	78,359,500	40,008,859
Greater Manchester	23,784,474	15,219,139	23,637,845	15,114,771
Gwent	5,112,864	2,928,599	5,078,825	2,927,407
Hampshire and IoW	9,564,623	7,373,651	9,559,305	7,130,126
Hertfordshire	6,601,848	4,435,570	6,465,770	4,051,933
Humberside	5,435,985	3,624,952	5,230,916	3,510,212
Kent	9,434,951	5,730,421	9,433,926	5,279,995
Lancashire	11,325,845	7,126,465	10,315,616	6,979,413
Leicestershire	6,860,746	4,714,845	6,856,679	4,712,644
Lincolnshire	5,112,202	3,022,844	4,357,890	2,877,555
Merseyside	13,398,088	4,377,442	11,211,568	4,257,610
Norfolk	3,788,526	2,844,567	3,564,228	2,631,267
North Wales	5,413,000	2,887,586	5,329,765	2,828,407
North Yorkshire	3,204,012	2,485,638	3,173,526	2,367,756
Northamptonshire	5,444,863	3,447,419	5,243,809	3,367,406
Northumbria	8,823,707	5,231,567	8,813,707	5,231,567
Nottinghamshire	6,901,699	4,503,754	6,306,446	4,186,059
South Wales	9,536,317	4,936,250	9,496,396	4,902,869
South Yorkshire	8,461,741	5,127,542	7,395,710	5,070,458
Staffordshire	7,974,944	4,533,341	7,095,831	4,320,887
Suffolk	3,405,285	2,366,200	3,226,536	2,330,078
Surrey	5,427,711	4,414,523	5,379,103	4,349,531
Sussex	6,402,558	3,958,078	6,402,558	3,958,078
Thames Valley	12,245,768	8,450,928	12,066,998	8,450,928
Warwickshire	3,015,942	2,612,689	2,906,417	2,578,005
West Mercia	6,807,395	4,845,635	6,666,562	4,843,985
West Midlands	23,774,188	11,759,135	20,876,615	11,749,870
West Yorkshire	18,252,877	8,550,736	12,641,471	8,514,510
Wiltshire	5,228,069	3,546,903	4,831,198	3,353,379
England and Wales	425,863,872	236,320,110	371,309,829	227,870,484

Small Claims Courts

Vera Baird: To ask the Parliamentary Secretary, Department for Constitutional Affairs how the personnel who adjudicate in the small claims court are selected for *(a)* the job and *(b)* particular types of case. [134295]

Mr. Leslie: Small claims are heard in county courts by District Judges and deputy District Judges who are appointed by the Lord Chancellor. Any District Judge, or deputy, can deal with small claims cases. The listing officer in each court is responsible, under the superintendence of the judges, on a day-to-day basis for allocating cases to individual judges.

DEPUTY PRIME MINISTER

Housing (Islington)

Jeremy Corbyn: To ask the Deputy Prime Minister what discussions he has had with the London borough of Islington concerning *(a)* its arm's length management

organisation application, *(b)* the cost of its preparation and *(c)* the views of the borough's tenants on this policy. [136508]

Keith Hill: The London borough of Islington was given a provisional allocation of £24.9 million under Round Three of the Arm's Length Management Organisation (ALMO) Programme in July this year. Officials at the Office of the Deputy Prime Minister have had detailed discussions with council officers while the bid was being assessed. This dialogue will continue as the council draws up its application under section 27 of the Housing Act 1985 to delegate its housing management functions to the ALMO. Approval under section 27 will only be given if we are satisfied that proper consultation has been carried out and that tenants support proposals. The cost of preparing ALMO applications is a matter for the council.

Fire Service

Mr. Djanogly: To ask the Deputy Prime Minister what in-service death benefits are payable to members of the Fire Service. [136196]

Phil Hope: For Great Britain the full range of death benefits that are potentially available under the Fire-fighters' Pension Scheme are:

Spouse's Ordinary Pension
Spouse's Special Pension
Spouse's Augmented Award
Spouse's Accrued Pension
Child's Ordinary Pension
Child's Special Allowance
Child's Special Gratuity
Child's Accrued Allowance
Lump Sum Death Grant
Adult Dependent Relative's Special Pension
Dependent Relative's Gratuity

Eligibility will depend on individual circumstances at the time of death. In addition, under the Conditions of Service agreed by the National Joint Council for Local Authorities' Fire Brigades, death grant is payable to the dependants or estate of any fire-fighter killed as a result of an accident on duty.

Local Authority Housing Transfers

Mr. Drew: To ask the Deputy Prime Minister (1) whether the requirement that local authorities consultation material issued as part of large scale voluntary transfer is checked by the Department extends to information issued by *(a)* individual (i) councillors, (ii) tenants, (iii) tenant groups and *(b)* the selected stock transfer organisation; [136040]

(2) what the reasons are for requiring local authorities to have all materials checked as part of the consultation process for large scale voluntary transfer. [136041]

Keith Hill: The Office of the Deputy Prime Minister does not formally check material issued by parties other than the local authority. An authority is required to give Office of the Deputy Prime Minister and the Housing Corporation an opportunity to comment on its consultation material before it is issued. This is to enable identification of anything which is likely to be unacceptable to my right hon. Friend the Deputy Prime Minister when he comes to consider the authority's consent application or to draw attention to the adequacy or comprehensiveness of the material.

In carrying out consultation with tenants about a proposed transfer, local authorities must meet the statutory requirements set out in section 106 of and Schedule 3A to the Housing Act 1985 (as inserted by section six of and Schedule one to the Housing and Planning Act 1986). They are also obliged to adhere to the Code of Recommended Practice on Local Authority Publicity. This permits authorities to explain and justify their proposals and ensure that local authority publicity concentrates on facts and explanation.

Mr. Drew: To ask the Deputy Prime Minister if he will make a statement on the material his Department has checked from *(a)* Stroud district council and *(b)* other parties involved in the large scale voluntary transfer process. [136042]

Keith Hill: The Office of the Deputy Prime Minister has formally cleared material issued by the local authority and has, on request, commented on material issued by other stakeholders.

Mr. Drew: To ask the Deputy Prime Minister if he will publish the advice his Department has given to Stroud district council on their communication with tenants regarding the procedures for large scale voluntary transfer. [136142]

Keith Hill: I refer my hon. Friend to the answer given on 22 October 2003, *Official Report*, column 564. The Office of the Deputy Prime Minister expects all local authorities involved in housing transfer to follow the guidance on involving tenants and other stakeholders in the Housing Transfer Manual. All comments provided to Stroud district council have been in accordance with this guidance.

Mobile Masts

Virginia Bottomley: To ask the Deputy Prime Minister what representations he has received on third generation mobile telephone masts from the Churt Mast Action Group. [136233]

Keith Hill: The Office of the Deputy Prime Minister has no record of having received representations on third generation mobile telephone masts from the Churt Mast Action Group.

INTERNATIONAL DEVELOPMENT

HIV/AIDS, TB and Malaria

Mr. Laurence Robertson: To ask the Secretary of State for International Development how much the United Kingdom has contributed to the Global Fund to fight AIDS in each year; how much is planned to be spent in 2004–05; and if he will make a statement. [134971]

Mr. Gareth Thomas: The UK has a long-term commitment to the Global Fund to Fight HIV/AIDS, TB and Malaria and recognises that in order to be effective it needs predictable and sustainable financing. The UK recently extended its pledge by a further two years to 2008 bringing our total contribution to US$280million.

The pattern of our disbursements has been agreed with the Global Fund Secretariat—for the financial year 2002–03, the UK provided £50 million in two separate payments of £25 million, in 2003–04 the UK provided £25 million, and for the financial year 2004–05 we will provide £30 million.

UK funding will be subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the Fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. I am pleased to report that good progress was made at the recent 6th Board meeting in Thailand on many of these issues.

Adam Price: To ask the Secretary of State for International Development what funds the Government is committed to allocating towards the Global Fund to fight AIDS, TB and malaria; and what funds have been allocated to date. [135274]

Mr. Gareth Thomas: The UK has a long-term financial commitment to the Global Fund to Fight HIV/AIDS, TB and Malaria which will provide the Fund with a total contribution of $280 million by 2008. The pattern of our disbursements has been agreed with the Global Fund Secretariat and to date these amount to £75 million.

International Debt

Mr. Edwards: To ask the Secretary of State for International Development what proportion of debt repayments which are made by developing countries and are received by the UK are *(a)* channelled to non-governmental organisations, *(b)* channelled to departmental aid programmes and *(c)* absorbed by the Exchequer. [135064]

John Healey: I have been asked to reply.

Over 90 per cent. of sovereign debt payments to the Government relates to recoveries and interest payable to the Export Credit Guarantee Department (ECGD) under Bilateral Debt Rescheduling agreements in respect of defaulted export contracts.

With the exception of an amount, averaging less than 1.6 per cent. per annum, which is passed on to ECGD's policyholders as their part of the recovery, all the receipts are paid into the Consolidated Fund.

The Department for International Development (DfID) also receives some repayments on aid. The principal repayments are channelled to the DfID bilateral aid programme. Repayments of interest are paid into the Consolidated Fund.

The UK Government are committed to providing debt relief for the most heavily indebted countries in the world through the rapid and full implementation of the Heavily Indebted Poor Countries (HIPC) Initiative, ensuring that it delivers a robust exit from unsustainable debt for the world's poorest countries. The UK has already made a commitment to provide 100 per cent. relief on debts for all eligible HIPC countries when they reach Completion point. Furthermore, the Chancellor has announced that any payments from countries yet to reach Decision Point will be held in trust for the day they can be returned to fund poverty reduction. The HIPC Initiative has an important role to play in maximising the resources available for poverty reduction in developing countries. However, all HIPC countries would still need additional aid to meet the Millennium Development Goals, even if all of their debt from the World bank and IMF were forgiven. That is why the UK's proposal for an International Finance Facility is so important. It can provide the much-needed substantial increase in resources that debt relief alone would not achieve and that could be disbursed by way of grants and additional debt relief.

Kyrgyzstan/Uzbekistan

John Barrett: To ask the Secretary of State for International Development if he will make a statement on the humanitarian situation on the border between Kyrgyzstan and Uzbekistan. [135200]

Mr. Gareth Thomas: Uzbekistan closed its border with the Kyrgyz Republic in January 2003. It was done, according to the Uzbeks, to protect Uzbekistan from cheap Kyrgyz goods. It has had a severe impact on the livelihoods of people living near the border. Cross-border trade has declined, although smuggling, by bribing border officials, has increased dramatically. Families living on either side of the border are separated from their relatives. Some 20 Uzbek citizens, mainly women, have drowned while attempting to cross the border river at Kara Suu. Uzbek border guards along the 1100km border have shot several Uzbek and Kyrgyz citizens. The Kyrgyz Foreign Ministry continues to issue protest notes to Uzbekistan.

Several Kyrgyz and Uzbek NGOs have recently started a project on reducing tension in border areas. International organizations and donors working on cross-border issues include OSCE, USAID, UNDP, Mercy Corps, ICG, ICRC, IOM.

Mongolia

Angus Robertson: To ask the Secretary of State for International Development what projects his Department *(a)* has initiated, *(b)* fully directed funds, *(c)* partially directed funds, *(d)* funds through EU initiatives and *(e)* funds through United Nations initiatives in Mongolia; and if he will make a statement on the (i) aims, (ii) structure, (iii) methods and (iv) progress of each. [134456]

Mr. Gareth Thomas: DFID has no long-term or current bilateral programme in Mongolia. The British embassy does provide some direct assistance in the form of a Small Grants Scheme (SGS) allocation (currently £200,000 per annum) to support small-scale poverty and human development focused activities. The focus of the SGS in Mongolia is on children, especially with respect to education, social care and protection from exploitation and violence. Key projects will direct funds towards assisting the integration of vulnerable children into pre and primary school education, while also helping to tackle problems that face Mongolia's street children by defining clear standards of care for shelters and increasing the number of children united with their families. The SGS is largely managed by the Save the Children on behalf of the FCO. The Save the Children Fund reports annually on the SGS to the FCO.

DFID has made small contributions for humanitarian aid and relief in previous years, but none in this financial year.

In addition the UK contributes to the development programmes of various multi-lateral agencies. The imputed share of the UK's spend on Mongolia (in 2001, the latest year for which figures are available) through the EU and the UN was £400,000 and £600,000 respectively.

The EU's current Country Strategy for Mongolia runs from 2002–04 and focuses on Rural Development (including providing support for rural enterprises; addressing the social consequences of transition and protection of the environment). Performance against the Country Strategy is due to be reviewed in 2004–05.

A range of specialised UN agencies—such as UNICEF—operate in Mongolia. In addition, the United Nations Development Programme facilitates delivery of programmes under three headings in Mongolia: Democratic Governance, Economic Transition and Poverty Reduction and Sustainable Natural Resource Management.

DFID does not individually monitor the progress of all projects that are funded on a multilateral basis, as this would involve duplication and unnecessarily divert resources. DFID therefore works to ensure that sufficiently robust reporting arrangements are in place within relevant multilateral agencies.

Non-governmental Organisations

Angus Robertson: To ask the Secretary of State for International Development what assessment his Department has made of the concerns raised by *(a)* Mr. Dennis McNamara, Inspector General of the Office of the UN High Commissioner for Refugees (UNHCR) and *(b)* Dr. Dawit Zawde, President and CEO of Africa Humanitarian Action during his presentation to the UN High Commissioner for Refugees' pre-Governing Executive Committee meeting in Geneva on 2 October; what plans his Department has to address these concerns; and if he will make a statement. [133655]

Hilary Benn: The Government attaches high priority to the concerns raised by Dennis McNamara on the safety and security of humanitarian workers in Iraq and other conflict-affected countries. Prior to the conflict in Iraq, DFID provided the Office of the UN Security Coordinator (UNSECOORD) with £100,000 for security support measures and a further £500,000 immediately following conflict also to support UN security. Since the bombing of the UN Headquarters, DFID funds of up to £3 million have been earmarked to UNSECOORD for extra staff, equipment and measures for improving UN security.

DFID maintains regular contact with non-governmental organisations (NGOs) working in Iraq, at which safety and security issues are carefully considered. Where necessary DFID is supporting NGOs to enhance security measures through our programme support to their work in Iraq.

Dr. Dawit Zawde raised concerns that smaller NGOs are being sidelined in favour of larger ones. DFID does not exclude small agencies. We are focused on achieving results and DFID will work with smaller agencies when this is the most effective way of achieving our objectives.

Sudan

Mr. Dawson: To ask the Secretary of State for International Development how much his Department is spending in 2003–04 on development aid to Sudan, broken down by *(a)* type of programme, *(b)* cost of programme and *(c)* region for which support is being provided. [136224]

Hilary Benn: In 2003–04 DFID plans to spend £20 million on development aid to Sudan.

The following is a list of those Sudanese projects which are now active, or have been active in 2003–04.

We are open to working in all regions of Sudan. The allocation of funds is decided by need, not location. However, where a project in the aforementioned list is engaged in working in a particular locality, this is mentioned.

DFID funded activities in Sudan during financial year 2003–04

National Projects

Abduction/Slavery

Save the Children UK—Case Resolution and the Eradication of Internal Abduction of Women and Children in Sudan (£500,000).

Demining

UN Mine Action Service—Mine Action throughout Sudan and Mine Clearance in Nuba Mountains (£1,000,000).

Education

INICEF—Supporting Primary Education in the conflict-affected areas of Sudan. Building for Peace (£2,000,000).

Bishop Mubarek Scholarship Fund for Nuba Women and the Hugh Pilkington Charitable Trust—Scholarship Programmes for Sudanese Students at universities and colleges in Sudan, Kenya and Uganda (£360,000).

Gender

Women's Development Associations—enhancing women's knowledge about their rights to services, and strengthening the linkages between WDA's and local institutions, including the public sector (£113,007).

Health/Food

International Committee of the Red Cross: 2003 Sudan Appeal (£2,500,000).

UNICEF—Sudan Water and Sanitation Programme (£500,000).

World Food Programme—Sudan Emergency Food Assistance 2003 (£2,500,000).

Peace Building

UNDP—Support for the joint secretariat of the Government of Sudan and Sudan People's Liberation Movement's Joint Planning Mechanism (JPM) (£88,000).

Inter-Governmental Authority on Development (IGAD)—Contribution to Budget for the Sudan Peace Secretariat in Nairobi, to facilitate direct talks between parties involved in the civil war in Sudan (£505,000).

IGAD—Sudan Ceasefire Verification Monitoring Team (£490,000).

Resource People for the Peace talks (advice and support to parties involved in the IGAD peace talks in Sudan) (£100,000).

Demobilisation, Disarmament and Reintegration Adviser to the IGAD Sudan Peace Talks (£63,000).

Relief Organisation/Coordination

UNDP Regional Humanitarian Coordinator, Sudan—Emergency Operations Coordinating and planning (£185,000).

Local Projects

Health/Food

International Federation of the Red Cross—Emergency Appeal Sudan. Floods in Kassala State (£150,000).

Action Contre la Faim—Emergency Nutritional Programme Red Sea State, Sudan (£202,593).

Action Contre la Faim—Nutrition, Food Security and Surveillance Programme in Bentiu, Rob Kona and Surroundings, Unity State, Sudan (£316,426).

Concern—Aweil West and North, Supplementary and Community Therapeutic Care and Emergency Nutrition (£350,000).

GOAL—To prevent disease and establish PHC in Kassala Town in Kassala Sudan in light of the recent floods in the area (£96,500).

MEDAIR: Emergency Nutrition Project: Lekuangale Pibor County, Sudan (£114,500).

Medecins sans Frontieres—Emergency Health Interventions in the Gederaf, Malkal and Wau states in Sudan: treatment of Kala Azar (£700,000).

Medecins sans Frontieres—Health Assistance for the Resident and Displaced Populations in Jonglei and Upper Nile Provinces, Southern Sudan (£424,000).

Medecins sans Frontieres—Primary Health Care: Akop, Ananatak and Luacjang Payams in Tonj County (£265,439).

Medecins sans Frontieres—Treatment of Human African Trypanosomiasis (Sleeping sickness) in Ibba, Maridi County, Western Equatoria, Sudan (£250,000).

Oxfam—Emergency Food and Nutrition Intervention Tokar, Rural Port Sudan and urban shanty areas in Port Sudan, Red Sea State (£647,220).

Save the Children UK: Emergency response to conflict related internal displacement in North Dafur (£500,000).

Tear Fund—Emergency Nutrition, Health and Food Security in Aweil East, South and West (£506,458).

World Vision Emergency Nutrition Project: Thiet, Tonj, Pagal and Kuanythi Payams, Tonj County, Bhar el Ghazal Region, Sudan (£513,706).

Peace Building

IGAD Peace Talks: Joint Military Commission—The Nuba Mountains Cease-Fire Agreement (£2,308,000).

Christian Aid: Legal Stakeholders consultative Workshop, Rumbek, September 2003 (planning an integrated justice sector for south Sudan) (£33,500).

Mr. Dawson: To ask the Secretary of State for International Development what resources he will make available to aid post-conflict reconstruction and development in Sudan on the signing of a comprehensive peace agreement; for what types of programme funding will be made available; and which regions will benefit. [136226]

Hilary Benn: DFID intends to increase its programme in Sudan should a peace agreement be reached. The majority of our resources would continue to go towards humanitarian needs, but with a greater emphasis towards longer-term development. We believe that work on the implementation of the peace agreement will require early funding. We would gradually increase the amount put towards the longer-term objectives of improved governance and policies. In addition, we expect to pay our share of the costs of debt relief.

Our intention is to ensure all regions would benefit from peace in Sudan.

Mr. Dawson: To ask the Secretary of State for International Development what steps he will take to ensure that resources made available by his Department will be allocated *(a)* transparently and *(b)* to all marginalised groups and regions of Sudan. [136227]

Hilary Benn: We will provide information on the activities we fund in Sudan to any member of the public who requests it.

With regard to making resources available to all marginalised regions and groups on Sudan, our support for peace building is built on the premise that all regions and all peoples need their voices and grievances to be heard. However, our humanitarian responses are based on need, not geography or ethnicity. Our limited resources mean we cannot fund all activities.

Mrs. Spelman: To ask the Secretary of State for International Development if he will make a statement on the peace process in Sudan. [136348]

Hilary Benn: I refer the hon. Member to the answer I gave her on 21 October 2003, *Official Report*, column 510W.

Mrs. Spelman: To ask the Secretary of State for International Development what steps he is taking to ensure the safety of workers distributing aid funded by his Department in Sudan; and if he will make a statement on the recent murders of aid workers in the Darfur region. [136349]

Hilary Benn: When considering proposals for activities in insecure regions of Sudan, the experience and ability of the requesting body to deal with a difficult environment is considered. If an agency funded by us decides to withdraw, suspending or cancelling a project due to deteriorating conditions, we support their decision.

We were saddened to hear of the deaths of the aid workers in Darfur and our thoughts are with their families.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for International Development if he will increase the number of local NGOs with which his Department works in Zimbabwe. [135341]

Hilary Benn: DFID is already funding the activities of several local NGOs either directly or through the partnerships local NGOs have with international NGOs in Zimbabwe. The international NGOs that have such partnerships include Oxfam, SCF, CRS, Care, CAFOD, Christian Aid, JSI and others.

An example of a local NGO DFID is funding is the farm community trust of Zimbabwe (FCTZ). This is assisting displaced former commercial farm workers with both agricultural recovery inputs such as seeds and fertilizers (with some technical assistance) and food aid. In addition we are providing funding to Fosenet, which is an umbrella organisation of local NGOs, with support for four of its members.

The capacity of the local NGOs is often limited and this is being addressed either directly or through the international NGOs that are providing support and facilitation.

Mr. Robathan: To ask the Secretary of State for International Development what measures are being taken to ensure that *(a)* aid distributors in Zimbabwe and *(b)* those responsible for registration are appropriately trained to ensure they (i) understand and (ii) comply with the apolitical nature of aid programmes. [135344]

Hilary Benn: The memorandum of understanding recently signed between the World Food Programme (WFP) and government of Zimbabwe sets out clear processes for registration of beneficiaries and distribution of food aid. WFP conducts rigorous training of its implementing partners on these aid delivery protocols which stress the apolitical nature of food aid. WFP has also disseminated these guidelines to local government officials to remind them remind of their obligations to ensure food aid is distributed on the basis of need rather than political affiliation.

DFID and other donors are providing additional support to WFP to strengthen their capacity to monitor food aid including registration and distribution processes. Particular focus is on the monitoring of political incidents. WFP and NGOs have a zero tolerance policy with regard to politicisation of food aid. Although there have been a few local incidents of political interference these have been dealt with swiftly at a local level through prompt action by NGOs and WFP.

In addition, DFID holds regular meetings with its NGO partners (many of whom are also WFP implementing partners), to discuss and improve food aid mechanisms. Many DFID partners are also individually negotiating memoranda of understanding at district level to ensure all stakeholders are aware of apolitical registration and distribution processes.

WORK AND PENSIONS

Council Tax Benefit

Simon Hughes: To ask the Secretary of State for Work and Pensions (1) if he will estimate the average level of unclaimed council tax benefit per pensioner in London; [135151]

(2) if he will estimate the proportion of *(a)* pensioners and *(b)* households in London who are eligible for council tax benefit but do not claim. [135152]

Mr. Pond: The information is not available.

Statistics for Great Britain are presented in the DWP series "Income Related Benefits Estimates of Take-Up". The latest estimates relate to financial year 2000–01 and are in the Library.

Disability Living Allowance

Mr. O'Hara: To ask the Secretary of State for Work and Pensions how many recipients of disability living allowance had their entitlement reduced on review to a lower rate in *(a)* 2002 and *(b)* 2001. [127229]

Maria Eagle: The available information is in the table.

Numbers of disability living allowance (DLA) recipients whose awards were reviewed[1] and those which were reduced to a lower rate on review in the years ending 30 November 2001 and 30 November 2002

Thousands

	Year ending 30 November 2001	*Year ending 30 November 2002*
Total number of reconsiderations and supersessions[2]	256.6	268.2[4]
DLA reduced to a lower amount[3]	13.2	26.2

[1] Figures given for "review" are where a reconsideration or supersession has been made. Figures do not include those for renewal claims on expiry of fixed-period awards, or for appeals.

[2] Figures are from a 100 per cent sample and rounded to the nearest hundred.

[3] Figures are: from a 5 per cent. sample, in thousands and rounded to the nearest hundred; for DLA awards which are reduced to a lower amount which remains in payment (this includes cases in which of one of the two components is withdrawn); not including terminations; and based on claims in which the last decision recorded was due to a reconsideration or supersession.
Figures are not available for reductions which have resulted from an earlier decision in the same year.

[4] From November 2002, the methodology for producing these figures was changed to allow statistics to be published much sooner. This has resulted in a small increase in the reported caseload. This is because some cases which have actually terminated but have not yet been updated on the computer system are now included.

Note:
The higher figure for reductions in year ending November 2002 is due to a change in legislation from 8 April 2002. Preserved rights to help with care home costs through income support were

replaced by alternative help from local authorities. This overall switch in financial responsibility for care home residents included withdrawal of DLA care component (or attendance allowance), but not mobility component, in such cases after 28 days' residence.
Source:
IAD Information Centre

Welfare-to-Work Programmes

John Mann: To ask the Secretary of State for Work and Pensions how many people found work of over 13 weeks in 2002, broken down by Progress2Work area; and how many of these remain in employment. [135313]

Mr. Browne *[holding answer 30 October 2003]:* The first phase of Progress2Work was rolled out in March 2002 in 27 pathfinder districts. The programme was extended to cover 60 districts by April 2003, and national roll out will be complete by March 2004.

Given the range of problems faced by recovering drug mis-users and the relatively long periods of participation, this is not a programme where we would expect immediate results. However, by the end of 2002, Progress2Work had already been successful in helping 31 people into employment lasting 13 weeks or longer. Due to the small numbers involved, we cannot give figures broken down by Progress2Work area, to avoid the risk of identifying individuals.

As with all of our welfare to work programmes, Progress2Work will be subject to evaluation and the results from this will be published when they become available. This will include an evaluation of whether Progress2Work is successful in helping people to remain in employment in the longer term.

Mr. Frank Field: To ask the Secretary of State for Work and Pensions how many people securing employment through the New Deal 25 plus remained in that job for *(a)* more than two, *(b)* more than six and *(c)* more than 12 months, in each year since the New Deal 25 plus was introduced. [133029]

Mr. Browne: By the end of June 2003, 154,900 people had been helped into work through New Deal 25 plus. We do not collect data on the length of time an individual remains in the same job but we do record whether they have returned to claiming jobseekers allowance (JSA). If there is no claim to JSA within 13 weeks then their employment is classed as 'sustained'. This is the first point at which we collect such data. The number of people gaining jobs through New Deal 25 plus and the number of those who had not made a new claim to JSA within 13 weeks, six and 12 months is in the table.

New Deal 25 plus—numbers into work since 1998

Year (January to December)	*People gaining a job*	*No claim for JSA within 13 weeks*	*No claim for JSA within 6 months*	*No claim for JSA within 12 months*
1998 (from June)	6,080	4,460	3,220	3,120
1999	27,040	21,650	17,300	16,560
2000	27,470	22,330	17,930	17,080
2001[1]	32,500	25,960	21,340	20,120
2002	41,450	31,720	26,520	[2]26,520
2003 (to June)	20,360	16,030	[2]15,610	[2]15,610

[1] Includes jobs gained in both the pre-April 2001 New Deal 25 plus programme and the post April re-engineered New Deal 25 plus programme.

[2] These numbers will reduce over time as they include people for whom six or 12 months will not have elapsed since the job was gained.
Source:
New Deal Evaluation Database.

DEFENCE

A400M

Mr. Hoyle: To ask the Secretary of State for Defence what the employment and technology benefits are to Lancashire of the A400M project; and if he will make a statement. [135571]

Mr. Ingram: The A400M Prime Contractor, Airbus Military, is free to select equipment through competition so that the programme is organised and managed as cost effectively as possible. It is therefore not known how many jobs or the degree of investment that might be generated in Lancashire.

However, Airbus UK have estimated that the A400M programme will directly create up to 2,500 high quality jobs in the United Kingdom—notably in design and advanced manufacture. They have calculated that indirect employment could bring that figure to over 8,000.

Astute Class Submarines

Mr. Jenkin: To ask the Secretary of State for Defence when he expects to place an order for further Astute class submarines; and if he will make a statement. [134483]

Mr. Ingram: A contract was placed in March 1997 for the design and manufacture of three Astute class submarines. The procurement of further Astute submarines is being considered and announcements will be made as soon as possible.

Bomb Disposal Units

Mr. Tynan: To ask the Secretary of State for Defence on how many occasions, broken down by fire authority, in *(a)* 2001, *(b)* 2002 and *(c)* 2003 to date armed forces bomb disposal teams have been called out to provide assistance where the device has been (i) a firework and (ii) firework related; and what the total cost of such call-outs has been. [135647]

Mr. Ingram: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Broadband (RAF Bases)

Tony Cunningham: To ask the Secretary of State for Defence what progress has been made in introducing broadband for RAF bases. [134388]

Mr. Ingram *[holding answer 29 October 2003]:* RAF station commanders have the option to provide separate recreational broadband internet connectivity for their station if it is commercially available at their localities.

The Defence Communication Services Agency is engaged in the provision of a Defence Intranet broadband service, which allows those Defence users with broadband capable local telephone exchanges to connect to MOD's Restricted Wide Area Network.

This MOD Broadband service has been trialled successfully, and is due to be launched this calendar year.

Disciplinary Offences

Mr. McNamara: To ask the Secretary of State for Defence how many complaints of bullying and violent assaults were investigated by the Special Investigations Branch in the last 12 months; and what the breakdown of outcomes is. [132179]

Mr. Ingram: In the period 1 January 2002 to 31 December 2002, the Royal Military Police conducted 2,399 investigations of assault. Of these, 30 cases involved an allegation or suspicion of bullying and as a result: disciplinary action was taken in nine cases; no further action was taken in 14; and the outcome has yet to be determined in seven.

In the period 1 January 2003 to 30 September 2003, 1,686 cases were investigated. Of these, 16 cases involved an allegation or suspicion of bullying and as a result: disciplinary action was taken in four cases; no further action was taken in seven; while investigations into the remaining five have not concluded.

RAF Griffin

Mr. Tynan: To ask the Secretary of State for Defence whether the deployment of RAF Griffin aircraft from Cyprus outside Cyprus since 2002 required the mobilisation of sponsored reserve personnel; what cost it entailed; and what mobilisation costs were budgeted when the leasing contract was signed to cover such deployments. [134554]

Mr. Ingram: Griffin helicopters, which are supplied by a contractor but flown by RAF personnel, have been based in Cyprus since April 2003. The aircraft have been deployed once since, in support of a training exercise. There is no contractual requirement for the aircraft to deploy on operations and no requirement for contractor personnel to be sponsored reserves.

Defence Diversification Agency

Angus Robertson: To ask the Secretary of State for Defence how many new jobs have been created in Scotland through the Defence Diversification Agency in each year since its inception; and if he will make a statement. [135797]

Mr. Caplin: The Defence Diversification Agency (DDA) has been operating in Scotland since early 1999 and has so far assisted over 250 companies in Scotland, producing technology transfer contracts from the Ministry of Defence to a value in excess of £1 million.

There are no reliable techniques for translating the impact of technology transfer into new jobs created. However, the DDA is exploring methods of measuring value with a view to imbedding appropriate systems into future projects. Estimates from other United Kingdom regions suggests the DDA adds value through its activities of around three times that of its costs.

Defence Systems International Exhibition

Mr. Hancock: To ask the Secretary of State for Defence *(a)* when and *(b)* where the next Defence Systems Equipment International Exhibition will be held. [134965]

Mr. Ingram: We understand from the exhibition organisers, Spearhead Exhibitions, that they plan to hold the next Defence Systems International Exhibition between 13 and 16 September 2005, at the ExCel Exhibition Centre, London Docklands.

Mr. Hancock: To ask the Secretary of State for Defence which Government Ministers attended *(a)* the Defence Systems Equipment International Exhibition in September and *(b)* the exhibition dinner. [134966]

Mr. Ingram: My right hon. Friend the Secretary of State for Defence, my noble Friend the Minister of State for Defence Procurement and I attended the exhibition. There was no official exhibition dinner or reception.

Democratic Republic of Congo

Jeremy Corbyn: To ask the Secretary of State for Defence what the size is of UK military deployment to the Democratic Republic of Congo; what its estimated annual cost is; and under whose command the forces operate. [136529]

Mr. Ingram: The UK currently contributes six military personnel (shortly to reduce to five) to the UN peacekeeping mission (MONUC) that has been operating in the Democratic Republic of Congo since 13 November 1999. The estimated annual cost of the deployment is £713,000. Troops deployed on MONUC are under the command of the UN Force Commander, General Diallo.

Eurofighter

Mr. Jenkin: To ask the Secretary of State for Defence what recent technical difficulties have been encountered in the development of the Eurofighter Typhoon; and when he expects the aircraft to enter operational service with the RAF. [134461]

Mr. Ingram: Following a minor malfunction of the aircraft's landing gear computer during a test flight in Germany on 9 October, all Typhoon flying has been suspended as a precautionary measure while the problem is investigated and rectified. This work is progressing and we hope to resume flying and the acceptance of aircraft into RAF service shortly. Typhoon remains on schedule to become operationally deployable in the second half of the decade.

Export Control

Mr. Gardiner: To ask the Secretary of State for Defence pursuant to his answer of 16 September 2003, *Official Report*, column 705W, on export control, what assessment he has made of the benefits of having extra-territorial controls on UK arms deals; and whether this would have an impact on the number of *(a)* fatalities and *(b)* injuries caused to UK armed forces by illicitly purchased weapons. [135104]

Nigel Griffiths: I have been asked to reply.

The 1998 White Paper on Strategic Export Controls (CM 3989) sets out the benefits of introducing extra-territorial trade controls.

No assessment has been made of the impact of extra-territorial trade controls on fatalities and injuries caused to UK armed personnel.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Defence what assessment he has made of the future size of the *(a)* Army, *(b)* Royal Navy and *(c)* Royal Air Force in Gibraltar. [135525]

Mr. Ingram: Gibraltar remains a key staging post and forward mounting base comprising a naval base, airfield and other support facilities. We will continue to maintain forces there appropriate to its role.

Mental Health

Gareth Thomas: To ask the Secretary of State for Defence (1) what action the Royal Welch Fusiliers have taken in respect of soldiers suffering from stress-related mental conditions in the past five years; [135362]

(2) what guidelines he has issued in respect of support and treatment of army personnel suffering from stress-related mental conditions; [135363]

(3) what facilities the Royal Welch Fusiliers have for support and treatment of soldiers suffering from stress-related mental conditions. [135364]

Mr. Caplin: The Ministry of Defence recognises that stress-related disorders are serious and disabling conditions. Policy on prevention is reviewed regularly in light of medical developments. Guidance and prevention of stress-related conditions has been issued widely throughout the army chain of command, and all army medical officers receive training in the recognition and management of such conditions.

Community-based psychiatry is available to every military unit and to every service person. Support available to the Royal Welch Fusiliers includes an on-site community psychiatric nurse, who is backed-up by a psychiatric consultant where possible. Secondary care is provided by military and civilian psychiatric hospitals. If a soldier is assessed as suffering from a stress-related condition the unit medical officer will order treatment tailored to his or her clinical needs. The unit medical officer liaises closely with the chain of command and may also refer individuals to the unit welfare officer and/or the padre as appropriate.

NATO Response Force

Mr. Jenkin: To ask the Secretary of State for Defence if he will list the United Kingdom's commitments to the newly formed NATO response force. [135389]

Mr. Hoon: The NATO Response Force (NRF) was inaugurated on 15 October 2003, some 12 months ahead of schedule, with a limited interim capability.

The NRF is not a standing force and responsibility for providing elements of the force will rotate between nations. The Force Generation and associated force balancing for the NRF is a continuing process which means that both force offers and the subsequent make-up of the force, including the scale of individual national contributions, will change.

As the detailed information on the NRF received from NATO is classified, I am withholding precise details of the United Kingdom and other nations' offers of forces in accordance with Exemption 1 of the Code of Practice on Access to Government Information.

However, I can say that the UK has made an initial contribution to NRF1 (October 2003 to January 2004) and NRF2 (January 2004 to July 2004) primarily consisting of maritime and air assets.

Aircraft Carriers

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on progress being made with the construction of the new aircraft carriers. [134436]

Mr. Ingram: The Future Carrier project is currently in the Assessment Phase and I refer my hon. Friend to my Written Ministerial Statement made on 16 September 2003, *Official Report*, columns 44–45WS.

Mr. Hoyle: To ask the Secretary of State for Defence what impact the reduction in size of the two new aircraft carriers will have on operational plans for *(a)* the capability and use of the carriers and *(b)* the size of the crews. [134437]

Mr. Ingram: Final decisions have yet to be taken on the main specifications for CVF. The programme is currently in its Assessment Phase which is aimed at increasing the maturity of the design as well as optimising capability and value for money. The size of the vessels will continue to evolve as the design matures to meet the required capability. Crew size will similarly not be fixed until the design is sufficiently mature.

New Vessels

Bob Russell: To ask the Secretary of State for Defence how many new vessels for the Royal Navy have been approved but not yet launched; how many have been allocated names; and what names have been selected. [135411]

Mr. Ingram: A total of 12 vessels—three Astute submarines, six Type 45 destroyers and three Bay Class Landing Ship Dock (Auxiliary) (LSD(A))—have passed Main Gate approval but have not yet been launched. All have been allocated names.

The Astute submarines are to be called HMS Astute, HMS Ambush and HMS Artful. The T45s will be called HMS Daring, HMS Dauntless, HMS Diamond, HMS Dragon, HMS Defender and HMS Duncan, and the LSD(A)s RFA Lyme Bay, RFA Mounts Bay and RFA Cardigan Bay.

Procurement Projects

Mr. Wray: To ask the Secretary of State for Defence which procurement projects involve production of parts outside the UK; which countries are taking part in production; and for what reasons the contract was awarded for production overseas in each case. [133042]

Mr. Ingram: This information is not held centrally and could be provided only at disproportionate cost. (Exemption 9 of the Code of Practice on Access to Government Information.)

Angus Robertson: To ask the Secretary of State for Defence if he will make a statement on progress with the Nimrod Procurement project since June 2003. [133644]

Mr. Ingram: On 19 February, my noble Friend the Minister for Defence Procurement, Lord Bach announced that the MOD and BAE Systems had reached agreement on the way ahead for the Nimrod MRA4 (and ASTUTE) programmes. Since then, we and BAE Systems have been working to agree a formal amendment to the Nimrod MRA4 contract. We hope to have this signed shortly.

RAF Recruitment

Mr. David: To ask the Secretary of State for Defence if he will make it his policy to change the admission rules for the RAF for individuals with anterior cruciate ligament damage, in relation to posts which do not require an active military role. [136033]

Mr. Caplin: Members of the armed forces, regardless of their role, can be required to serve anywhere in the world at any time, often in remote locations. As such they must be physically fit and able to meet the challenge that operating in these environments brings. Consequently, the Ministry of Defence has no plans to change its policy regarding the disqualification of individuals with anterior cruciate ligament damage from joining the armed forces.

Replenishment Tankers

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to purchase Henry J. Kaiser class replenishment tankers from the US Navy. [135339]

Mr. Ingram: We have no plans to purchase Kaiser class tankers.

Ship Naming

Bob Russell: To ask the Secretary of State for Defence what his role is in the naming of Her Majesty's ships; and what his policy is in exercising that role. [135449]

Mr. Ingram: Her Majesty the Queen approves the names of warships on the recommendation of the First Sea Lord, as advised by the Ships' Names and Badges Committee and as endorsed by my right hon. Friend, the Secretary of State for Defence.

Policy for naming ships of the Royal Navy is informed by a number of guiding principles. For example, many ship names have a long and illustrious heritage, and a name with a tradition of Royal Navy use is preferred. Other factors in making a selection include the number of battle honours associated with a name, and whether a name is already classically associated with a particular type of vessel. Alternatively, a ship's name might commemorate historically strong links between the Royal Navy and a particular town or district.

Tanks

Mr. Jenkin: To ask the Secretary of State for Defence what the operational availability is of the *(a)* Warrior and *(b)* Challenger, broken down by unit; and what the overall availability targets are for these vehicles. [135392]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

TREASURY

Information Technology

Mr. Jenkins: To ask the Chancellor of the Exchequer pursuant to his answer of 11 June 2003, *Official Report*, column 891W, on open source operating systems, how many open source software solution procurements have taken place within the public sector procurement community in the last 12 months; and what percentage of the *(a)* IT contracts awarded and *(b)* value of IT contracts awarded this represents. [136447]

Mr. Boateng: This information is not held centrally and could be obtained only at disproportionate cost.

Alternative Investment Market

Mr. Tom Clarke: To ask the Chancellor of the Exchequer (1) what discussions he has had with the *(a)* London Stock Exchange and *(b)* Financial Services Authority on the alternative investment market becoming an unregulated market; [136078]

(2) what research he has carried out on the way in which an unregulated alternative investment market would affect companies and investors; [136079]

(3) what discussions he has had with the European Commission about the alternative investment market becoming an unregulated market. [136080]

Ruth Kelly: The London Stock Exchange (LSE) is a Recognised Investment Exchange (RIE) under the Financial Services and Markets Act (FSMA) and has to operate all its markets, including the Alternative Investment Market (AIM), in compliance with the recognition requirements for RIEs. The Financial Services Authority (FSA) supervises its compliance with these obligations.

AIM is also a 'regulated market' under the EU's Investment Services Directive (ISO). This means that it complies with the standards for regulated markets set out in the directive and can do business in other member states on the basis of mutual recognition of its regulatory status in the UK.

The LSE has indicated that it is planning to consult about removing AIM from the list of EU regulated markets. If this happens, AIM would not become an unregulated market. The LSE would still be required by the FSA to meet its existing UK regulatory obligations under FSMA with respect to the way it operates AIM. But there would be no mutual recognition of AIM'S regulatory status in the UK by other member states under the ISO. Treasury officials have discussed this issue with the LSE and the FSA.

Because AIM is not going to become an unregulated market, the Treasury has not done any research about the impact of such a scenario on investors and issuers, nor have we discussed it with the European Commission.

Changing Jobs

Mr. Gardiner: To ask the Chancellor of the Exchequer pursuant to his answer of 17 September 2003, *Official Report*, column 863W, on changing jobs, whether similar schemes exist for those making the transition between poorly paid jobs. [136168]

Mr. Boateng: Similar schemes for those making the transition between poorly paid jobs do not exist. The Government have, however, introduced a range of policies to make work pay, including the national minimum wage and the working and child tax credits. Jobcentre Plus advisers also offer help and advice on request to people already in work and seeking new employment.

Correspondence

Mr. Flook: To ask the Chancellor of the Exchequer when he will answer the letter to the Secretary of State for Trade and Industry of 14 July from the hon. Member for Taunton about Berry's Coaches that was passed to him on 30 July. [135879]

John Healey: I have done so.

Customs and Excise (Explosives)

Mr. Tynan: To ask the Chancellor of the Exchequer what the role of HM Customs and Excise is in respect of monitoring cargoes of explosives, with particular reference to fireworks, entering the United Kingdom. [135643]

John Healey: As part of the Government's measures to tackle firework misuse, announced in October 2002 by my hon. Friend the Member for Welwyn Hatfield (Miss Melanie Johnson), then Minister for Competition, Consumer Affairs and Markets, Customs advise the Health and Safety Executive of commercial imports of fireworks which are of concern to HSE.

Customs enforce anti-smuggling controls against imports of illicit explosives and have powers to detain on behalf of Trading Standards officers any fireworks suspected of being unsafe.

Departmental Employees

Dr. Cable: To ask the Chancellor of the Exchequer to which organisations members of the Treasury are seconded; and if he will make a statement. [135304]

Ruth Kelly: The list of organisations to which Treasury officials are currently seconded is:

3i
AstraZeneca
Barclays
Barts and the London NHS Trust
BBC
Commission for Racial Equality
Church House
Civil Aviation Authority
Croydon council
European Banking Federation
European Commission
Ministry of Finance, France
Giving Campaign
International Monetary Fund
KPMG
London borough of Camden
Ministry of Finance, Japan
National Audit Office
National Electricity Code Administrator, Australia
New Zealand Treasury
OFCOM
Royal Bank of Scotland
Royal National Institute for the Deaf
South West Regional Development Agency
Statistics Commission
World Bank
UK Business Federation
Vegan Society.

Secondments continue to provide the Treasury with the opportunity to increase the diversity of the skills and experience of our staff.

Dr. Cable: To ask the Chancellor of the Exchequer how many of his Department's staff are employed outside London; and if he will make a statement. [135307]

Ruth Kelly: None at present, apart from those on secondments to other organisations or on loans to other Government Departments.

Fuel Duty

Mr. Weir: To ask the Chancellor of the Exchequer how much was collected in fuel duty from *(a)* motorists and *(b)* road hauliers in (i) Scotland and (ii) the UK in each of the last five years. [136451]

John Healey: During the past five calendar years the Exchequer raised the following amounts of fuel duty revenue in the UK:

billion

	Petrol	*Diesel*
2002	12.8	9.1
2001	13.0	8.8
2000	13.7	9.1
1999	13.6	8.6
1998	12.9	7.9

These figures are published in the Customs and Exercise Hydrocarbon Oils Bulletin, a copy of which is available on the UK trade Information website www.uktradeinfo.com.

The method by which fuel duty revenue is collected does not distinguish between different fuel consumers or geographic areas.

Inland Revenue

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answers of 15 October 2003, *Official Report*, column 141W, and 14 October 2003, *Official Report*, column 139W, what the average marginal cost incurred by the Inland Revenue was in dealing with each of the potential suppliers invited by them to participate in the market making exercise in support of Project ASPIRE until 10 May 2002; what activities gave rise to these marginal costs; and what costs were associated with meetings with individual suppliers. [136566]

Dawn Primarolo: The data requested is available only at disproportionate cost.

ISAs

Dr. Cable: To ask the Chancellor of the Exchequer what change there has been in the number of ISA holders who are *(a)* standard rate taxpayers and *(b)* higher rate taxpayers since the introduction of ISAs; how many people in each category held PEPs; and if he will make a statement. [132874]

Ruth Kelly: The information is not available in the format requested. However, I refer the hon. Gentleman to table T9.7 of Inland Revenue Statistics. The latest version is on the Inland Revenue website: http://www.inlandrevenue.gov.uk/stats/isa/03IR07.pdf.

Lung Cancer

Dr. Starkey: To ask the Chancellor of the Exchequer what the comparative death rates from lung cancer were in *(a)* the United Kingdom and *(b)* other EU member states and EU accession states in the last year for which figures are available. [136049]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Dr. Phyllis Starkey, dated 4 November 2003:

As National Statistician I have been asked to reply to your recent question concerning lung cancer deaths rates in the United Kingdom, the EU and EU Accession states. (136049)

The latest year for which comparative data are available is 1998, figures for which are shown in the attached table.

Mortality rates[1] for malignant neoplasm of trachea, bronchus or lung, United Kingdom, EU member states and EU accession states, 1998

	Males	*Females*
EU member states		
Austria	39.7	10.8
Belgium	68.1	9.7
Denmark	43.3	27.0
Finland	37.4	8.1
France	47.3	7.2
Germany	43.3	10.2
Greece	48.4	7.4
Ireland	40.0	18.5
Italy	49.6	8.0
Luxembourg	52.6	11.8
The Netherlands	56.3	15.0
Portugal	29.9	4.7
Spain	47.8	4.3
Sweden	21.2	12.2
United Kingdom	42.7	20.2
Accession countries		
Bulgaria	38.9	6.4
Cyprus[2]		
Czech Republic	61.0	11.5
Estonia	64.6	7.0
Hungary	86.5	20.4
Latvia	58.2	6.2
Lithuania	59.2	4.6
Malta	33.6	6.2
Poland[3]	70.3	11.3
Romania	45.7	7.6
Slovakia[4]	61.0	7.4
Slovenia	56.2	9.2
Turkey[2]		

[1] Directly age-standardised to the World Standard Population.
[2] Not available
[3] 1996
[4] 1997
Source:
EU Member states: EUCAN database, Accession countries: WHO mortality database

Income Distribution

Lembit Öpik: To ask the Chancellor of the Exchequer what percentage of national income accrued to the *(a)* top and *(b)* bottom (i) 10 per cent. and (ii) 20 per cent. of the income distribution in Wales in each year since 1979. [136485]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Lembit Opik Esq, dated 4 November 2003:

The National Statistician has been asked to reply to your recent question about income distribution in Wales. I am replying in his absence. (136485)

The information required to answer these questions is not readily to hand and will require extensive analysis. Unfortunately, we are unable to supply this in the time available. The necessary work is being carried out as a matter of urgency and we will provide the information subject to data availability and sample size limitations for regional data. We will send the completed answer to you as soon as it is available.

In the meantime, please accept my apologies for this delay.

Simon Hughes: To ask the Chancellor of the Exchequer what percentage of national income accrued to the *(a)* top and *(b)* bottom (i) 10 per cent. and (ii) 20 per cent. of the income distribution for each year since 1979 in London. [136525]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Simon Hughes, dated 4 November 2003:

The National Statistician has been asked to reply to your recent question about income distribution in London. I am replying in his absence. (136525)

The information required to answer these questions is not readily to hand and will require extensive analysis. Unfortunately, we are unable to supply this in the time available. The necessary work is being carried out as a matter of urgency and we will provide the information subject to data availability and any sample size limitations for regional data. We will send the completed answer to you as soon as it is available.

In the meantime, please accept my apologies for this delay.

National Insurance

Paul Flynn: To ask the Chancellor of the Exchequer how much money he estimates the National Insurance Fund would receive in 2003–04 if those people who are retired but remain in paid employment continued to pay national insurance contributions. [133490]

Dawn Primarolo: The National Insurance Fund in 2003–04 would increase by an estimated £225 million if employees over state retirement pension age were required to pay primary Class 1 contributions.

This estimate is based on April 2003 Budget forecasts.

Norman Lamb: To ask the Chancellor of the Exchequer what proportion of those who did not receive national insurance contributions deficiency notices have received letters notifying them of the contributions needed to secure full entitlement. [136154]

Dawn Primarolo: The Inland Revenue started the exercise to notify working age people about shortfalls in their contributions for the tax years 1996–97 to 2000–01 at the end of October and it is anticipated that all letters will be sent out by September next year. Everyone will have as much time to make voluntary payments, if they want to, as they would have had if the letters had been issued at the normal time, and payment will be at the original rate.

Private Health Insurance

Lady Hermon: To ask the Chancellor of the Exchequer if he will restore tax incentives for pensioners taking out private health insurance; and if he will make a statement. [136228]

Dawn Primarolo: The Government have no plans to restore the tax relief that used to be available on private medical insurance premiums. We remain convinced that the best way to use the resources available to provide health care is by funding the NHS directly for the benefit of all British residents.

Public Borrowing

Mr. Howard: To ask the Chancellor of the Exchequer whether he will measure the surplus or deficit on the current budget between *(a)* the month in which the present cycle is judged to have started and the month in which the present cycle is judged to have finished, *(b)* the quarter in which the present cycle is judged to have started and the quarter in which the present cycle is judged to have finished and *(c)* the fiscal year in which the present cycle is judged to have started and the fiscal year in which the present cycle is judged to have finished, for the purpose of assessing whether he has satisfied his golden rule at the end of the present economic cycle. [135777]

Mr. Boateng: Progress against the golden rule is measured by the average surplus on the current budget over the period from the financial year in which the economic cycle starts up to and including the financial year in which it ends.

Mr. Howard: To ask the Chancellor of the Exchequer whether he plans to measure the total surplus or deficit on the current budget *(a)* in cash terms since the start of the cycle and *(b)* as a share of GDP in each period covered by the cycle and take the average of these, for the purpose of assessing performance against his golden rule, over the present economic cycle. [135778]

Mr. Boateng: Progress against the golden rule is measured by the average surplus on the current budget expressed as a ratio to GDP over the economic cycle.

Small Business Investment Companies

Mr. Prisk: To ask the Chancellor of the Exchequer if he will make a statement on the timetable for the launch of small business investment companies. [135568]

John Healey: The Government issued a consultation document alongside Budget 2003 called 'Bridging the Finance Gap: a consultation on improving access to growth capital for small businesses'. One of the issues raised by the consultation was the possibility of introducing in the UK a variant of the US Small Business Investment Company programme. The Government are currently considering the responses that they have received from the consultation and will respond to them in due course.

Stamp Duty Land Tax

Mr. Prisk: To ask the Chancellor of the Exchequer whether licences granted to *(a)* individuals and *(b)* businesses requiring an interest in land will be exempt from stamp duty land tax. [135603]

Ruth Kelly: The acquisition of a licence to use or occupy land is not in itself a chargeable transaction. However, the acquisition of such licences is often part of a larger transaction, other elements of which may be chargeable.

Mr. Prisk: To ask the Chancellor of the Exchequer what alternative suggestions he has received to the proposal of charging stamp duty land tax on leases other than basing the charge on the net present value of the lease. [135606]

Ruth Kelly: A number of alternative suggestions were received, some based on net present value, some based on average annual rent and some based on a combination of the two.

Mr. Prisk: To ask the Chancellor of the Exchequer whether assured shorthold tenancies will be chargeable to stamp duty land tax after 1 December. [135623]

Ruth Kelly: The grant of a lease, including an assured shorthold tenancy, is within the scope of stamp duty land tax. Whether there is a charge will depend on a number of factors such as the initial term and the rent payable.

Mr. Prisk: To ask the Chancellor of the Exchequer whether mineral rights royalties are to be chargeable for stamp duty land tax after 1 December. [135624]

Ruth Kelly: The grant of a lease, including a lease giving the right to extract minerals, is within the scope of stamp duty land tax. Whether there is a charge will depend on a number of factors such as the initial term and the rent payable.

Written Answers to Questions

Wednesday 5 November 2003

CHURCH COMMISSIONERS

Stamp Duty

Mr. Prisk: To ask the hon. Member for Middlesbrough, representing the Church Commissioners what study has been made of the impact of increases in stamp duty land tax on the commercial holdings of the Church of England; and if he will make a statement. [135607]

Mr. Bell: No such study has been made in respect of the Church Commissioners' commercial property investment portfolio. I understand that changes to this tax come into effect on 1 December 2003: whether or not these will have an impact upon the amount of rent tenants will offer for new leases remains to be seen. The Commissioners take independent professional advice regarding the rental values of their properties and these are reviewed regularly.

SCOTLAND

Common Agricultural Policy

Miss McIntosh: To ask the Secretary of State for Scotland if he will make a statement on the implications for tenant farmers in Scotland of reform of the Common Agricultural Policy. [134845]

Mrs. McGuire: I refer the hon. Member to the reply I gave the hon. Member for Bridgwater (Mr. Liddell-Grainger) on 9 September 2003, *Official Report*, column 328W.

Regulation of Investigatory Powers Act

Brian White: To ask the Secretary of State for Scotland what statutory investigatory powers the Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136131]

Mrs. McGuire: The Scotland Office has no statutory investigatory powers.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Countryside and Rights of Way Act

Mr. Gordon Prentice: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she will publish guidance to those wishing to dedicate their land as access land under section 16 of the Countryside and Rights of Way Act 2000; [135813]

(2) what additional funding is to be made available to the Forestry Commission to enable them to dedicate their freehold land for access under section 16 of the Countryside and Rights of Way Act 2000; [135814]

(3) what measures she will take to encourage public bodies to dedicate suitable landholdings as access land under section 16 of the Countryside and Rights of Way Act 2000; [135815]

(4) what steps she will take in promoting to landowners the opportunities available to them to dedicate their land under section 16 of the Countryside and Rights of Way Act 2000; [135816]

(5) what measures she has taken to inform other Government Departments about the possibilities of dedicating land as access land under section 16 of the Countryside and Rights of Way Act 2000; and what response there has been. [135817]

Alun Michael: I expect to publish guidance and model dedication instruments for those wishing to dedicate their land by the beginning of December 2003. I have discussed with the Forestry Commission what funds might be needed to ensure that they are able to meet their commitment on dedication of their freehold estate.

We are developing a strategy for promoting dedication to landowners, which will highlight the benefits of dedication, including the reduced liability that owners will incur and the opportunities to realise the potential that increasing visitor numbers has on the rural economy. This will build on the work undertaken by the Forestry Commission in 2001 when it ran seminars to encourage dedication by woodland owners.

I wrote to Ministers in all Departments in February 2002 about the scope for dedication of land held by Government Departments and sponsored non-departmental public bodies. I have also pursued this point with some commercial organisations that are significant landowners. Now that the dedication regulations have been laid, I will be following this correspondence up, not least to encourage all Government Departments to actively consider the extent to which their landholdings can be dedicated under section 16 and to ensure that the option is widely understood by private sector landowners.

Consultancy Contracts

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the contracts for *(a)* consultancy and *(b)* work carried out by Bechtel in each year since 1997, stating in each case (i) the nature of the work, (ii) the value of the contract and (iii) the duration of the contract; and if she will make a statement. [134732]

Alun Michael *[holding answer 29 October 2003]:* Defra was formed in 2001. From information held centrally, Defra has let no contracts with Bechtel.

Dairy Farms

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what arrangements she intends to put in place to improve the opportunity for United Kingdom dairy farmers to compete in European and global markets. [134377]

Mr. Bradshaw: We are helping the UK dairy sector to compete better in European and global markets by promoting supply chain efficiency. My noble Friend Lord Whitty, has been chairing the Dairy Supply Chain Forum to consider, among other issues, ways in which the sector can improve its efficiency through collaborative action, and we have made a grant of nearly £0.5 million to the Food Chain Centre to study how the efficiency of the dairy supply chain might be improved. We have also supported the establishment of English Food and Farming Practices, a new industry-led body that has been set up specifically to support and encourage collective activity across all agricultural sectors. In addition to this, we are actively considering bringing decoupling forward to 2005 to give dairy farmers the freedom to restructure their businesses for the more competitively market orientated environment. Furthermore, the Milk Development Council has been working with Food from Britain to identify potential export markets for UK dairy products.

Mr. Hayes: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with representatives from the dairy industry on the dispute over the price per litre of milk paid to liquid milk producers. [134380]

Mr. Bradshaw: Price negotiations between producers and processors, or processors and supermarkets, are a private commercial matter in which the Government cannot and should not get involved, as long as competition rules are respected. While the Government share producers' concerns over the low farmgate price of milk, they do not support protests.

The Secretary of State has had no formal meetings with representatives of the dairy industry to discuss milk prices or the current protests. However, Ministers frequently meet with representatives from all parts of the dairy sector and are therefore aware of the issues. In addition, matters affecting the whole dairy supply chain are regularly discussed at the forum chaired by my noble Friend Lord Whitty.

Environment Council

Mr. Hood: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what the outcome was of the Environment Council on 27 October 2003; what the Government's stance was on the issues discussed, including their voting record; and if she will make a statement; [135372]

(2) if she will make a statement on the issues discussed in the meeting of the EU Environment Council on 27 October 2003. [136016]

Mr. Morley: My right hon. Friend the Secretary of State and I represented the UK at the Environment Council on 27 October 2003. The Council reached a political agreement on one legislative measure, and also considered a number of other important issues.

The Council reached a political agreement on a Directive on volatile organic compounds (VOCs) in paints. This measure aims to reduce emissions from paints of these organic solvents, which are precursors of ground-level ozone which can be harmful to human health and the environment. We retained a reservation on the proposal as parliamentary scrutiny is not yet complete. Greece asked for further time to implement limits for decorative paints and varnishes, but its request was turned down.

The Council agreed conclusions on the Commission's proposed structural indicators for reporting on progress on employment, innovation, economic reform, social cohesion and environmental protection to the spring European Council. There was general support for the proposed set of 14 headline indicators of which three would be environment-related. Some delegations proposed including new indicators on biodiversity and public health. I stressed the importance of using robust and meaningful indicators. I pointed out that any biodiversity indicator should be able to measure progress towards the EU's target of halting loss of biodiversity by 2010, for example, along the lines of an index proposed by Birdlife International. The current proposal, on protected areas, was not adequate. The Council agreed that the three proposed environment-related indicators, on climate change, energy intensity and transport, should be reformulated in order to focus on the most significant environmental impacts and that good quality indicators on biodiversity and health should be included as soon as possible so as to cover all of the priority areas identified in the EU sustainable development strategy.

The Council agreed conclusions on the Commission's proposal for a European strategy on environment and health. This strategy is intended to reduce the disease burden caused by environmental factors in the EU, to identify and prevent new health threats caused by new environmental factors. We also agreed conclusions on the Commission's proposal for an integrated product policy, aimed at reducing the environmental impacts that arise in the supply chain and life-cycle of products.

The Presidency noted a presentation from the Commission on the results of its public consultation on a legislative proposal for an EU chemicals strategy. The Council also noted a presentation from the Commission on proposals for implementing the provisions of the Aarhus Convention in the EC and on access to justice in environmental matters. We heard a report from Sweden on a ministerial conference they had hosted on environment and sustainable development in northern Europe, and the Commission circulated a report on progress on thematic strategies under the 6th Environment Action programme. Portugal gave a presentation about the devastating forest fires they had experienced this summer, stressing the importance of tackling this issue for the future.

Belgium and France gave short presentations calling for member states' co-operation to reduce ozone levels. The Commission indicated its readiness to help and drew attention to existing measures that might facilitate co-operation and exchange of information.

Belgium presented a short paper on decommissioning of ships, expressing concern in particular about the export of vessels to developing countries for disposal. I supported Belgium's concerns, stressing the need to ensure that first class and environmentally sound dismantling facilities are available in the EU.

The Commission then called upon member states to support a protocol on sustainable development to the Treaty being considered by the Inter-Governmental Conference.

We also discussed preparations for the 9th Conference of the Parties to the UN Framework Convention on Climate Change (COP9) and the Kyoto project mechanisms. After an exchange of views, we agreed to reconvene on 8 December 2003, immediately preceding COP9, to discuss the outstanding issues.

GM Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what spray density in litres per hectare was used in the GM maize farmscale evaluation programme; and what spray density she expects will be used if commercial cultivation of GM maize goes ahead. [136609]

Mr. Morley: The recommended individual and maximum permitted application rates of the herbicide glufosinate-ammonium used on GM maize in the farm-scale evaluations were defined by the conditions of the simulated product licence that formed part of the experimental pesticide approval. This specified a maximum permitted rate of eight litres per hectare and a recommended individual rate of four litres per hectare, depending on the weeds present and their growth stage. Application was permitted until the nine-leaf stage of maize. For further details, and for details of other non-herbicide sprays used, see Champion et al. 2003; "Crop Management and Agronomic Context of the Farm Scale Evaluations of Genetically Modified Herbicide Tolerant Crops"; Philosophical Transactions of the Royal Society (B). 358 (1439): 1801–18. A copy of this journal has been placed in the Library.

Before glufosinate-ammonium could be used on a commercial scale on GM-maize, it would need full pesticide approval. In seeking approval, the necessary data package would have to be supplied by the applicant and be subjected to the considerations of human and environmental safety which have been established for all pesticide uses. Any approval given would specify recommended and maximum application rates in the same way as the experimental permit. These conditions would be determined by the Pesticide Safety Directorate taking due account of advice from their expert advisory committee the Advisory Committee on Pesticides.

National Fruit Show

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs how many Ministers have visited the National Fruit Show (Marden Fruit Show) since 1997. [134137]

Mr. Bradshaw *[holding answer 27 October 2003]:* No Minister has been able to attend the National Fruit Show in recent years.

Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish *(a)* guidance to the Nuclear Decommissioning Authority on the interim conditioning, packaging and storage of radioactive waste and *(b)* the study on the case for extending waste substitution, referred to in the Government's First Progress Report to the Environment, Food and Rural Affairs Committee on Managing Radioactive Waste Safely. [134076]

Mr. Morley: The interim conditioning, packaging and storage of radioactive waste will be among the matters to be included in the plans that sites will prepare for the Nuclear Decommissioning Authority. The appropriate regulators will be consulted on the plans. The waste substitution study is expected to be issued for consultation shortly.

St. Helena

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs how much wild honey has been imported from St. Helena over the last five years; and if she will take steps to ensure that St. Helena continues to be able to export honey to EU countries. [135660]

Mr. Bradshaw *[holding answer 3 November 2003]:* No wild honey has been imported from St. Helena over the last five years. EU rules do not allow the export of wild honey from St. Helena to the European Union.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what quantities of Arabica coffee were imported in each of the last five years from St. Helena. [135661]

Mr. Bradshaw *[holding answer 3 November 2003]:* The table shows UK imports of coffee from St. Helena in each of the last five years. Arabica coffee is not specifically identified in official overseas trade statistics.

	Tonnes
1998	1.8
1999	1.7
2000	1.1
2001	0.4
2002	0.7

Source:
H M Customs and Excise
Data prepared by Statistics (Commodities & Food) Consultancy Trade & IT, ESD, DEFRA

Waste Management

Mr. Lidington: To ask the Secretary of State for Environment, Food and Rural Affairs what the tonnage of tyres *(a)* sent to waste and *(b)* dealt with by each method of waste disposal was in the most recent year for which figures are available. [132672]

Margaret Beckett: The latest available figures for used tyres are for 2001. These show that 481,496 tonnes of tyres went for disposal; of these, 290,496 tonnes (60.3 per cent.) were recovered, broken down as follows:

Recovery option	*Tonnes*	*Percentage of waste tyres*
Reuse	78,217	16.0
Retreading	49,179	9.9
Recycling	107,000	22.2
Landfill engineering	16,100	3.3
Energy recovery	40,000	8.3
Total	290,496	60.3

Sources:
Various.

SOLICITOR-GENERAL

War Crimes

Mr. Gordon Prentice: To ask the Solicitor-General on how many occasions since the coming into force of the International Criminal Court Act 2001 the Attorney-General's consent has been sought to bring a prosecution for war crimes; and if she will make a statement. [134400]

The Solicitor-General: Owing to the way records are kept in the Attorney-General's department answer to this question cannot be provided without disproportionate cost. Applications for consent are not recorded by reference to the offence for which the application is made. Also, a request unaccompanied by evidence may not be recorded as an application.

DEFENCE

Alcohol Limits

Angus Robertson: To ask the Secretary of State for Defence what the legal alcohol limit is for *(a)* operating equipment and *(b)* driving on military bases in Scotland; when the adequacy of this limit was last reviewed; and if he will make a statement. [135800]

Mr. Caplin: There is no statutory alcohol limit laid down for operating equipment on military bases in Scotland or elsewhere. Where military bases are served by public roads in the UK, the statutory alcohol limits imposed by the Road Traffic Act 1988 apply. If the military bases are not served by public roads, service personnel are subject to standing and local orders which regulate alcohol consumption. Personnel may be prosecuted under the Service Discipline Acts for being unfit for duty as a result of consuming excess alcohol or contravening orders. Commanding officers and the chain of command are very aware of the requirement to provide a safe working environment.

Breathalyser Tests

Angus Robertson: To ask the Secretary of State for Defence if he will list the *(a)* minimum and *(b)* maximum alcohol levels recorded by breathalyser tests in alcohol related cases investigated by military police on each military base in Scotland in 2003; what the comparable readings were in each year since 1997; and if he will make a statement. [135798]

Mr. Caplin: No such tests have been conducted.

Disused Army Barracks

Mr. Oaten: To ask the Secretary of State for Defence if he will list *(a)* the disused army barracks that his Department is selling, *(b)* the size of each plot and *(c)* the selling price of each site. [135863]

Mr. Caplin: The table of army barracks that the Ministry of Defence is currently selling is as follows.

Site name and address	*Area in Hectares*
McGrigor Barracks, Hospital Road, Aldershot, Hampshire	7.1
Montgomery Lines—South Alisons Road, Aldershot, Hampshire	19.1
Montgomery Lines—North Part, Alisons Road, Aldershot, Hampshire	12.6
Wainscott Camp, Hoo Road, Wainscott, Kent	4.61
Stonebridge Camp, Mundford, Thetford, Norfolk	1.39
Oakington Barracks, Rampton Drift, Longstanton, Cambs	289.7
RE Depot, Long Marston, Warwickshire	185
Saighton Camp, Huntingdon, Chester, Cheshire	48.58

I am withholding the internal valuation of surplus sites in accordance with Exemption 7 of the Code of Practice on Access to Government Information.

Drink Driving (Scotland)

Angus Robertson: To ask the Secretary of State for Defence how many occurrences of drink driving recorded by military police there were in each of the military bases in Scotland each year since 1997; and if he will make a statement. [135202]

Mr. Caplin: The service police have no powers in Great Britain to stop and breathalyse persons suspected of committing an offence under the 1988 Road Traffic Act.

Suez Medal

Bob Spink: To ask the Secretary of State for Defence if he will make a statement on the procedures to be followed by veterans in order to claim the Suez medal. [135465]

Mr. Caplin: I refer the hon. Member to my written ministerial statement of 23 October 2003, *Official Report*, columns 45–46WS, and Command Paper 5999.

Mr. Hoyle: To ask the Secretary of State for Defence how many Suez Canal Zone medal applications have been received from *(a)* Chorley, *(b)* Lancashire and *(c)* the North West; and how many have been granted. [135809]

Mr. Caplin: The Ministry of Defence is very keen to issue medals to eligible veterans as quickly as possible. There is already a sizeable backlog of applications which has accumulated in recent weeks. I would not, therefore, wish to divert staff at the medal offices to undertake an exercise of the sort that has been requested, at the expense of issuing the medal to Suez veterans.

TRANSPORT

Airline Competition

Mr. David Marshall: To ask the Secretary of State for Transport if he will make a statement on the fairness of competition between airlines operating in the UK; and if he will make a statement. [136181]

Mr. McNulty: Fairness of competition between airlines is a matter for the UK competition authorities and, insofar as there is a potential effect on trade between EU member states, the European Commission.

Aviation Landing Charges

Mr. David Marshall: To ask the Secretary of State for Transport what plans he has to equalise aviation landing charges throughout the UK; and if he will make a statement. [136180]

Mr. McNulty: There are no plans because the Government do not set landing charges. These are set by the airport operator and, in the case of the designated airports, the CAA sets a price cap to airport charges in its capacity as economic regulator.

Bus Safety

Mr. David Marshall: To ask the Secretary of State for Transport how many *(a)* bus drivers and *(b)* bus passengers were injured as a result of items being thrown at buses in the last 12 months; and if he will make a statement. [136184]

Mr. Jamieson: The information is not available. The Department collects information on bus drivers assaulted by members of the public, assaults on passengers on buses and vandalism to vehicles, but this is not sufficiently detailed to determine how many injuries were as a result of objects thrown at buses.

Central Railway

Mr. Grieve: To ask the Secretary of State for Transport when he will decide on the Central Railway project. [136250]

Mr. Malins: To ask the Secretary of State for Transport when he expe to announce his decision on the Central Railway pr sals; and if he will make a statement. [136592]

Mr. McNulty: A decision will be made as soon as is practicable.

Entry Clearance

Mr. Stinchcombe: To ask the Secretary of State for Transport whether, in respect of applications for entry clearance from working holiday makers, identical requirements and conditions are applied for applicants from each Commonwealth country. [133077]

Mr. Mullin: I have been asked to reply.

Yes.

Heathrow Airport

Mr. Randall: To ask the Secretary of State for Transport what steps his Department will take to instigate levels of nitrogen dioxide consistently within EU limits by 2010 at Heathrow Airport. [135294]

Mr. McNulty: Heathrow Airport lies within an Air Quality Management Area declared by adjacent local authorities. Various emissions sources may contribute to potential NO_2 exceedances in 2010. In the vicinity of Heathrow Airport mitigation strategies could apply to aircraft, airside and road traffic sources, although general 'background' levels of NO_2 are also a major contributor (as elsewhere). BAA plc is required to produce and review an Action Plan to minimise emissions from Heathrow Airport as a condition of the planning permission for the Fifth Terminal.

Kyoto Protocol

Mr. Lazarowicz: To ask the Secretary of State for Transport what steps the Government are taking in *(a)* European and *(b)* other international fora to encourage other countries to include international aviation in the Kyoto Agreement. [136252]

Mr. McNulty: Emissions from international aviation are not included in national targets under the first commitment period of the Kyoto Protocol (2008–12). However, the Kyoto Protocol does require contracting parties to work through the International Civil Aviation Organisation (ICAO) to reduce greenhouse gas emissions from international aviation. The Government are therefore working hard in ICAO to engage other countries in the climate change debate and to reduce emissions from aviation. Discussion on action beyond 2008–12 will begin in 2005 when the Government will work closely with all Parties and argue strongly that the framework for global action after 2012 should address international aviation emissions.

Mersey Tunnels

Mr. Frank Field: To ask the Secretary of State for Transport whether he intends to establish a public inquiry into the proposed increase in the Mersey Tunnels toll. [136081]

Dr. Howells: Yes. A date for when the inquiry will start will be announced in the near future.

Motorcycle Speeds

Mr. Wiggin: To ask the Secretary of State for Transport what recent discussions has he had with Triumph about motorcycles capable of 200mph; and what suggestions he made to the firm about manufacturing such a motorcycle. [136086]

Mr. Jamieson: I have had no such discussions.

Passenger Transport (Tyne and Wear)

Mr. Nicholas Brown: To ask the Secretary of State for Transport what discussions his Department has had with transport operators and regulators in Tyne and Wear concerning *(a)* integrated passenger transport networks and *(b)* the future of the Tyne and Wear Metro. [136030]

Dr. Howells: Officials from the Transport Team at the Government Office for the North East have meetings, on an approximately quarterly basis, with officers at Nexus (Tyne and Wear Passenger Transport Executive). Discussions cover the full range of Nexus' work in developing and promoting an integrated passenger transport network in Tyne and Wear, including buses, rail, metro, ferry and concessionary fares. In addition Government Office officials attend regular meetings chaired by the North East Assembly, attended by representatives of bus and rail operators providing services in Tyne and Wear.

Officials from Government Office for the North East and Department for Transport have also had several meetings during the past year with Nexus concerning its proposals for the future development of the Tyne and Wear Metro and the possibility of tram and bus based

extensions to the system. The most recent meeting was held on 21 October 2003. I understand that Nexus intends to submit an outline business case for funding for these developments in 2004 and officials have provided advice to Nexus on their potential submission.

River Tyne (Dredging)

Mr. Nicholas Brown: To ask the Secretary of State for Transport if he will list the locations on the River Tyne that are the subject of discussions between his Department and the Port of Tyne Authority concerning the dredging and disposal of contaminated sediment. [136027]

Dr. Howells: The locations on the River Tyne that are the subject of the application from the Port of Tyne Authority to DEFRA for a licence for the dredging and sea disposal of contaminated sediment, submitted in February 2003, are referenced in the application as:

A. A & P (Tyne) Ltd. North Shields

B. Branmore Investments Ltd. (ex-Cammell Laird (South Shields Ltd.)

C. AkerMcNultyLtd.

D. Swan Hunter (Tyneside) Ltd. East Fitting Out Quay

E. A & P (Tyne) Ltd.—Wallsend Dry Docks

F. Neptune Yard

G. A & P (Tyne) Ltd.—Hebburn Bede Quay, West Quay & No 2 Dry Dock

H. Shepherds Offshore Ltd. Offshore Technology Park

I. Bill Point—Channel

On-going discussions on this issue are primarily between the Port of Tyne Authority and DEFRA.

Mr. Nicholas Brown: To ask the Secretary of State for Transport what alternative disposal routes his Department has identified with the Port of Tyne Authority for contaminated sediment dredged from the River Tyne. [136028]

Dr. Howells: It is not for the Department for Transport to determine alternative disposal routes for contaminated sediment dredged from the River Tyne. The Port of Tyne Authority made an application, in February 2003, to DEFRA for a licence for the dredging and sea disposal of contaminated sediment from various locations on the River Tyne. Discussions on matters of detail relating to this application are on-going and, primarily, for the Port Authority and DEFRA.

Mr. Nicholas Brown: To ask the Secretary of State for Transport when he expects the negotiations between the Port of Tyne Authority and his Department concerning the dredging of the river to reach a conclusion. [136029]

Dr. Howells: Negotiations concerning the dredging of the River Tyne are primarily for the Port of Tyne Authority and DEFRA in connection with the Port Authority's application for a licence, submitted to DEFRA in February 2003, for the dredging and sea disposal of contaminated sediment from various locations on the river. Discussions between the Port Authority and the Department for Transport about this matter will continue until such time as a satisfactory conclusion is reached. I am aware that further information is being sought from the Port of Tyne Authority as part of their on-going discussions with DEFRA and that a final decision cannot be reached until such time as all the facts are to hand. It is not possible at this stage to say when this might be but the need to move to an early resolution is fully recognised.

Road Safety

Mr. Drew: To ask the Secretary of State for Transport what research he has commissioned on the correlation between the speed of vehicles and the number of road accidents. [136083]

Mr. Jamieson: The Department has commissioned various studies into the correlation between vehicle speed and road accidents. These are either summarised or referenced in the Department's review of speed management policy entitled "New Directions in Speed Management—A review of policy" published in March 2000. Copies of this document are available in the Libraries of the House.

Mr. Drew: To ask the Secretary of State for Transport what assessment he has made of the reasons for the slowing down of the rate of decrease in road fatalities in this decade. [136084]

Mr. Jamieson: The Transport Research Laboratory has been commissioned to investigate the reasons for the slowing down of the rate of decrease in road fatalities as part of their on-going work on monitoring the progress towards the 2010 casualty reduction target. It is a complex issue that demands in-depth analysis because there are different trends for different road user groups and for different accident types.

Mr. David Marshall: To ask the Secretary of State for Transport what plans he has to improve the standard of driving on roads; and if he will make a statement. [136185]

Mr. Jamieson: One of our key road safety goals is to improve the standard of driving and our road safety strategy sets out a number of measures to achieve this. "Tomorrow's roads: safer for everyone", published in March 2000, is available in the Libraries of the House.

Mr. David Marshall: To ask the Secretary of State for Transport what plans he has to improve road signage and road markings. [136186]

Mr. Jamieson: The appearance of signs and markings, and conditions for their placing, are specified in the Traffic Signs Regulations and General Directions 2002 (SI 3113), which came into effect earlier this year. Guidance on good practice in the design and use of signs is given in the Traffic Signs Manual. An updated Chapter 7, on sign design, and Chapter 5, on road markings, will be published later this month. It is the responsibility of individual traffic authorities to ensure that signs and markings are used in conformity with the statutory requirements and Government guidance.

Mr. Hammond: To ask the Secretary of State for Transport what assessment he has made of the risk to *(a)* motorists and *(b)* pedestrians posed by the level of non-compliance with traffic signals by pedal cyclists in London. [136388]

Mr. McNulty: The Department has made no such assessment. It is an offence for any vehicle not to stop at traffic signals when required to do so. Any cyclist or other road user who fails to comply with traffic signals is a danger to themselves and other road users.

Mr. Hammond: To ask the Secretary of State for Transport what assessment he has made of the merits of licensing pedal cycles as a means to improve compliance by cyclists with road traffic regulations. [136390]

Mr. McNulty: The Department has examined the case for a road tax on cyclists in the past. It would require a registration system like the one for motor vehicles and the costs of the system would certainly outweigh any benefits for enforcement of road traffic offences by cyclists. Moreover, increasing the costs of cycling would not support our policy of encouraging more people to consider cycling as a viable mode of transport and we have no plans to introduce such a tax.

Mr. Wray: To ask the Secretary of State for Transport what proposals he has to make the wearing of bicycle helmets compulsory when riding on roads; and if he will make a statement on their safety uses. [136159]

Mr. Jamieson: A study commissioned by the Department to look into the effectiveness of cycle helmets, published in November last year, found that overall, the evidence suggests that cycle helmets are effective at reducing the severity of brain and upper facial injuries for all ages, and especially children. This reinforces our view that we should encourage helmets to be worn by children.

A survey undertaken by the Transport Research Laboratory measuring wearing rates in 2002 found that the rate for all cyclists on built-up major roads was 25 per cent. The wearing rate is continuing to increase, with the exception of boys under 16 where the rate has reduced from 16 per cent. in 1994 to 12 per cent. in 2002. At these levels making helmets compulsory would cause enforcement difficulties and without greater public acceptance could have an effect on levels of cycling. We are making special efforts to persuade adolescents, and especially boys, to wear helmets. We will continue to monitor wearing rates by all ages and review the option of compulsory wearing from time to time.

Mr. Wray: To ask the Secretary of State for Transport how many people have died from head injuries whilst riding a bicycle in each of the past 15 years. [136160]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Mr. James Wray, dated 5 November 2003:

The National Statistician has been asked to reply to your recent question asking how many people have died from head injuries whilst riding a bicycle in each of the past 15 years. I am replying in his absence. (136160)

The latest year for which data are available is 2002. The attached table for 1988 to 2002 inclusive, shows the number of deaths certified as being due to head injuries in cyclists.

Number of deaths of cyclists from head injuries[1], England and Wales, 1988–2002[2]

	Number
1988	182
1989	196
1990	185
1991	177
1992	141
1993	91
1994	88
1995	130
1996	109
1997	102
1998	79
1999	95
2000	63
2001[3]	59
2002[3]	56

[1] Selected using the International Classification of Diseases Ninth Revision (ICD-9) underlying cause of death codes E800-E807 (.3), E810-E19 (.6), E820-E825 (.6), E826 (cyclists) combined with secondary cause codes 800–804 or 850–854 (head injuries) for 1988 to 2000 and the International Classification of Diseases Tenth Revision (ICD-10) underlying cause of death codes V10-V19 (cyclists) combined with secondary cause codes SOO- S09 (head injuries) for 2001 and 2002.

[2] Figures are for the number of deaths registered in each year between 1988 and 1992 and for the number of deaths occurring in each year between 1993 and 2002.

[3] Data for 2001 and 2002 may not be directly comparable to those for previous years, due to the introduction of ICD-10 in 200 L The figures should therefore be interpreted with caution!

Sources:

1. Office for National Statistics
2. Griffiths C and Rooney C (2003) The effect of the introduction of ICD-10 on trends in mortality from injury and poisoning in England and Wales. Health Statistics Quarterly 19, 10–21.

Mr. Wray: To ask the Secretary of State for Transport what plans he has to raise awareness of safety issues on the roads for *(a)* bicycle users and for *(b)* car drivers. [136161]

Mr. Jamieson: The Road Safety Strategy, "Tomorrow's Roads—Safer for Everyone" sets out our aims to improve road safety for cyclists and car drivers. This is being done through publicity, training opportunities for cyclists, education initiatives and driver testing and training. Recent publicity campaigns have included drink driving, speed, mobile phones, seat belts and cycle helmets.

WALES

Crime and Disorder

8. **Mr. Win Griffiths:** To ask the Secretary of State for Wales what plans he has to seek a joint meeting of representatives of the police, local government, the National Assembly for Wales, the NHS and the Home Office to discuss issues relating to tackling crime and disorder in Wales. [135535]

Mr. Hain: The Welsh Community Safety Unit works closely with the 22 Community Safety Partnerships in Wales to tackle crime and disorder. The membership of these partnerships includes the police, local authorities and local health bodies.

Euro

9. **Mr. Simon Thomas:** To ask the Secretary of State for Wales what discussions he has held with the Chancellor of the Exchequer on the impact of the rate of the euro on European funding available in Wales. [135536]

Mr. Touhig: My right hon. Friend and I meet regularly with Treasury Ministers to discuss a range of issues.

The Spending Review 2002 settlement enabled the Welsh Assembly to continue to meets its commitment to the success of the Objective 1 programme in Wales.

I understand that £595 million has so far been committed to 955 projects in West Wales and the Valleys.

Community Support Officers

11. **Mr. David:** To ask the Secretary of State for Wales what assessment he has made of the effectiveness of community support officers in Wales. [135538]

Mr. Touhig: The Government are carrying out an on-going assessment of CSOs throughout England and Wales. Forces with CSOs are submitting evaluations now and we hope to provide an interim assessment by the end of the year.

CSOs have been welcomed across Wales and I have been impressed by the amount of positive feedback that has been received even at this early stage.

Manufacturing

12. **Mr. Prisk:** To ask the Secretary of State for Wales if he will make a statement on employment in the manufacturing sector in Wales. [135539]

Mr. Hain: Manufacturing industry is a major contributor to our economy and to employment in the UK and in Wales.

The Government are committed to stimulating enterprise and economic growth through our macroeconomic policies, funding programmes and our "Manufacturing Strategy".

Farming

13. **Paul Flynn:** To ask the Secretary of State for Wales what steps he is taking to promote the prosperity of Welsh farming. [135540]

Mr. Touhig: Over the last few months I have visited a range of agricultural producers and manufacturers across Wales and I will continue to do everything possible to promote Welsh produce and producers.

Women in the Work Force

14. **Julie Morgan:** To ask the Secretary of State for Wales what steps he is taking to assist the retention of women in the work force in Wales. [135541]

Mr. Touhig: Widening employment opportunities for women has always been a key priority for the Government. As examples of recent legislation, all women are now entitled to 26 weeks' maternity leave, and employers must give serious consideration to parents' requests for flexible working arrangements. Financial support has also been made available to enhance the provision of child care facilities—in Wales this is the responsibility of the National Assembly.

Painkillers

John Mann: To ask the Secretary of State for Wales what discussions he has had with the Department of Health regarding the number of painkillers available over the counter in Wales which contain codeine phosphate. [135542]

Mr. Touhig: I have not held specific discussions on products containing codeine phosphate, but I am aware that the position in Wales is the same as that in England.

According to the records held by the Medicines and Healthcare products Regulatory Agency (MHRA), there are currently 96 granted marketing authorisations for medicinal products containing the active ingredient codeine phosphate. These are licensed as pharmacy medicines and are available without prescription from a pharmacy under the supervision of a pharmacist. No products containing codeine phosphate are licensed for general sale.

The National Assembly has recently supported 'Ask about Medicines Week' in October. This is an awareness week to highlight the role of pharmacists and increase people's understanding of medicines.

TREASURY

Automatic Teller Machines

Mr. Gardiner: To ask the Chancellor of the Exchequer whether United Kingdom consumers withdrawing euros from automatic teller machines in European Union member states are subject to additional charges. [136661]

Ruth Kelly: Whether United Kingdom consumers are subject to charges for withdrawing euros from automated teller machines in European Union member states is determined by the terms and conditions of their accounts and of the automated teller machines they use.

Cross-border Payments Regulation

Mr. Gardiner: To ask the Chancellor of the Exchequer if he will make a statement on the effect upon consumers of the cross border payments regulation adopted on 1 July 2002. [136662]

Ruth Kelly: The Regulation on cross-border payments in euro seeks to prevent excessive charges for consumers for certain cross-border payments in euro by imposing requirements in connection with the level, transparency and facilitation of charges for these types of payments. It does not apply to sterling denominated payments.

Children Trust Fund

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what proportion of children in Coventry he estimates will benefit from the additional £250 to the Child Trust Fund. [136141]

Ruth Kelly: This information is not available. However, it is estimated that around a third of all children will receive the additional payment of £250.

Debt Cancellation

Mr. Battle: To ask the Chancellor of the Exchequer what estimate he has made of the amount of third world debt which the IMF and World Bank is prepared to cancel; and if he will make a statement. [136061]

John Healey: The UK Government remain fully committed to the rapid and full implementation of the Heavily Indebted Poor Countries (HIPC) Initiative to ensure that it delivers a robust exit from unsustainable debt for the world's poorest countries. At present, 27 countries have reached Decision Point and have started to receive interim relief. Of these countries, eight have reached Completion Point and are now also receiving irrevocable debt relief.

In the September 2003 publication "Heavily Indebted Poor Countries (HIPC) Initiative: Status of Implementation", the staffs of the World Bank and the International Monetary Fund (IMF) provided an update on progress under the Initiative and new estimates of costs. This document is available on both the World Bank and the IMF websites. Table 9 in the document sets out the status of delivery of assistance by the World Bank. Under the original and enhanced HIPC Initiatives, the World Bank has made total debt service reduction commitments of US$12.4 billion and has delivered $2.5 billion.

Table 11 sets out the status of delivery of assistance by the IMF. Under the original and enhanced HIPC Initiatives, the IMF has made total debt service reduction commitments of SDR £1.8 billion (approximately $1.3 billion) and has disbursed SDR £1 billion (approximately $740 million). The Special Drawing Right (SDR) serves as the unit of account of the IMF and is allocated to member countries in proportion to their IMF quotas.

The UK has provided commitments of around £2 billion of debt relief to eligible HIPC countries and has pledged a total of $474 million through the multilateral institutions to further support the initiative. The UK is committed to providing 100 per cent. relief for eligible HIPC countries, and calls for all bilateral, multilateral and commercial creditors to participate in the Initiative.

The HIPC Initiative has an important role to play in maximising the resources available for poverty reduction in developing countries. However, unless there is an increase in the volume of resources available from donors to poor countries, additional debt relief would simply reallocate resources from one form of financing to another, and from non-HIPC poor countries to HIPC countries, without adding to the overall financing available for poverty reduction. Furthermore all HIPC countries would still need additional aid to meet the Millennium Development Goals even if all of their debt from the World Bank and IMF were forgiven. That is why the UK's proposal for an International Finance Facility is so important. It can provide the much-needed substantial increase in resources that debt relief alone would not achieve, which could be disbursed by way of grants and additional debt relief.

Economy (York)

Hugh Bayley: To ask the Chancellor of the Exchequer how many businesses have been registered for VAT in the York unitary authority area in each year since 1995. [135949]

John Healey: VAT Registration thresholds are reviewed as part of the Budget process. The Small Business Service produces statistics that are available on their website at www.sbs.gov.uk which show that VAT registrations for the York unitary authority area from 1995 were as follows:

	New registrations	*Total registrations*
1995	405	4,020
1996	390	4,035
1997	435	4,115
1998	415	4,200
1999	410	4,250
2000	445	4,335
2001	440	4,395
2002	435	4,440

Fuel Duty

Mr. Amess: To ask the Chancellor of the Exchequer if he will make a statement on the recent increase in fuel duty. [136265]

John Healey: My right hon. Friend, the Chancellor of the Exchequer, announced the increase in fuel duty in his Budget statement in April.

Following that announcement, the legislation implementing this change was debated in Parliament as part of the Finance Bill, which received Royal Assent on 10 July and it took effect on 1 October.

Futurebuilders Investment Fund

Paddy Tipping: To ask the Chancellor of the Exchequer what steps have been taken to appoint the fund managers of the futurebuilders investment fund. [136066]

John Healey: An open competition to appoint the fund managers was launched on 10 September. A procurement exercise is now under way. It is hoped to make an appointment in December, with the funds coming on stream in the last quarter of this financial year.

Stamp Duty Land Tax

Mr. Prisk: To ask the Chancellor of the Exchequer if he will estimate the *(a)* total and *(b)* average liability for stamp duty land tax after 1 December for farm business tenancies; and if he will make a statement. [135604]

Ruth Kelly: I regret that this information is not available.

Tax Credits

Hugh Bayley: To ask the Chancellor of the Exchequer how many people living in York have received each tax credit in each year since each was introduced. [135950]

John Healey: The numbers of families receiving the Working Families' and Disabled Person's Tax Credits in each local authority and constituency in each quarter between May 2001 and November 2002 are shown in "Working Families' and Disabled Person's Tax Credit Statistics. Geographical analyses". Estimates, based on a sample of cases, of the numbers receiving the Child and Working Tax Credits in each local authority and constituency at July 2003 are shown in "Child and Working Tax Credit Statistics. Geographical analyses". These documents can be found on the Inland Revenue website, at www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm.

No corresponding estimates are available for the Children's Tax Credit.

Norman Lamb: To ask the Chancellor of the Exchequer what the estimated annual cost is of administering *(a)* child and *(b)* working tax credit. [136150]

John Healey: I refer the hon. Member to the answer my right hon. Friend the Paymaster General gave my hon. Friend the Member for Birmingham, Selly Oak (Lynne Jones) on 3 June 2003, *Official Report*, column 30W.

VAT

Mr. Jenkins: To ask the Chancellor of the Exchequer what the Exchequer proceeds were in the last financial year of charging value-added tax on cycle helmets. [136427]

John Healey: From 1 April 2001, the Government removed VAT from adult cycle helmets. Children's cycle helmets have never been subject to VAT.

Unemployment (Scotland)

John Barrett: To ask the Chancellor of the Exchequer how many people were unemployed in *(a)* the Edinburgh West parliamentary constituency, *(b)* the City of Edinburgh local authority area and *(c)* Scotland in each year between 1985 and 1995. [136624]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Colin Mowl to Mr. John Barrett, dated 5 November 2003:

The National Statistician has been asked to reply to your recent parliamentary question on the number of people unemployed in *(a)* the Edinburgh West parliamentary constituency, *(b)* the City of Edinburgh local authority area and *(c)* Scotland in each year between 1985 and 1995. I am replying in his absence. (136624)

The Office for National Statistics (ONS) compiles statistics of unemployment from the Labour Force Survey (LFS) following the internationally standard International Labour Organisation definition. However, the data for the years requested are not available. ONS also compiles statistics of those claiming Jobseeker's Allowance (ISA) or previous unemployment benefits for local areas including Parliamentary Constituencies. Data are not fully comparable over time.

The table gives the average number of claimants each year from 1985 to 1995 in the Edinburgh West Parliamentary Constituency, City of Edinburgh Local Authority and in Scotland. The figures are not seasonally adjusted.

Annual average level of claimants for the years 1985 to 1995

	Edinburgh West parliamentary constituency[1]	*City of Edinburgh local authority*	*Scotland*
1985	2,473	26,976	352,967
1986	2,574	28,112	360,201
1987	2,415	27,492	345,766
1988	2,012	23,542	293,598
1989	1,484	18,222	234,690
1990	1,353	15,708	202,518
1991	1,720	18,017	220,217
1992	2,039	20,389	241,031
1993	2,101	20,933	246,420
1994	1,991	19,606	231,465
1995	1,721	17,423	203,494

[1] Based on the 1981 Parliamentary Constituency wards.

INTERNATIONAL DEVELOPMENT

Afghanistan

Norman Lamb: To ask the Secretary of State for International Development when funds provided by his Department for landmine clearance in Afghanistan in 2003 were made available to de-mining teams there; what role the UN is playing in adminstering these funds; and when de-mining personnel in Afghanistan funded by his Department were first paid for this work in 2003. [135845]

Hilary Benn: In 2003 The Department For International Development has provided £2.3 million to the United Nations Mine Action Service (UNMAS) for mine and unexploded ordnance clearance in Afghanistan. This has provided additional support to the on-going activities of UNMAS in Afghanistan allowing an increase in the number of deployed mine clearance teams from 94 to 134 and an increase in the number of mine action personnel to over 8,000. DFID does not directly fund humanitarian demining personnel in Afghanistan.

Norman Lamb: To ask the Secretary of State for International Development if he will make a statement on attacks on de-mining teams in Afghanistan. [135846]

Hilary Benn: Attacks on demining teams took place in March and April this year on the Kabul to Kandahar road. Since June 2003 the Ministry of Interior has provided four hundred guards to protect teams working on mine clearance and the reconstruction of the road between Kabul and Kandahar. As a result the number of attacks have decreased.

Aral Sea

Angus Robertson: To ask the Secretary of State for International Development how much money *(a)* his Department and *(b)* other Departments of the Government (i) have pledged and (ii) provided to the International Fund for Saving the Aral Sea (IFSAS) since its inception; and if he will make a statement. [136311]

Mr. Gareth Thomas: The Governments of Central Asia established the International Fund for Saving the Aral Sea (IFAS) in the early nineties; an interstate mechanism for developing and centrally funding regional environmental and research activity aimed at improving the environmental situation in the Aral Sea region. Although the established mechanism provides for an operational framework to generate international assistance, in practice the IFAS has failed to become a functioning institution with a strong regional environmental remit. The failure is attributed to a number of factors but chiefly by the general lack of enthusiasm by the governments in the region to cooperate on practical issues.

A $12 million Water and Environmental Management Project financed by the Global Environment Facility (GEF), managed by an Executing Agency of IFAS, has a component to develop longer term, sustainable regional and national water management strategies; to replace the current system of annual ad hoc water allocation and distribution arrangements which is slowly breaking down. This strategy will help to develop strategic choices at the river basin level such as water allocation between and within the five states, cost sharing for operations, maintenance, rehabilitation and improvement of the existing infrastructure. The UK contributes to the GEF and last year DFID provided an additional contribution of £15 million to the third replenishment.

Departmental Energy Use

Mr. Laurence Robertson: To ask the Secretary of State for International Development how much *(a)* electricity and *(b)* other energy his Department has used in each year since 1997 (i) in total and (ii) per square metre; what the projected use is for each of the following years for which forecasts are made; what plans he has to reduce usage; and if he will make a statement. [135056]

Hilary Benn: For information on how much electricity and other energy DFID has used in each year since 1997 I refer the hon. Member to the answer given by the Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Bradshaw) on 4 November 2003, *Official Report*, column 403W.

Forecasts of future consumption are still in the process of being developed. We have occupied our 1 Palace Street building for less than two years and a reliable baseline is only now emerging. Similarly, our East Kilbride office is undergoing extensive refurbishment and extension that will completely alter the energy consumption picture there, and our subsidiary London office is being vacated in 2004 so is excluded from future predictions. However the Department's aim is to reduce its energy consumption in accordance with Government targets, and to this end the London and East Kilbride refurbishments include such features as energy-efficient boilers, low-energy light bulbs and tubes, and, where appropriate, movement sensors instead of light switches to ensure that lights are not left on unnecessarily in unoccupied rooms. The offices have also had their computer monitors replaced throughout with low-energy flat screens. In addition, the London office electricity supply has been 100 per cent. from renewable sources since July 2002, while from this month the new supply contract for East Kilbride is 10 per cent. renewable (the maximum available there). Also at East Kilbride, a feasibility study for an on-site wind turbine is currently under way. The staff Green Awareness programme includes an energy section and a computer switch-off campaign backed up by monthly monitoring and feedback.

DFID is committed to the Government's Sustainable Development Framework and Targets, which include an Energy component, and is developing an Environmental Management System based on ISO 14001 in order to deliver these. Building management systems incorporate energy reduction elements; consumption is monitored monthly and any undue increases investigated.

Sexual and Reproductive Health

Chris McCafferty: To ask the Secretary of State for International Development if he will list bilateral aid for *(a)* reproductive health care, *(b)* family planning and *(c)* sexually transmitted disease control including HIV/AIDS, broken down by (i) project or sector aid, (ii) programme aid, (iii) technical co-operation, (iv) grants and other aid in kind, (v) humanitarian assistance, (vi) his Department's programme and (vii) CDC investments for each financial year since 1996; and if he will make a statement. [135267]

Mr. Gareth Thomas: The following provides the figures for DFID bilateral expenditure on 'HIV/AIDS'[1] and 'Reproductive Health'[2].

We regard reproductive health as an essential and inseparable element of good health. We believe that the best way to deliver this is for people to be given the right, freedom and support necessary to enable them to take full individual and personal control of their own fertility and reproductive health. Reproductive health continues to be a key priority for DFID and we remain firmly committed to the 1994 Cairo International Conference on Population and Development (ICPD) target of achieving access to reproductive health for all by 2015.

There is no simple solution to HIV/AIDS crisis. It is a very complex and globally diverse epidemic. Condoms or drugs alone are not the answer to tackling HIV/AIDS. The fight against HIV/AIDS also has to include effective public health programmes involving education, prevention, treatment, care and support. For any of these programmes to be implemented successfully they need to involve government, education, health, agriculture, civil society and the private sector and this is the approach the UK promotes.

In financial year 2002–03 alone DFID spent over £270 million on projects related to reproductive health and HIV/AIDS.

[1] 'Multisectoral Responses to HIV/AIDS' covers all activities related to HIV/AIDS control including information, education and communication; voluntary counselling and testing; prevention; treatment, care and support; research; sexually transmitted disease control and prevention.

[2] 'Reproductive health' covers HIV/AIDS programmes, prevention and treatment of sexually transmitted infections and maternal and adolescent health. It also encompasses the services for family planning, contraception and childbearing that make an important contribution to increasing women's choice and opportunity and to preventing unplanned or unwanted pregnancy.

£000

	Financial aid (Excl ATP)						Other programmes CDC investments
	Project or Sector aid	Programme aid	Technical cooperation	Grants and other aid in kind	Humanitarian assistance[1]	Total DFID programme[2]	
Multisectoral responses to HIV/AIDS							
1996–97	1,220	6	3,295	6,889	—	11,410	—
1997–98	1,555	3	4,821	4,181	—	10,560	—
1998–99	1,830	—	6,343	4,940	—	13,113	—
1999–2000	996	—	8,807	5,443	112	15,358	—
2000–01	342	—	7,811	7,034		15,187	—
2001–02	3,938	—	16,320	5,712	—	25,970	—
2002–03	4,167	—	29,265	17,357	—	50,789	—
Reproductive health (includes family planning)							
1996–97	2,505	—	12,878	13,907	—	29,290	—
1997–98	2,134	—	18,583	14,969	—	35,686	—
1998–99	2,240	—	11,934	18,212	—	32,386	—
999–2000	2,415	—	16,580	16,781	—	35,775	—
2000–01	6,639	—	17,825	16,790	—	41,255	—
2001–02	4,827	—	18,533	14,380	—	37,739	—
2002–03	9,172	—	19,710	12,340	—	41,222	—

[1] Humanitarian Assistance comprises food aid and other humanitarian assistance.
[2] 2001–02 is a unique year in that total DFID expenditure is understated by around £140 million due to move to resource accounting.
Note:
These figures understate the expenditure figures as they are based on Economic Sector codes. Until recently DFID systems only allowed one Economic Sector code to be applied to each activity, even if the activity was relevant to more than one economic sector.

Chris McCafferty: To ask the Secretary of State for International Development if he will list his Department's total funding to *(a)* UNFPA, *(b)* WHO sexual and reproductive health programme, *(c)* UNICEF sexual and reproductive health programme, *(d)* UNAIDS, *(e)* International Planned Parenthood Federation, *(f)* Marie Stopes International, *(g)* Interact Worldwide (population concern) and *(h)* International Family Health in each financial year since 1996 for which figures are available; and if he will make a statement. [135266]

Mr. Gareth Thomas: The following table details the funding provided to the various organisations listed since 1996.

We regard reproductive health as an essential and inseparable element of good health. We believe that the best way to deliver this is for people to be given the right, freedom and support necessary to enable them to take full individual and personal control of their own fertility and reproductive health. Reproductive health continues to be a key priority for DFID and we remain firmly committed to the 1994 Cairo International Conference on Population and Development (ICPD) target of achieving access to reproductive health for all by 2015.

DFID support for reproductive health is wide ranging. It covers HIV/AIDS programmes, prevention and treatment of sexually transmitted infections and maternal and adolescent health. Reproductive health also encompasses the services for family planning, contraception and childbearing that make an important contribution to increasing women's choice and opportunity and to preventing unplanned or unwanted pregnancy. Family planning services also provide an important opportunity to improve sexual health and in particular to increase women's access to methods that help prevent HIV infection.

In financial year 2002–3 alone DFID spent over £270 million on reproductive health and HIV/AIDS programmes.

£000

	DFID programme						
	1996–97	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03
UN AIDS	3,500	2,300	2,750	3,000	3,000	3,052	3,052
UN Childrens Fund (UNICEF)	13,847	9,241	10,461	29,143	2,619	17,500	17,366
UN Population Fund (UN FPA)	10,000	11,500	13,120	15,000	40,050	24,213	9,000
World Health Organisation (WHO)	11,619	12,099	8,091	20,300	75,110	41,348	34,156
International Planned Parenthood Federation	7,850	5,850	5,500	5,500	5,500	4,500	4,500
Marie Slopes International	3,202	3,103	4,235	4,945	5,132	2,554	2,979
Interact Worldwide (Population Concern)	91	138	28	51	3	0	0
International Family Health	762	1,175	1,151	773	508	628	—

Notes:

1. The figures are "regular budget" or contributions made by DFID centrally and do not include country specific expenditure agreed at country level.

2. The figures for UNICEF and WHO cover the block grants we provide to each organisation. It is not possible to apportion the amounts allocated to sexual and reproductive health programmes.

India

Angus Robertson: To ask the Secretary of State for International Development how much aid his Department has *(a)* pledged and *(b)* contributed to emergency relief programmes for victims of the Orissa Floods in India; and if he will make a statement. [136312]

Mr. Gareth Thomas: DFID did not receive any request for assistance from the Government of Orissa, nor any NGO for the floods in year 2003. However, Care India utilised £25,000 for flood relief from an on-going DFID supported drought relief project of £1.5 million. It was encouraging to note that Government of Orissa was well equipped and organised to manage the flood relief.

In 2001 DFID contributed £800,000 for flood relief through UNDP and International NGOs. The relief focused on two key areas: agriculture and a combination of cash/food-for-work programmes.

Iraq

Norman Lamb: To ask the Secretary of State for International Development how many unexploded cluster bomblets he estimates there are in Basra; how many unexploded cluster bomblets have been *(a)* cleared and *(b)* marked by munition clearance organisations in Basra since the end of hostilities in Iraq; and if he will make a statement. [135853]

Hilary Benn: UK forces used approximately 80 cluster bombs against a number of Iraqi military targets and fired around 2,000 artillery delivered L20A1 Enhanced Range Bomblet Shells, mainly in the UK area of operations around Basrah. The UK has over 120 military personnel in Iraq, approximately 1 per cent. of our total in-theatre force, for clearance of explosive remnants of war, and a significant number of Royal Engineers are involved in the marking and fencing of bomblet strike and mined areas. They have already completed 1,600 clearance tasks of unexploded ordnance of all types and have now made safe 619,000 explosive remnants of war and 350,000 small arms rounds.

Mine Clearance

Norman Lamb: To ask the Secretary of State for International Development what assessment he has made of the effectiveness of his Department's spending on mine clearance by the United Nations. [135850]

Hilary Benn: DFID's current policy of channelling a high proportion of its funds for Humanitarian Demining via United Nations Agencies is currently being reviewed. This will be the first formal review of the policy. The UN agencies have a mixed record of success in their various roles; in particular the role of global co-ordination and the management of field operations could be improved. However there have also been some significant successes (Kosovo and Sudan are two examples).

Pakistan

Angus Robertson: To ask the Secretary of State for International Development how much aid his Department has *(a)* pledged and *(b)* contributed to emergency relief programmes for the victims of the Tharparkar Floods in the Sindh province of Pakistan; and if he will make a statement. [136313]

Mr. Gareth Thomas: Following the floods in August DFID made a contribution of £97,100 to Oxfam UK to help address the immediate needs of 2000 families in Badin District in Sindh Province.

Emergency assistance to affected families was also provided by the national authorities of Pakistan, UN agencies and other international non-government organisations to meet the immediate needs of those affected.

Safe Drinking Water

Mr. Paul Marsden: To ask the Secretary of State for International Development what proportion of the population of *(a)* Zambia, *(b)* Ethiopia, *(c)* Iraq and *(d)* Malawi he estimates has access to a plentiful supply of safe drinking water. [135296]

Hilary Benn: The Global Water Supply and Sanitation Assessment 2000 (World Health Organisation (WHO)/ United Nations Children's Fund (UNICEF)) provides baseline figures on progress towards the Millennium Development Goals (MDGs). The Joint Monitoring Programme is continuing and will provide the United Nations reference data for access to improved water supply.

The figures for the proportion of the population with access to improved water supplies were:

(a) Zambia: 64 per cent.;

(b) Ethiopia: 24 per cent.;

(c) Iraq: 85 per cent.;

(d) Malawi: 57 per cent.

DFID has provided substantial financial support and technical assistance to this initiative from the outset.

South Caucasus (Oil Pipeline)

Mr. Jim Cunningham: To ask the Secretary of State for International Development what assessment he has made of the proposed South Caucasus oil pipeline; and what discussions he has had with the Department for Environment, Food and Rural Affairs on the environmental consequences of the proposed pipeline. [136065]

Hilary Benn: DFID interest in the Baku-Tbilisi-Ceyhan (BTC) pipeline project in the South Caucasus is as a shareholder of the International Finance Corporation (IFC) of the World Bank Group and of the European Bank for Reconstruction and Development (EBRD). The Board of the IFC has already decided to provide finance for this project, and the Board of the EBRD is expected to take a decision on this on 11 November.

Both institutions have carried out rigorous due diligence, including on social, environment, legal and commercial issues, in accordance with their standard procedures. DFID has not duplicated this work but, in view of the complexity of the project, commissioned consultants to carry out an assessment of its compliance

with the environmental safeguard policies of the IFC and EBRD. I am placing this assessment in the Library of the House.

In considering the IFC and EBRD proposals on the BTC project, DFID carried out extensive Whitehall co-ordination, including with the Department for Environment, Food and Rural Affairs.

Zimbabwe

Mr. Robathan: To ask the Secretary of State for International Development if he will ask the UN Relief and Recovery Unit to publish reports confirmed of confirmed incidents of *(a)* politicisation and *(b)* the corrupt use of (i) international food aid and (ii) GMB grain in Zimbabwe. [135346]

Hilary Benn: The World Food Programme (WFP) have agreed with all their implementing partners a protocol for reporting irregularities, and in particular political interference, in relation to the distribution of donor-funded food aid, which accounts for the large majority of food being distributed in Zimbabwe this year. This information is shared with donors and implementing partners. We believe that, so long as there is no damage to the effectiveness of international humanitarian operations in Zimbabwe, the UN should also make this information available publicly. We and other donors are discussing this with the UN as part of the present review of the UN's Relief and Recovery Unit (RRU).

Despite continual pressure from WFP, the Government has provided very little information about its own plans and activities in relation to food and grain distribution which it funds itself, distributed by the Grain Marketing Board (GMB). The UN agencies do not have a formal role in monitoring the activities of the GMB, in which donor funding is not involved. However, some local non-Governmental Organisations do monitor food supplies, including those from GMB, and publish reports locally.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the scale of poppy production in Afghanistan in each year since 1996. [136535]

Mr. Straw: The United Nations Office on Drugs and Crime (UNODC), conducts an annual survey into the level of opium cultivation and production in Afghanistan. Their figures since 1996 are as follows:

	Hectares	*Tonnes*
1996	57,000	2,250
1997	58,000	2,800
1998	64,000	2,700
1999	82,000	4,600
2000	82,000	3,300
2001	8,000	185
2002	74,000	3,400
2003	80,000	3,600

The UNODC figures for 2001 reflects the Taliban ban on opium cultivation. The ban did not however address the underlying causes of poppy cultivation in Afghanistan and was enforced with a mix of serious violence and bribery.

Ali Salem Tamek

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Moroccan authorities on the imprisonment of Ali Salem Tamek. [136491]

Mr. Rammell *[holding answer 4 November 2003]:* We have made no recent representations to the Moroccan authorities on the imprisonment of Ali Salem Tamek. I refer my hon. Friend to the reply my right hon. Friend the Minister of State at the Foreign and Commonwealth Office (Mike O'Brien) gave him on 28 April 2003, *Official Report*, column 133W.

Argentine-British Council Meeting

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the recent Argentine-British Council meeting held in Argentina is endorsed by the Government as an official forum for discussing Anglo-Argentine relations; what support was provided by *(a)* the Government and *(b)* the British embassy in Buenos Aires for the meeting; and whether a Minister from his Department attended. [136495]

Mr. Straw *[holding answer 4 November 2003]:* The Argentine-British Council (ABC) is a non-governmental organisation. The Government did not offer financial support for its recent meeting. Our ambassador in Buenos Aires held a reception at his residence for all ABC delegates. A member of our embassy attended a session of the meeting as an observer.

Morocco

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Secretary of State for Trade and Industry on the export of arms to Morocco, with specific reference to their use in the Western Sahara. [136493]

Mr. Rammell *[holding answer 4 November 2003]:* Secretaries of State from the main Government Departments involved in export licensing are in regular contact with each other on the subject of specific export license decisions and broader export control policy matters. However, Morocco has not been raised recently in such contacts.

Convention on the Future of Europe

Ms Stuart: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the Government's responses to the questionnaires issued by the Italian Presidency on the Intergovernmental Conference negotiations on the Convention on the Future of Europe. [136140]

Mr. MacShane: Yes. I will place written responses in the Library of the House.

European Union Law

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 20 October 2003, reference 132935, what discussions he has had with EU institutions on the relationship of sections 2 and 3 of the European Communities Act 1972 and the jurisprudence to which he refers of the European Court of Justice since the case of Costa *v.* ENEL; and what assessment he has made of the judgments of the United Kingdom courts in *(a)* Macarthys Ltd. *v.* Smith and *(b)* Thorburn *v.* Sunderland City Council in relation to the principle that no provision of national law may be invoked to override Community law. [135482]

Mr. MacShane *[holding answer 3 November 2003]*: The UK has given effect to its obligations under the EU treaties through the European Communities Act 1972. Costa v ENEL set out the clear principle that its obligations under the treaties cannot be overridden by domestic legal provisions.

In Thorburn *v.* Sunderland City Council, Lord Justice Laws said as part of his judgment:

> "All the specific rights and obligations which EU law creates are by the 1972 Act incorporated into our domestic law and rank supreme . . .".

The ultimate guarantee of parliamentary sovereignty lies in the power of Parliament to repeal all or any of the Acts which give effect to the EU treaties in this country. As Lord Denning made clear in the case of Macarthys Ltd. *v.* Smith, it is within Parliament's power to legislate contrary to the UK's treaty obligations. The result of so doing, however, would be to put the UK in breach of its treaty obligations.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will publish the evidence that underlay the claim by the UK's special representative to Iraq on 28 October that foreign terrorists were behind the bomb attacks in Iraq on 26 and 27 October; [135942]

(2) upon what evidence the claims made by the UK's special representative to Iraq that elements in Iran, Syria, Afghanistan and further afield in the Islamic world are contributing to instability in Iraq were based, with particular reference to the bomb attacks on 26 and 27 October. [135943]

Mr. Straw: We have received information from a wide range of sources about the infiltration of foreign extremists into Iraq. The bombings on 26–27 October are currently under investigation by the Iraq authorities and the Coalition Provisional Authority (CPA). We do not know at this stage the identities of those responsible for these attacks, although as Sir Jeremy Greenstock said, the use of suicide bombers may indicate the involvement of foreign terrorists.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with the Governments of *(a)* Iran, *(b)* Syria, *(c)* Afghanistan and *(d)* other Islamic countries regarding terrorists from those countries entering Iraq to participate in terrorist activities. [135944]

Mr. Straw: We have discussed border security with all of Iraq's neighbours and urged them to tighten up security and border controls to deny terrorists access to Iraq.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what additional steps the Government has taken to ensure the security of *(a)* British personnel and troops and *(b)* those working for international aid organisations in the south of Iraq since 26 October. [135947]

Mr. Straw: Security measures are kept under constant review by UK commanders on the ground. The safety and security of all UK personnel is paramount. Force protection measures in place in southern Iraq are consistent with the current threat level. The Coalition offers security advice and assistance to aid workers wherever possible. However, international aid organisations are responsible for ensuring that adequate personal security arrangements are in place for their staff.

Nuclear Non-proliferation

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 12 May 2003, *Official Report*, column 85W, to the hon. Member for Blaenau Gwent (Llew Smith), on nuclear non-proliferation, what further actions his Department will pursue to implement the disarmament measures identified at the end of the 2000 Non-Proliferation Treaty Review Conference; and if he will make a statement. [135824]

Mr. Straw: The Nuclear Non-Proliferation Treaty (NPT) is the cornerstone of the nuclear non-proliferation regime. The United Kingdom fully supports the Final Document of the 2000 NPT Review Conference and the 13 practical steps towards disarmament that it identified. We intend to continue our close co-operation with other NPT members to strengthen the effectiveness of measures against nuclear proliferation.

To that end, we will participate actively in the NPT review process, including the next Preparatory Committee (PrepCom) in April and May 2004 and the subsequent Review Conference in 2005. We will continue to provide reports at those meetings on our progress on all actions agreed in the 2000 Final Document. The UK is currently working on research into the verification of nuclear disarmament, and we will be presenting a second interim report on our studies at the next PrepCom. We intend to issue a consolidated report on this research at the 2005 Review Conference. This will contribute significantly towards one of the 13 practical steps towards disarmament identified in the Final Document of the 2000 Review Conference.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made since 11 September 2001 to the Israeli Government to persuade it *(a)* to sign and ratify the Nuclear Non-Proliferation Treaty, *(b)* to ratify the Chemical Weapons Convention and *(c)* to sign and ratify the Biological Weapons Convention. [135825]

Mr. Straw: We have a regular dialogue with Israel on the full range of counter-proliferation issues as an integral part of our diplomatic relationship. This

dialogue includes an annual senior official-level meeting specifically on the subject. The last such meeting took place in March this year, with the previous one having taken place in March 2002.

Oil and Gas Reserves

Sir Robert Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the amendments the UK Government wish to see to the draft EU constitution where it impacts on Government policy for the exploitation of oil and gas reserves from the UK continental shelf. [R] [135326]

Mr. MacShane *[holding answer 30 October 2003]:* Article III-130(2)*(c)* of the draft EU Constitutional Treaty, which is based on Article 175(2)*(c)* of the TEC, sets out the Union competence to adopt

> "measures significantly affecting a member state's choice between different energy sources and the general structure of its energy supply"

by unanimity. Article III-157 of the draft EU Constitutional Treaty states the policy on energy shall aim to:

> (a) ensure the functioning of the energy market,
>
> (b) ensure security of energy supply in the Union, and
>
> (c) promote energy efficiency and saving and the development of new and renewable forms of energy and states that this policy shall not affect a member state's choice between different energy sources and the general structure of its energy supply.

Under the Treaty establishing the European Community, there is already Union activity in energy matters. We believe there is a strong case for making the legal base for policy in this area more transparent.

TRADE AND INDUSTRY

Adoption

Mr. Peter Duncan: To ask the Secretary of State for Trade and Industry (1) for what reasons adoptive parents are not entitled to the same financial assistance as biological parents; [136501]

(2) what plans she has to review the level of adoptive pay; [136503]

(3) what estimate she has made of the number of claims for adoptive leave made in each of the last three years. [136504]

Mr. Sutcliffe: New statutory rights to leave and pay for parents adopting a child came into effect on 6 April this year. Eligible employees are able to take up to 52 weeks adoption leave and receive Statutory Adoption Pay for up to 26 weeks paid at the same standard rate as Statutory Maternity Pay (SMP)—£100 per week or 90 per cent. of average earnings if this is less than £100.

SMP is paid for the first six weeks at 90 per cent. of average earnings. This reflects the legal requirement that women take a period of compulsory maternity leave following the birth of a child. This is for their health and safety and that of their child. Offering a higher rate of SMP for the first six weeks recognises this and helps mothers to take that time off.

The adopter's partner may be able to benefit from the new rights to paternity leave and pay. Statutory Paternity Pay is paid at the same standard rate as SMP. This rate applies for all fathers, not just adoptive parents.

We are already gathering evidence on how the new rights for adoptive parents are working in practice, as part of a wider monitoring strategy for all the new laws relating to working parents introduced in April 2003, and will continue to do so as an ongoing process. The Government will begin a review of the right to request flexible working in 2006 and we aim to look at how effective the other laws have been at the same time.

The new rights have only been in place for seven months so as yet we do not have any figures on how many parents have taken adoption leave. However, it is estimated that in 2003 there will be 3,850 adoptions per year and we hope that most of these adopters will be able to benefit. We will be looking at the level of take up as part of our monitoring strategy.

Broadband

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what action she is taking to bring high speed broadband internet connections to those areas where British Telecom has deemed enablement of the telephone exchange unviable. [136438]

Mr. Timms: The Government intends spending £1 billion on broadband connectivity for the public sector between 2003–06. The Broadband Aggregation Project will set up 9 Regional Aggregation Bodies (RABs), which will aggregate and procure public sector demand for broadband. Each RAB will work closely with stakeholders in their region to develop an appropriate regional strategy that will offer best value for money and the widest availability to surrounding communities.

Regional Development Agencies (RDAs) are committed to improving the availability of broadband in their region and are involved in a range of regional and local partnerships with both the public and private sector. RDAs administer the £30 million UK Broadband Fund which carries out pilot projects, to build awareness and understanding of the benefits of broadband in areas which are not currently served by the market.

A joint DTI/Defra Rural Broadband Team has been set up to address the issue of availability of broadband in rural areas. It aims to support local community action to secure affordable access to broadband, to ensure rural communities derive the maximum benefit from the deployment of broadband and promote rural access and take up of broadband to those in a position to effect positive change.

Competitiveness Council

Mr. Allen: To ask the Secretary of State for Trade and Industry who will represent the Government at the EU Competitiveness Council of Ministers on 10 November. [136201]

Jacqui Smith: I will be representing the Government at the EU Competitiveness Council of Ministers on 10 November 2003.

Computer Viruses

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what her most recent annual estimate is of the cost to UK business of virus infection of business computers and networks. [136428]

Mr. Timms: The DTI works with business to produce a biennial survey of Information Security Breaches, the latest of which was published in April 2002. The Survey is intended to raise awareness of the importance of effective information security management. The 2002 Survey did not set out to survey or measure the costs of specific security breaches such as virus infections, but surveyed the costs of all forms of information security breach. Based on the information gathered, the figures indicated that serious security incidents cost on average some £30, 000 per incident in 2001. The survey does not contain a figure for the total number of incidents. Work on the 2004 Survey is under way, and the results will be published in April 2004.

Consumer Credit

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what plans she has to set maximum *(a)* charging structures and *(b)* interest rates for (i) personal loans, (ii) credit cards, (iii) store cards and (iv) sub-prime loans. [136288]

Mr. Sutcliffe: The Department has considered the issue of interest rate ceilings for the consumer credit market in the context of its review of the Consumer Credit Act. We are not persuaded of the case for introducing such ceilings. However, we have commissioned research into the way interest ceilings work in other EU countries.

Proposals in these areas and others, will be included in the forthcoming Consumer Credit White Paper, due for publication in December.

Estate Agents

Malcolm Bruce: To ask the Secretary of State for Trade and Industry pursuant to the answer to the hon. Member for Twickenham (Dr. Cable) of 11 September, *Official Report*, column 390W, on estate agents, what information her Department collates on the number of estate agents and their regulation. [136634]

Mr. Sutcliffe: According to the Office for National Statistics in June 2003 there were 8480 estate agent enterprises eligible for VAT in the UK.

The Estate Agents Act 1979 regulates the conduct of estate agents in the course of estate agency work. The Act gives the Director General of Fair Trading the power to issue warning or prohibition notices against those persons whom he considers to be unfit to carry on estate agency work.

Export Controls

Mr. Gardiner: To ask the Secretary of State for Trade and Industry pursuant to her answer of 16 September 2003, *Official Report*, column 705W, on export controls, whether she has examined the impact that the Government's proposals for export control will have on the safety of UK military personnel. [136254]

Nigel Griffiths: By strengthening the strategic export control regime, the new controls will reduce the risk that goods or technology exported from the UK, or goods brokered from the UK, or in certain circumstances goods brokered by UK persons anywhere in the world, could be used against UK armed forces.

Inward Investment

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what steps the Government are taking to promote inward investment in the United Kingdom. [135474]

Ms Hewitt: The Government have expanded the inward investment function, home and overseas, within UK Trade & Investment (formerly Invest UK) to ensure that the UK maintains its place as the number one destination in Europe for inward investment in the EU. UK Trade & Investment works with the Regional Development Agencies and the development agencies of the Devolved Administrations to provide a tailored service to encourage inward investment.

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what plans she has to promote the United Kingdom as a manufacturing base to foreign companies, with particular reference to the qualities of the workforce. [135503]

Ms Hewitt: In promoting the UK as the top inward investment location in Europe, UK Trade and Investment (formerly Invest UK) focuses on value added investment including in manufacturing.

UK Trade and Investment ensures that inward investors are aware of all the qualities the UK has to offer including our skilled and adaptable workforce.

Japan

Llew Smith: To ask the Secretary of State for Trade and Industry what the reason was for the postponement of the Minister of State for Energy, E-Commerce and Postal Services' planned visit to Japan in November; and when it will now take place. [136723]

Mr. Timms: The build-up to the Japanese elections made it difficult to secure key ministerial meetings. The visit has therefore been postponed until early in 2004.

Loan Companies

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what assessment she has made of the practice of selling debts by loan companies to debt collection companies. [136174]

Mr. Sutcliffe: The Department has made no specific assessment of the practice of selling debts by loan companies to debt collection companies.

Lenders and debt collectors require a licence from the Office of Fair Trading under the Consumer Credit Act 1974. The OFT issued its "Debt collection guidance—Response to consultation paper and final guidance on

unfair business practices" on 14 July 2003. The guidance specifies certain behaviour which OFT would consider in relation to taking licensing action. The guidance makes it clear that lenders must not ignore the unfair practices of debt collectors acting on their behalf, whether in-house or external. Lenders should take care in the selection of third parties, investigate complaints and take action where appropriate. Failure to do so will call their own fitness to hold a licence into question.

The DTI is reaching the conclusion of its review of the Consumer Credit Act 1974. Government proposals in this area will be set out in a White Paper due for publication in December. This will address issues such as the transparency of credit products, ensuring consumers are more aware of the terms and conditions of agreements they may wish to undertake.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry (1) if she will take steps to make loan companies publish statements on their efforts to reduce harassment of clients whom they are pursuing for overdue loans; [136175]

(2) if she will take steps to restrict the *(a)* days and *(b)* times of day that debt collectors can contact people they are pursuing for overdue debts; [136176]

(3) if she will take steps to restrict the number of *(a)* letters, *(b)* phone calls and *(c)* face to face visits debt collectors can make to people they are pursuing for overdue debts; [136177]

(4) what recent discussions her Department has had with consumer groups about harassment of borrowers by debt collection companies. [136178]

Mr. Sutcliffe: The OFT issued guidance for debt collectors on 14 July 2003 which is aimed at all consumer credit licence holders and applicants and applies to the collection of debt once an account is in default. It sets out the type of behaviour, such as harassment of debtors, that the OFT, which administers the licensing system, considers to be unfair and which could call into question fitness to hold a licence.

OFT guidance states it is an unfair business practice for a debt collector to be contacting debtors at unreasonable times and ignoring or disregarding debtors' legitimate wishes. Further to consultation on the guidance OFT decided not to prescribe specific times given debtors' differing circumstances.

The practice of debt collectors when recovering overdue loans has been considered in the context of my Department's review of the Consumer Credit Act.

The Consumer Credit White Paper that we will publish in December will outline our proposals to regulate the conduct of lenders and unfair credit agreements.

Microsoft (Licensing Fees)

Norman Lamb: To ask the Secretary of State for Trade and Industry how much was paid to Microsoft in licensing fees by her Department and its agencies in each of the last three years; and how much has been budgeted for *(a)* 2003–04 and *(b)* 2004–05. [130680]

Ms Hewitt: The provision of IT services for the Department of Trade and Industry is via a long term PFI contract with UNITAS, (a consortium of Fujitsu Services and Logica/CMG). Under this agreement all IT assets, hardware, software, (including Microsoft licensing fees), etc. are owned by UNITAS. Their provision and associated support are met through agreed bundled monthly service charges and it is not possible to identify specific costs for individual elements of these charges. The contract with UNITAS requires them to ensure that all software included as part of the services they provide to the Department are fully licensed with the appropriate supplier.

Miners' Compensation

Jeff Ennis: To ask the Secretary of State for Trade and Industry how many *(a)* interim and *(b)* full and final payments have been made to former miners suffering from (i) chronic bronchitis and emphysema and (ii) vibration white finger. [136097]

Nigel Griffiths: The figures as of 26 October 2003 are as follows:

Interim and full and final payments made to former miners

	COPD	*VWF*
Interim payments	69,753	85,366
Full and final payments	85,735	75,648

Note:

Figures are readily available on the DTI website: www.dti.gov.uk/coalhealth and updated monthly.

Office Plants Document

Brian Cotter: To ask the Secretary of State for Trade and Industry what the cost of producing her Department's foliage strategy was; how many staff hours were spent on producing the document; and if she will make a statement. [135400]

Ms Hewitt *[holding answer 30 October 2003]:* The only cost involved in producing the Department's so called "foliage strategy" was staff time at an internal cost of around £600. The strategy was an integral part of a procurement process to rationalise the contractual arrangements for provision of plant maintenance throughout the DTI buildings. The new contractual arrangements have resulted in overall savings of about £6,000 per annum.

Precious Metals

Mr. Wiggin: To ask the Secretary of State for Trade and Industry if, in the current EU Presidency working party discussions on the draft directive on articles of precious metal, she will propose that a high level of consumer protection secured by reliable third party verification should be a requisite in harmonised trade in such articles; and if she will make a statement on the stance adopted by other member states in the discussions. [136386]

Mr. Sutcliffe: The Government believe that a system of independent third party checks provides a high level of consumer protection and are opposed to any measures that would reduce such protection in the UK.

Some member states have indicated support for the approach in the draft directive, while others have expressed reservations.

Mr. Wiggin: To ask the Secretary of State for Trade and Industry what representations she is making to her counterparts in other EU member states to encourage them to support the view that harmonised trade in articles of precious metal should have a high level of consumer protection secured by reliable third party verification. [136387]

Mr. Sutcliffe: My right hon. Friend the Secretary of State for Trade and Industry has written to potentially sympathetic member states urging them not to support the draft directive.

Scottish Stamps

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what plans she has to discuss with the Royal Mail the *(a)* promotion and *(b)* marketing of the Scottish definitive stamps. [136155]

Mr. Timms *[holding answer 3 November 2003]:* The stamp programme is an operational matter for Royal Mail Group plc, I have therefore asked the Chief Executive of Royal Mail to reply direct to my hon. Friend.

Television Reception (East Kent)

Mr. Gale: To ask the Secretary of State for Trade and Industry what progress has been made in negotiation with the French authorities towards agreed enhancement of South Coast television transmitters for those living in East Kent; and if she will make a statement. [135332]

Mr. Timms: Negotiations are continuing. The Radiocommunications Agency is in regular discussion with its French counterpart about sharing spectrum for our respective analogue and digital TV coverage requirements. These negotiations are conditioned by internationally agreed arrangements, and spectrum planning methods, for determining equitable spectrum shares. The close proximity of the two countries and the heavy demand for frequencies on both sides of the Channel requires difficult and complicated technical discussions to maximise the use of spectrum in both countries in a way that minimises interference effects. In some cases, compromises are having to be made on both sides to deliver TV networks, such as mutual toleration of the risk of greater interference for longer periods than advised by the international planning rules.

We are still in negotiation with the French authorities on acceptable channels and transmitter powers for digital TV from the Dover and Bluebell Hill stations in conjunction with the French requests for frequencies (and transmitter powers) for their own networks. Both sides are currently analysing the impact of each others' latest proposals and we hope to meet the French administration as soon as possible to take forward the discussions.

Trade Missions

Mr. Rosindell: To ask the Secretary of State for Trade and Industry if she will make a statement on the Government's view of the benefits of trade missions. [135514]

Ms Hewitt: Trade missions are a tried and tested mechanism providing a framework of support, both practical and financial, in which companies new, or relatively new, to the markets concerned can receive support to travel overseas to explore or assess the market or reinforce existing marketing efforts.

The main benefits of participating in trade missions, apart from any financial support, are the raised profile of being seen as part of a UK group of companies; the opportunity to network and do business with fellow participants and the assistance, advice and knowledge provided by the mission organiser before the mission and during the visit.

Transport and Access

Mr. Djanogly: To ask the Secretary of State for Trade and Industry how many complaints from British businesses her Department has received concerning transport and access issues in each of the last five years. [134868]

Nigel Griffiths: No such figures are available but the DTI is currently working on identifying optimal ways in which business's views on transport can be recorded and subsequently acted on.

CABINET OFFICE

Magistrates

Mr. Hoyle: To ask the Minister for the Cabinet Office how many magistrates there are under the age of *(a)* 30, *(b)* 35 and *(c)* 40 serving in Lancashire. [135572]

Mr. Alexander: At 31 March 2003 the available figures show that there were three magistrates under the age of 30 and 28 between the ages of 30 and 39 within the Lancashire Commission. A National Recruitment Strategy announced by the Lord Chancellor on 7 October will seek to find ways of recruiting younger magistrates and this will be actively promoted within the Duchy area.

WORK AND PENSIONS

Benefit Appeals

Annabelle Ewing: To ask the Secretary of State for Work and Pensions how many *(a)* attendance allowance appeals, *(b)* disability living allowance appeals and *(c)* incapacity benefit (personal capability assessment) appeals there have been in each of the last three years. [133715]

Maria Eagle: This is a matter for Christina Townsend Chief Executive of the Appeals Service. She will reply to the hon. Member.

Letter from Christina Townsend to Annabelle Ewing, dated 5 November 2003:

The Secretary of State has asked me to reply to your question regarding the number of attendance allowance appeals, disability allowance appeals and incapacity benefit (personal capability assessment) appeals there have been in each of the last three years.

The attached table shows the number of attendance allowance appeals, disability living allowance appeals and incapacity benefit (personal capability assessment) appeals which were received by the Appeals Service during the last three years.

I hope this reply is helpful.

Attendance allowance (AA), disability living allowance (DLA) and incapacity benefit (personal capability assessment) (IB(PCA)) appeals received by the Appeals Service.

	Attendance allowance		*Disability living allowance*		*Incapacity benefit*	
	Caseload as at 28 February	*Received at Appeals Service*	*Caseload as at 28 February*	*Received at Appeals Service*	*Caseload as at 28 February*	*Received at Appeals Service*
April 2000-March 2001	1,279,000	14,875	2,210,600	106,405	2,324,400	41,835
April 2001-March 2002	1,291,400	11,505	2,337,700	83,790	2,337,700	43,595
April 2002-March 2003	1,333,400	10,300	2,387,900	81,735	2,387,900	54,140

Notes:
All figures are subject to change as more up to date data becomes available. Figures for the latest months will rise as information feeds through to the Appeals Service.
Figures are rounded to the nearest five.
Source:
IAD Information Centre, 100 per cent. sample.
Caseload notes:
Caseloads are rounded to the nearest 100
Source:
IAD Information Centre, 5 per cent. sample

Annabelle Ewing: To ask the Secretary of State for Work and Pensions how many times a tribunal has requested medical evidence from a general practitioner, consultant and other medical professional in support of *(a)* attendance allowance appeals *(b)* disability living allowance appeals and *(c)* incapacity benefit (personal capacity assessment) appeals in each of the last three years. [133716]

Maria Eagle: This is a matter for Christina Townsend Chief Executive of the Appeals Service. She will reply to the hon. Member.

Letter from Christina Townsend to Annabelle Ewing, dated 5 November 2003:

The Secretary of State has asked me to reply to your question regarding how many times a tribunal has requested medical evidence from a general practitioner, consultant and other medical professional in support of attendance allowance appeals, disability living allowance appeals and incapacity benefit (personal capability assessment) appeals in each of the last three years.

We do not have this information prior to April 2002 but the attached table shows the figures for the period April 2002-March 2003 and April 2003-September 2003.

I hope this reply is helpful.

Appeal tribunals for AA, DLA and IB (PCA) at which medical evidence has been requested

Number

	AA	*DLA*	*IB (PCA)*
April 2002-March 2003	755	8,735	560
April 2003-September 2003	370	4,580	350

Medical evidence requested at tribunal includes:
Consultant Report, Existing Records
Consultant Report, Fresh Examination
Examining Medical Practitioner Attendance Allowance
Examining Medical Practitioner Care and Mobility
Examining Medical Practitioner Care only
Examining Medical Practitioner Mobility only
General Practitioners Factual
General Practitioners Specialist
Hospital Case Notes/Extract From DEC
Hospital Case Notes (Direct to Hospital)
Hospital Factual Report
Obtain Fresh X-Rays
Notes:
All figures are subject to change as more up to date data becomes available. Figures for the latest months will rise as information feeds through to the Appeals Service.
Figures are rounded to the nearest five.
Source:
IAD Information Centre, 100% sample.

Fraud

Dr. Cable: To ask the Secretary of State for Work and Pensions what estimate he has made of the level of council tax benefit fraud in the last five years for which figures are available; and if he will make a statement. [134131]

Mr. Pond: I refer the hon. Member to the answer given to the hon. Member for Edinburgh, West (John Barrett) on 16 July 2003, *Official Report*, column 432W.

New Deal

Mr. Gibb: To ask the Secretary of State for Work and Pensions how many Employment Service personal advisers have been recruited under the New Deal programme since 1997. [133161]

Malcolm Wicks: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Nick Gibb, dated 5 November 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question concerning how many Employment Service personal advisers have been recruited under the New Deal programme since 1997. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

In line with the Departments policy, Jobcentre Plus recruits people under the Employment Option of the New Deal into the Administrative Assistant or Administrative Officer grades. As

Personal Adviser posts are graded at the Executive Officer grade we would not recruit for these posts under the New Deal programme.

However, people on the New Deal caseload can apply for any posts advertised externally by Jobcentre Plus which would include grades at the Executive Officer level. People recruited using this method would not be classed as one of our New Deal employees.

I hope this is helpful.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what assessment he has made of the impact of the New Deal for Communities since 1998 in *(a)* St. Helens, South, *(b)* Merseyside and *(c)* the north west region on (i) reducing crime, (ii) creating jobs and (iii) raising standards in education. [134616]

Yvette Cooper: I have been asked to reply.

(a) There are no New Deal for Communities (NDC) Partnerships in St. Helens, South.

(b) and (c) There are two NDC Partnerships in Merseyside—Liverpool (Kensington) and Knowsley (North Huyton). There are six partnerships in the north west region. These include the two Merseyside Partnerships and those in Manchester (Beswick and Openshaw), Oldham (Hathershaw and Fitton Hill), Rochdale (Heywood) and Salford (Central).

The NDC programme is scrutinised and reviewed using two, complementary and linked streams of work:

a performance management system, which drives annual and mid-year reviews, lead by the Government Offices for the Regions;

the NDC National Evaluation, providing external assessment at partnership, programme and theme level, lead by Sheffield Hallam University.

The performance management system was introduced in 2003 and used for the first time for the 2002–03 annual reviews. Partnerships reviewed their own performance and the results that they are starting to achieve.

The evidence provided in these reviews by the NDC Partnerships show that partnerships in the Merseyside and the north west are beginning to make an impact in reducing crime, creating jobs and raising standards in education. For example:

In the Kensington area of Liverpool, the rate of all recorded offences has fallen from 185.3 instances per 1,000 population before the NDC, to 148.8 in 2002–03.

In Salford, the gap between the proportion of pupils getting five or more GCSEs at grades A to C narrowed from 12 per cent. to 8 per cent. in 2002–03.

In east Manchester, the percentage of the working age population who are in employment has risen from 52 per cent.to 65 per cent., which exceeded the city average in 2002–03.

Alongside this evidence from partnerships themselves, data from the national NDC evaluation about the progress NDC Partnerships are making towards achieving their outcome targets is now beginning to come through. An overview of the latest position was recently published in the Office of the Deputy Prime Minister Research Report 7 "New Deal for Communities: The National Evaluation: Annual Report 2002–03". Copies are available in the Library of the House.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what proposals he has to *(a)* continue and *(b)* develop New Deal for Communities schemes in (i) St. Helens, South, (ii) Merseyside and (iii) the north west region. [134646]

Yvette Cooper: I have been asked to reply.

(a) There are currently no New Deal for Communities (NDC) Partnerships in St. Helens, South. There are no plans to develop any NDC Partnerships in the St. Helens south area.

(b) There are two NDC Partnerships in Merseyside—one in Liverpool (Kensington) and one in Knowlsey (north Huyton). These partnerships have both been awarded a grant to spend over a ten year time period, and so the Liverpool Partnership will continue until 2009–10 and the Knowsley Partnership until 2010–11. There are no plans to develop any further NDC Partnerships in Merseyside.

(c) There are six NDC Partnerships in the north west, these include the two mentioned in part *(b)* of this answer and also partnerships in Oldham (Hathershaw and Fitton Hill), Rochdale (Heywood), east Manchester (Beswick and Openshaw) and Salford (Central). The Manchester Partnership will continue until 2009–10 and the Oldham, Rochdale and Salford Partnerships until 2010–11. There are no plans to develop any further NDC Partnerships in the north west.

Pension Advice Surgeries

John Thurso: To ask the Secretary of State for Work and Pensions pursuant to his Answer of 12 October 2003, *Official Report*, column 206W, on pension advice surgeries, if he will break down the number of regular drop-in and appointment surgeries by region. [135926]

Malcolm Wicks: The break down of regular drop-in and appointment surgeries by region is detailed in the table. These surgeries are under constant review with regard to suitability of location, publicity and level of usage. This will enable us to continue to provide a modern delivery that is based on the needs of older people and takes account of their views about how they want to access our services.

GOR	*Appointment only surgeries*	*Drop-in only surgeries*	*Appointment and Drop-in*	*Total*
Scotland	5	41	128	174
North West	30	24	230	284
North East & Humberside	66	45	141	252
South East	27	154	171	352
South West	36	78	101	215
Wales	27	132	64	223
East Midlands	12	97	397	506
West Midlands	17	104	164	285
London	40	112	76	228
Total				2,519

Pension Credit

Mr. Laws: To ask the Secretary of State for Work and Pensions what the take-up rate for the pension credit is in each constituency; and how many people are *(a)* eligible for and *(b)* claiming pension credit, broken down by constituency. [135965]

Mr. Browne: The information is not available in the format requested. Approximately half of all pensioner households across Great Britain are eligible for Pension Credit and stand to gain on average £400 a year. Around 1.9 million Pension Credit awards have already been made to pensioner households across Great Britain as a whole (helping more than 2 million individuals).

The Government have a target for at least 3 million pensioner households to be in receipt of Pension Credit by 2006. We want all those eligible for Pension Credit to take up their entitlement.

We intend to publish monthly reports on the progress of Pension Credit take-on, which will include information on the number of applications. The first such report will be published later this month.

Pensions

Ms Atherton: To ask the Secretary of State for Work and Pensions what measures the Government plans to introduce to regulate contribution holidays by occupational pension schemes. [135826]

Malcolm Wicks: Government proposals for regulating occupational pension schemes are set out in the documents "Simplifying the taxation of pensions: increasing choice and flexibility for all" (December 2002) and "Working and Saving for Retirement: Action on Occupational Pensions" (June 2003) Cm 5835. These do not contain specific proposals regarding contribution holidays. However, our proposed simplified tax regime for approved pension schemes would abolish the rules that currently require approved occupational pension schemes to run off their surplus funds or lose their full tax exempt status.

We also propose to replace the Minimum Funding Requirement, now widely regarded as inadequate, with scheme-specific funding arrangements intended to ensure that the level of contributions is sufficient to meet a scheme's long-term pension commitments. Trustees and employers, with the scheme actuary's advice, will develop and agree the funding strategy for their scheme in line with this objective.

SchlumbergerSema Doctors

Paul Holmes: To ask the Secretary of State for Work and Pensions what the average time spent by SchlumbergerSema doctors on an individual personal capability assessment was in each year since 1997 *(a)* broken down by region and *(b)* in the UK as a whole; and if he will make a statement. [134194]

Maria Eagle: Doctors are encouraged to spend as long as required to carry out an appropriate assessment. Some types of disabling conditions will take longer than others to assess, depending on the nature of the disability .

The available information is in the table.

Average time taken (in minutes) to complete the personal capability assessment

Region	*2000*	*2001*	*2002*	*2003*
East Midlands	39.0	41.2	39.2	37.7
Eastern	40.0	40.0	37.4	37.6
London	38.8	37.5	33.7	36.6
North East	35.9	32.9	32.4	34.8
North West	38.1	36.3	32.8	33.2
Scotland	39.8	38.8	37.2	39.5
South East	37.6	36.9	34.4	35.6
South West	37.7	36.3	35.3	38.0
Wales	35.5	34.5	33.9	35.6
West Midlands	40.7	41.0	38.4	37.4
Yorks & Number	34.2	35.7	36.0	35.9
National	37.8	37.1	35.2	36.3

Notes:
The information requested is not available for the period 1997 to 1999
The timings given in the above table relate to the average time the doctors spend interviewing and assessing the customer and completing the report.
Source:
SchlumbergerSema

Winter Fuel Payment (Wansdyke)

Dan Norris: To ask the Secretary of State for Work and Pensions if he will estimate *(a)* how many people in Wansdyke constituency are eligible for the winter fuel payment in 2003–04 and *(b)* how many people in Wansdyke constituency received it in 2002–03. [136332]

Malcolm Wicks: The information is not available in the format requested. However, such information as is available is as follows.

The number of people in Wansdyke parliamentary constituency who received a Winter Fuel Payment for winter 2002–03 was 19,940 made up of 8,965 men and 10,975 women. We expect similar figures for 2003–04.

Notes:
1. Figures are taken from the Matching Intelligence Data Analysis Service Winter
Fuels Payment 2002/03 exercise 100 per cent. data
2. Figures are rounded to the nearest five.
Source:
IAD Information Centre, 100 per cent. sample.

DEPUTY PRIME MINISTER

Child Poverty

Mr. Jenkins: To ask the Deputy Prime Minister what action he is taking to tackle the problem of children living in substandard housing conditions as part of the target to eliminate child poverty. [136446]

Keith Hill: The Government are very aware of the links between housing conditions, health and poverty. Children of low income parents (those on means tested benefit) are more likely (38 per cent. of such households, 760,000 households in all) to live in homes that do not meet the decent home standard than other children (25 per cent.).

That is why the Government are committed to making all social housing decent by 2010 and has made a long-term commitment to eliminate child poverty by

2020. Improving sub-standard housing conditions is an integral part of the Government's child poverty strategy.

The Office of the Deputy Prime Minister target is that by 2010 all social housing will be made decent and that 210,000 more households will be supported to ensure their homes are made decent. Good progress has already been made—between 1997 and 2001, nearly half a million the numbers of non-decent social sector homes have been reduced. The Office of the Deputy Prime Minister has also helped around 120,000 vulnerable households in the private sector to make their homes decent.

In March 2003 the draft Housing Bill was published. It includes the following proposals that will benefit poor and vulnerable households by targeting housing condition problems which will in turn address child poverty issues:

Housing Health and Safety Rating System—this new system will target health and safety hazards in the home and provide a better basis for enforcement. It will replace the current Fitness Standard.

Licensing of higher-risk Houses in Multiple Occupation (HMOs)—These house some of the most vulnerable people. The definition includes Bread and Breakfast (B&B) accommodation for homeless families. This mandatory national licensing scheme will improve controls on about 120,000 HMOs, to improve basic facilities and management standards.

The Office of the Deputy Prime Minister has also set a target to end, by March 2004, the use of B&B accommodation for families with children except in emergencies, and then for no longer than six weeks. The Government are considering making it unlawful for local authorities to exceed this six-week deadline, and hopes to make an announcement by the end of this year.

Council Housing Stock

Mr. Skinner: To ask the Deputy Prime Minister what the average level of council tax is for *(a)* those councils that have transferred council housing stock and *(b)* those councils that have maintained control of council stock. [133767]

Keith Hill: Tabled as follows is *(a)* the average Band D council tax for 2003–04 for those authorities that have completed Large Scale Voluntary Transfers (LSVTs) of housing, and *(b)* the average Band D Council Tax for 2003–04 for those authorities that have not completed a LSVT.

An LSVT is defined as the transfer of more than 499 properties to a single Registered Social Landlord. No data are available for smaller transfers of housing stock.

Average Band D council tax 2003–04

£

	Authorities completing a LSVT	*Authorities not completing a LSVT*	*Total*
Inner London boroughs	824	636	718
Outer London boroughs	899	902	901
Metropolitan districts	988	960	671
Unitary authorities	946	961	958
Shire districts	147	155	151

Diabetics

Mr. David Atkinson: To ask the Deputy Prime Minister if he will issue guidance under planning provision that encourages major stores, high street restaurants and other appropriate retail outlets to provide private rooms for diabetics to inject insulin; and if he will make a statement. [133093]

Keith Hill: The internal arrangement of shops and restaurants, including customer facilities such as toilets and baby changing facilities, are not planning matters. Although some facilities for customers are required under other legislation, most are provided by retailers as a customer service.

Domestic Violence

Mrs. Spelman: To ask the Deputy Prime Minister if he will make a statement about the progress of the Government's domestic violence helpline. [136314]

Yvette Cooper: The development of the single freephone Helpline for victims of domestic violence is making good progress. The Government and Comic Relief are providing funding. However, it will not be a Government help-line as it will be owned and run by two independent charities.

A further statement will be made as soon as the launch date of the project is known.

Housing Market Renewal (West Yorkshire)

Mr. Sheerman: To ask the Deputy Prime Minister what plans he has to provide resources for housing market renewal in West Yorkshire. [136412]

Keith Hill: The Regional Housing Board for Yorkshire and the Humber has identified £16 million over two years to kick-start a West Yorkshire Low Demand Project, in addition to the needs-based allocation that all local authorities will receive. In 2004–05, West and South Yorkshire will also be sharing £2 million of the £6 million identified for innovative approaches to private sector renewal in Yorkshire and the Humber, with bids from all sub-regions for the remaining £4 million to be invited early next year. The board will also allocate £10 million for 2005–06 for transformational projects that meet the region's priorities, which include regeneration and neighbourhood renewal.

There are no current plans for further Market Renewal Pathfinders. The evidence for further pathfinders will be considered within the context and constraints of the 2004 Spending Review.

Investigatory Powers

Brian White: To ask the Deputy Prime Minister what statutory investigatory powers his Department has; which ones will be superseded by use of the Regulation of Investigatory Powers Act 2000; and what plans he has for removing these legacy powers. [136118]

Yvette Cooper: A full list of existing statutory investigatory powers for which the Office of the Deputy Prime Minister has responsibility is not held centrally

and could be provided only at disproportionate costs. But in any event, no such powers are superseded by the Regulation of Investigatory Powers Act 2000: generally speaking, existing powers make provision relating to compelling production of information (subject to various safeguards) in different contexts and in a wide variety of statutory regimes. Such existing statutory powers could not be used to compel disclosure of communications data in the sense for which the Regulation of Investigatory Powers Act 2000 provides. Accordingly there are no plans to repeal any such powers in consequence of that Act.

Local Government Finance

David Wright: To ask the Deputy Prime Minister (1) how much additional grant support has been received by Telford and Wrekin Council annually since its creation as a unitary authority; [132548]

(2) what annual percentage increase in grant support has been made available to Telford and Wrekin Council since its creation as a unitary authority. [132545]

Mr. Raynsford: Total grant for Telford and the Wrekin Council since its creation as a unitary authority is shown in the table.

£ million

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2003–03*[1]	*2003–04*[1]
Total Grant[2]	92.6	99.9	108.6	116.8	122.9	140.9
Increase on previous year	—	7.4	8.6	8.2	6.1	18.1
Percentage increase on previous year	—	8.0	8.6	7.6	5.2	14.7
Percentage cumulative increase on previous year	—	8.0	17.3	26.2	32.7	52.2

[1] Budgeted figures
[2] Includes Revenue Support Grant, Redistributed Non-Domestic Rates and Special and Specific Grants inside AEF.
Note:
Increases between years may not be on a comparable like for like basis due to changes in responsibilities.
Source:
1998–99 to 2001–02 Revenue Summary Returns and 2002–03 to 2003–04 Budget Estimate Returns.

Regional Assemblies

Mr. Gordon Prentice: To ask the Deputy Prime Minister how much public money he estimates will be spent by both sides of the campaign on the forthcoming regional assembly referendums. [136076]

Phil Hope: Under the Political Parties, Elections and Referendums Act 2000, organisations can apply to the Electoral Commission to become the lead campaign body for one of the referendum outcomes. The Electoral Commission is currently considering the appropriate level of grant to award to these designated organisations.

Street Wardens

Mrs. Anne Campbell: To ask the Deputy Prime Minister what the sources of funding are for street wardens in Cambridgeshire; and how much funding is being received from each source in 2003–04. [136384]

Yvette Cooper: The Office of the Deputy Prime Minister funds three street warden schemes in Cambridgeshire, based in Cambridge, Huntingdon and Peterborough, all of which are match funded by local authorities. The Cambridge scheme has an Office of the Deputy Prime Minister grant of £54,250 for 2003–04, which is match funded by Cambridge city council. The Huntingdon scheme has an Office of the Deputy Prime Minister grant of £64,484, match funded by Huntingdon district council and the Peterborough scheme has an Office of the Deputy Prime Minister grant of £94,691, match funded by Peterborough county council. This represents a total of £426,850 to fund street wardens in Cambridgeshire in 2003–04.

Tollington Estate

Jeremy Corbyn: To ask the Deputy Prime Minister what expenditure there has been on the preparation for the sale of the Tollington Estate in Islington by the North British Housing Association and its subsidiaries; and how much of this was funded by *(a)* local authority, *(b)* Housing Corporation and *(c)* re-generation funds. [136507]

Keith Hill: The North British Housing Association (NBH) has spent £590,000 to ensure effective resident involvement and consultation in the development of proposals for the stock transfer of the Tollington Estates from Islington council to NBH. This has involved extensive resident involvement in the preparation of the masterplan for the estates, the provision of an estate based office to provide an accessible information point for residents and the production and circulation of newsletters to everyone living on the estates.

This sum has been funded internally within NBH. There has been no financial support to NBH from other bodies.

HEALTH

"A Vision for Pharmacy"

Hugh Bayley: To ask the Secretary of State for Health what progress has been made in implementing "A Vision for Pharmacy". [136051]

Ms Rosie Winterton: "A Vision for Pharmacy", published on 17 July 2003, builds on a programme to develop national health service pharmacy services set out in "Pharmacy in the Future", published in September 2000. The consultation paper highlights the significant progress made in the past three years in delivering important changes in the way pharmacy services are delivered. Consultation on "A Vision for Pharmacy" ended on 17 October and details of the wide-ranging responses received will be published by the end of the year. These are currently being analysed and will

help inform and shape further action to deliver improved patient choice and access to a range of high quality pharmacy services.

Accident and Emergency Services

Simon Hughes: To ask the Secretary of State for Health how many patients admitted to accident and emergency departments in London in each quarter of each of the last four years waited for more than 12 hours before being treated or transferred to a ward. [135156]

Mr. Hutton: The information requested is not collected centrally. However, data on total time spent in accident and emergency from arrival to admission, transfer or discharge has been collected and routinely published since July 2002. This information is available on the Department's website at www.doh.gov.uk/hospitalactivity.

Asian People's Disability Association

Sarah Teather: To ask the Secretary of State for Health what steps he is taking to enable the Asian People's Disability Association to remain in the offices which they now occupy in the Central Middlesex Hospital, Park Royal, *(a)* during and *(b)* after the rebuilding programme. [132724]

Mr. Hutton: This is a local matter and I understand that health and social services have been working together to find suitable alternative accommodation for the Asian People's Disability Association and that these negotiations are on-going locally.

Avon, Gloucestershire and Wiltshire Strategic Health Authority

Mr. Laurence Robertson: To ask the Secretary of State for Health how much debt was inherited by the Avon-Gloucestershire-Wiltshire Strategic Health Authority on its formation; how much of this debt was inherited from *(a)* Royal United Hospitals, Bath, *(b)* United Bristol Health Care and *(c)* North Bristol Health Trusts; and if he will make a statement. [135403]

Ms Rosie Winterton *[holding answer on 30 October 2003]*: Strategic health authorities (SHAs) were established in 2002–03. Information in respect of inherited balances can be obtained from the chief executive of Avon, Gloucestershire and Wiltshire SHA. The information is not available centrally.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Health if he will list contracts for consultancy or work carried out by Bechtel in each year since 1997 stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if he will make a statement. [134679]

Mr. Hutton *[holding answer 28 October 2003]*: No contracts for consultancy or other works have been awarded to Bechtel since 1997.

Cancer Research UK

Chris Grayling: To ask the Secretary of State for Health how much funding has been allocated to Cancer Research UK in 2003–04; and for which projects. [133916]

Miss Melanie Johnson: The Department has provided £2.6 million to Cancer Research UK to fund their 'Death Repackaged' campaign. This awareness raising campaign was launched in September 2003, to highlight the dangers of terms 'light' and 'mild' on cigarette packs.

The Department does not allocate funds directly to charities for research. We spent an estimated £83.8 million on cancer research in 2000–01. Over 75 per cent. of this expenditure is devolved to the national health service, largely to meet the additional patient care costs associated with research. These costs cover items such as extra scans for diagnosis or monitoring of treatment, extra blood tests, extra in-patient days and extra nursing attention. This support allows work funded by the research councils and charities, including Cancer Research UK, to be conducted within the NHS.

Private Finance Initiative

Chris Grayling: To ask the Secretary of State for Health what the total cost of PFI-based capital investment in the NHS in London has been since 1997; and what revenue costs were incurred on an annual basis to service the financing facilities. [133747]

Mr. Hutton: For private finance initiative (PFI) schemes with a capital value greater than £10 million, the total capital cost of PFI-based investment in the four new London strategic health authorities since 1997 is £975,900,000. The capital value of PFI schemes is defined as: total capital cost to the private sector including the costs of land, construction, equipment and professional fees but excluding value added tax, rolled up interest and financing costs. As PFI procures a service, rather than the underlying asset, capital values are necessarily estimates.

Unitary payments on a PFI scheme—paid for from a trust's general revenue allocations—include elements for 'hard' and 'soft' facilities management services as well as financing costs. A partial breakdown of the unitary costs for schemes with a capital value exceeding £20 million is held centrally. This shows the split between 'availability' and 'services' where 'availability' includes costs attributable to 'hard' facilities management and financing, but does not distinguish further. To collect this information would mean reviewing the financial models for all these schemes which would incur disproportionate costs.

Unitary payments on PFI schemes become payable when the scheme becomes operational. The first to do so was Queen Mary's hospital, Sidcup, which took its first patient at the end of March 2000; the most recent to open was St. George's in September 2003.

Total unitary payments for PFI schemes which have reached financial close since 1997 in the four new London strategic health authorities

	£ million
2000–01	32.848
2001–02	51.813
2002–03	60.000
2003–04 (to date)	94.900

Care Homes

Mr. Pollard: To ask the Secretary of State for Health what plans he has to assist care homes in adapting premises to meet the new size requirements for residents' rooms. [135178]

Dr. Ladyman: National minimum standards relating to room sizes in pre-existing care homes (that is, a care home which existed before April 2002) were relaxed in June 2003. The change means that pre-existing care homes which do not already meet certain of the standards introduced in April 2002 will no longer be expected to make physical changes to the home to do so.

The Government has no plans to provide direct financial assistance to care homes to meet any of the standards. Care homes are independent businesses and any changes to meet standards should be viewed as 'upgrading' the service being provided. Providers will be able to detail the facilities they offer in their prospectuses, so that those purchasing or using the services can make an informed choice.

Care Payments

Hugh Bayley: To ask the Secretary of State for Health what action he is taking to encourage local authorities to make available direct payments for care. [136054]

Dr. Ladyman: From 8 April 2003, there has been a duty placed on local councils to make direct payments to those who choose to receive them. The Government have also established the direct payments development fund. This will provide £9 million over three years to national, regional and local voluntary organisations in partnership with local councils. This is a substantial investment in direct payments support services, key to improving access to direct payments. Increasing the take up of direct payments will contribute to the overall assessment of each council's performance that is made each year.

Clinical Trials

John Cryer: To ask the Secretary of State for Health if he will amend the draft Medicines for Human Use (Clinical Trials) Regulations 2003 to ensure that non-commercial publicly or charitably-funded drug development work will not come under the same regulatory framework as commercially-funded trials. [135584]

Ms Rosie Winterton: The European Directive on the conduct of clinical trials was adopted in February 2001. The main aim of the Directive is to simplify and harmonise procedures across the Community while ensuring the protection of trial subjects and providing a safe environment for the development of new medicines. member states are required to fully implement the Directive by 1 May 2004.

The scope of the Directive is wide and the United Kingdom Regulations will apply to all clinical trials on medicinal products for human use conducted in the UK, including academic and healthy volunteer studies, with the exception of non-interventional trials.

Because the Directive makes no distinction between commercial and non-commercial publicly or charitably funded clinical trials, they cannot be treated differently in the UK implementing regulations. However those drafting the Directive recognised the special position of non-commercial trials conducted by researchers without the participation of the pharmaceutical industry. The Government has taken steps to attempt to influence the Commission in its consideration of a Commission Directive on good clinical practice and also in reviewing guidance that the Commission published earlier this year with a view to avoiding any unnecessary regulatory requirements and costs.

In responding to concerns, and to provide an environment in which patients are protected but high quality research is not inhibited, my noble Friend Lord Hunt of Kings Heath, the then Parliamentary Under-Secretary for Health, invited the Medical Research Council (MRC) and the Academy of Medical Sciences to co-ordinate a report on the impact of the Directive on academic studies. The impact assessment, prepared by the MRC with the active support of others including Cancer Research UK, the National Co-ordinating Centre for Health Technology Assessment and a number of academic experts formed the basis for a response to the Medicines and Healthcare products Regulatory Agency (MHRA) consultation on the draft regulations to implement the Directive into UK law earlier this year.

The MHRA is giving careful consideration to legislation and guidance linked to these issues. For example, they are considering the acceptability of different approaches to monitoring the validity of trial data that are less labour intensive and expensive than those usually used in commercial trials. The aim is the use of appropriate quality systems proportionate to risk (thereby minimising increases in costs). A list of responses to frequently asked questions are published on the MHRA website at www.mhra.gov in the Clinical Trials Directive pages, which will be kept updated.

In another initiative, the Department and the MRC have announced a joint project to work with experts to find practical solutions to the issues identified in the impact assessment. Details of the project can be found on www.ncchta.org/eudirective/index.asp.

With our careful exploration of the impact on publicly-funded research and organisations that support it and delays in the Commission finalising the GCP Directive and other guidance, the United Kingdom's implementing regulations are not expected to be made until early in 2004.

Dental Devices (Outsourcing)

Mr. Frank Field: To ask the Secretary of State for Health what plans his Department has to outsource custom-made dental devices to *(a)* Turkey, *(b)* Hungary, *(c)* China and *(d)* the Philippines. [133244]

Ms Rosie Winterton: Custom-made dental appliances are manufactured to the written prescription of the dentist responsible for the case in question. The choice of manufacturing laboratory is a matter for local decision. All dental laboratories in the European Union are registered with the competent authority, which in the United Kingdom is the Medicines and Healthcare products Regulatory Agency.

Manufacturers of custom made appliances from outside the European Union are required to designate an authorised representative within the European Union, who must register with the competent authority where they have their registered place of business. The manufacturer must meet the relevant requirements of the Medical Devices Directive (93/42/EEC) and must meet the same standards as devices manufactured within the European Union.

Diabetes

Mr. Sanders: To ask the Secretary of State for Health (1) what assessment he has made of Standard Three of the National Standards Framework for Diabetes; and if he will make a statement; [R] [135375]

(2) how his Department assists primary care trusts to meet Standard Three of the National Standard Framework for Diabetes; and if he will make a statement. [R] [135376]

Ms Rosie Winterton: "The New NHS and A First Class Service" introduced a range of measures to raise quality and decrease variations in service including national service frameworks (NSFs).

The NHS Plan re-emphasised the role of NSFs as drivers in delivering the modernisation agenda. NSFs are one element of the overall programme of modernisation. They are designed to help us to improve health and social well-being by:

- providing services to more people, more quickly and to a higher standard;
- improving the patient experience;
- reducing variations in care across the country;
- increasing compliance with evidence-based practice.

NSFs have challenging aims (the vision) for a particular service or care group. Ways to achieve those aims are described in a number of standards, focused as far as possible on the needs of patients and good outcomes, underpinned by:

- the rationale and a clear statement of the evidence base;
- good practice: key interventions and service models which have worked in practice (linked, wherever possible, to Social Care Institute for Excellence (SCIE) work and the National Institute for Clinical Excellence (NICE) guidelines and appraisals);
- performance indicators to measure local and national progress.

Standard 3 of the diabetes national service framework is about patient empowerment. All people with diabetes will receive a service that encourages partnership in decision-making and supports them in managing their diabetes.

This is reflected in the "Planning and Priorities Framework for the NHS 2003–06", which includes targets for the diabetes NSF. One such target states the need for primary care trusts to update practice-based registers for people with diabetes by March 2006. This will help to ensure that they receive systematic treatment regimens and advice to help support them in managing their own condition.

The above gives clinicians and other professionals, managers and service users the information and guidance they need to drive forward improvements locally. NSFs will be implemented and monitored in the same way as departmental policy generally, allowing maximum scope for local flexibility. The implementation/monitoring regime will differ from NSF to NSF. Essential elements include:

- implementation guides covering, as appropriate, national actions to support local delivery through a number of underpinning programmes, such as workforce development and research and development;
- national and local champions who will drive forward delivery of the standards with clinical colleagues and others;
- national and local performance indicators to help strategic health authorities, primary care trusts and local councils to benchmark progress;
- the Commission for Health Improvement using national standards to inspect and evaluate services;
- empowered patients and users using standards to feedback on local services;
- patients forums and other similar consultative groups identifying where services could be improved;
- the Modernisation Agency, NICE, SCIE and the Improvement and Development Agency to promulgate, spread and support best practice.

Dysphasia

Mrs. Calton: To ask the Secretary of State for Health which primary care trusts support a dysphasia service; and which of these have received external funding. [132784]

Mr. Hutton: Most, if not all, primary care trusts will either directly provide or will commission services for people suffering from dysphasia. Such services may not necessarily be separately identified as dysphasia services but may form part of the service provided by speech and language therapy departments. Information is not available in sufficient detail centrally to show whether particular dysphasia services have received external funding.

Epidermolysis Bullosa

Virginia Bottomley: To ask the Secretary of State for Health what provision he is making for people suffering from epidermolysis bullosa; if he will meet representatives from the Dystrophic Epidermolysis Bullosa Research Agency; and if he will make a statement about epidermolysis bullosa. [136105]

Dr. Ladyman: Patients with this condition are able to access the normal range of national health service services.

I will certainly consider any request to meet representatives of the Dystrophic Epidermolysis Bullosa Research Agency.

Essex Ambulance Service

Mr. Francois: To ask the Secretary of State for Health how many full-time ambulance paramedics were employed by the Essex Ambulance Service on 1 September 2003. [132635]

Ms Rosie Winterton: Published figures are not yet available for September 2003. As at 30 September 2002, there were 210 full-time ambulance paramedics employed by the Essex Ambulance Service National Health Service Trust. In addition, a further 23 were employed on a part-time basis, giving a total whole-time equivalent of 220.

Source:

Department of Health Non-Medical Workforce Census.

General Practitioners

Mr. Nigel Jones: To ask the Secretary of State for Health if he will estimate the additional cost to the NHS of providing out of hours treatment following acceptance of the new GPs' contract. [134244]

Mr. Hutton: This is a matter for local decision and depending on how services are reconfigured. We are making available an extra £138 million from 2003–04 to 2005–06 to support these changes. These resources are in addition to the average of £6,000 released by each general practitioner who opts out of his/her responsibility for out-of-hours services.

Mr. Burstow: To ask the Secretary of State for Health what percentage of *(a)* adults, *(b)* children and *(c)* the total population are registered with a general practitioner in (i) England, (ii) each region and (iii) each strategic health authority. [133725]

Mr. Hutton: At 30 September 2002 (the latest published data), 51,522,391 people were recorded as registered with a general practitioner or provider of personal medical services. The table provides details by strategic health authority (SHA). It is not possible to express these figures accurately as a percentage of total population as the phenomenon of "list inflation" means that registered populations are typically larger than actual populations. This phenomenon arises where a patient moves his or her registration and for a transitional period may be registered on two lists. Similarly, an individual who dies or moves abroad may remain on a list for a time.

Patients England of Unrestricted Principals and Equivalents (UPEs) [1] *by strategic health authority in as at 30 September 2002*

Number (headcount)

SHA code	*SHA name*	*All patients*	*Under 16*	*16 and over*
Q01	Norfolk, Suffolk and Cambridgeshire	2,177,943	402,226	1,775,717
Q02	Bedford and Hertfordshire	1,690,454	342,940	1,347,514
Q03	Essex	1,646,695	320,293	1,326,402
Q04	North West London	2,040,719	351,554	1,689,165
Q05	North Central London	1,394,454	249,041	1,145,413
Q06	North East London	1,647,642	352,690	1,294,952
Q07	South East London	1,629,989	311,813	1,318,176
Q08	South West London	1,409,652	256,397	1,153,255
Q09	Northumberland, Tyne and Wear	1,428,122	262,895	1,165,227
Q10	County Durham and Tees Valley	1,166,109	226,726	939,383
Q11	North and East Yorkshire and Northern Lincolnshire	1,671,717	315,685	1,356,032
Q12	West Yorkshire	2,175,033	435,650	1,739,383
Q13	Cumbria and Lancashire	1,943,598	375,381	1,568,217
Q14	Greater Manchester	2,662,307	538,021	2,124,286
Q15	Cheshire and Merseyside	2,440,943	472,683	1,968,260
Q16	Thames Valley	2,284,737	448,969	1,835,768
Q17	Hampshire and Isle of Wight	1,790,410	340,689	1,449,721
Q18	Kent and Medway	1,608,226	322,293	1,285,933
Q19	Surrey and Sussex	2,650,943	481,421	2,169,522
Q20	Avon, Gloucestershire and Wiltshire	2,227,736	423,386	1,804,350
Q21	South West Peninsula	1,610,145	286,706	1,323,439
Q22	Somerset and Dorset	1,181,982	211,154	970,828
Q23	South Yorkshire	1,348,408	261,130	1,087,278
Q24	Trent	2,621,590	495,018	2,126,572
Q25	Leicestershire, Northamptonshire and Rutland	1,568,323	311,591	1,256,732
Q26	Shropshire and Staffordshire	1,494,796	286,852	1,207,944
Q27	Birmingham and the Black Country	2,436,973	505,083	1,931,890
Q28	Coventry, Warwickshire, Herefordshire and Worcs	1,572,745	298,861	1,273,884
	England total	51,522,391	9,887,148	41,635,243

[1] UPEs include CMS unrestricted principals, PMS Salaried and PMS Contracted GPs.

Source:

Department of Health General and Personal Medical Services Statistics.

Health Care-associated Infection

Mr. Burstow: To ask the Secretary of State for Health when he expects the first quarter results of the second phase of the mandatory surveillance scheme for health care-associated infection to be published. [134064]

Miss Melanie Johnson *[holding answer 27 October 2003]:* Collection of data for the second phase of the mandatory surveillance scheme began this autumn, with publication expected to start next summer. Quarterly reporting may not be appropriate for all data.

Care Homes (Somerset)

Mr. Flook: To ask the Secretary of State for Health how many *(a)* residential care home and *(b)* nursing home places were available in Somerset in each year since 1997, broken down into places available at (i) local authority-run homes, (ii) independent private homes and (iii) homes run by independent charities and other not-for-profit organisations. [135424]

Dr. Ladyman: The table shows the number of care home places by type of accommodation available in Somerset as at 31 March for the years 1997 to 2001.

Figures for later years have been collected by the National Care Standards Commission but comparable details broken down by local authority are not available.

	Residential homes				*Nursing homes*
	Local authority	*Private*	*Voluntary*	*Small*[1]	*Independent*
Somerset					
1997	365	2,265	370	380	2,575
1998	350	2,995	350	[2] ..	2,830
1999	165	3,000	425	445	2,870
2000	190	3,095	395	420	2,825
2001	195	3,065	395	450	2,580

[1] Not available.
[2] Independent registered care homes with less than four places.
Source:
KO36, RA and RH(N) FORM A.

Hospital Appointments

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 13 October 2003, *Official Report*, column 57W, what information he holds on the proportion of hospital appointments which were pre-booked at the start of 2000–01. [133978]

Mr. Hutton: Information on the proportion of hospital appointments pre-booked at the start of 2000–01 was not collected centrally.

Immunisation

Tim Loughton: To ask the Secretary of State for Health if he will list coverage rates of immunisations which are given to school age children and infants. [134771]

Miss Melanie Johnson: Information about the childhood immunisation programme, which includes children immunised by their second birthday, and from 1999–2000 by their fifth birthday, is derived from the COVER (Cover of Vaccination Evaluated Rapidly) system and collected by the Health Protection Agency.

Information about numbers of immunisations of older school children is collected by the Department of Health from service providers and does not allow for the calculation of coverage rates because appropriate population denominators are not available.

Information about childhood immunisations from both the sources mentioned is published annually in Departmental statistical bulletins. The latest bulletin, "NHS Immunisation Statistics, England: 2002–03", is available in the Library and on the Department's website at www.doh.gov.uk/public/sb0316.htm.

Intrathecal Analgesic Pumps

Mr. Laurence Robertson: To ask the Secretary of State for Health what the frequency was in 2002–03 of the fitting of intrathecal analgesic (Isomed) pumps to patients in Gloucestershire; what the cost of each operation was; what the *(a)* length of the waiting list and *(b)* average times spent waiting for such an operation were; and if he will make a statement. [135003]

Ms Rosie Winterton *[holding answer 28 October 2003]:* The information requested is not collected centrally.

Long-term Care

Mr. Horam: To ask the Secretary of State for Health how many *(a)* nursing and *(b)* residential care places for the (i) elderly, (ii) chronically ill and (iii) physically disabled there were in London for each of the last five years, broken down by London borough. [134070]

Dr. Ladyman *[holding answer 29 October 2003]:* Information on the number of nursing care places for older people aged 65 or over and younger physically disabled people aged 18 to 64 by London health authorities as at 31 March for the years 1998 to 2001, has been placed in the Library. Equivalent data for residential care places by London councils with social service responsibilities, has also been placed in the Library. Comparable data for 1997 are not available.

Data on chronically ill people are not available as this is not one of the client groups for which separate information is collected.

Figures for later years have been collected by the National Care Standards Commission.

Chris Grayling: To ask the Secretary of State for Health what progress has been made with identifying possible candidates for refund of care costs, following the publication of the Second Report, Session 2002–03, of the Health Service Ombudsman on NHS funding for long-term care of older and disabled people; and what steps he envisages that patients or their families would need to take to pursue their claims. [135371]

Dr. Ladyman: Strategic health authorities (SHAs) have established procedures to investigate inquiries for recompense of the costs of continuing care wrongly denied. To pursue a claim, patients or their families should contact their local SHA and request an investigation of their case.

Medical Appointment Letters

Chris Grayling: To ask the Secretary of State for Health what estimate the NHS has made of potential savings derived from sending medical appointment letters by second class post. [132782]

Mr. Hutton: No estimate has been made of potential savings derived from sending medical appointment letters by second class post. This is because it is the decision of each trust/health authority, based on locally decided priorities, whether or not post is sent out by first, or by second class.

Mental Health

Chris Grayling: To ask the Secretary of State for Health how many in-patient beds have been available in London for patients with *(a)* mental health conditions and *(b)* learning disabilities in London in each year since 1997. [133745]

Mr. Hutton: The average daily number of in-patient beds in London for patients with mental health conditions and learning disabilities in national health service trusts in the London area are shown in the table.

Average daily number of available beds, mental illness and learning disability sectors, London area[1]

	Mental illness	*Learning disability*
1996–97	7,186	576
1997–98	7,300	569
1998–99	7,008	554
1999–2000	6,155	554
2000–01	6,401	488
2001–02	6,149	461
2002–03	6,321	158

[1] Reorganisation of NHS administrative boundaries may mean figures are not directly comparable. From 1996–97 to 2000–01, the figures are based on the number of beds reported by NHS trusts within the London Regional Office boundary. For 2001–02 and 2002–03, the figures are based on the number of beds reported by NHS trusts located within the five London strategic health authorities of North West London, North Central London, North East London, South East London and South West London.

Source:
Department of Health form KH03.

Tim Loughton: To ask the Secretary of State for Health how many agency nurses are employed in each *(a)* hospital trust and *(b)* mental health trust shown (i) in actual numbers and (ii) as a percentage of nursing staff overall. [134769]

Mr. Hutton: The information requested is not collected centrally.

Mr. Heald: To ask the Secretary of State for Health if he will commission research into the issues raised by Mind's report, The Hidden Costs of Mental Health; and if he will make a statement. [135600]

Ms Rosie Winterton: The Department keeps its priorities for research under review. Priorities for departmental research and development support for the development of policy are determined through discussion with policy colleagues and Ministers. In the national health service, priorities are identified through widespread consultation with those using, delivering and managing services. They take account of the burden of disease, potential benefits and departmental objectives, as well as the responsibilities and work of other funders, including the charities.

National Standards Framework for Children

Tim Loughton: To ask the Secretary of State for Health when he proposes to publish his substantive National Standards Framework for Children. [134772]

Dr. Ladyman: The national service framework for children, young people and maternity services will be published in 2004.

NHS Integrated Care System

Mr. Austin Mitchell: To ask the Secretary of State for Health what the results have been of the Gateway reviews of the NHS Integrated Care System. [136628]

Mr. Hutton: New and large scale procurement projects in central Government are subject to gateway reviews. The process examines a project at critical stages to provide assurance that it can progress successfully to the next stage. The review provides project teams with advice and guidance from fellow practitioners and in order to maintain the integrity of the advice, this is held to be completely confidential by both parties. The gateway review process is not an audit.

Recommendations are made to the senior responsible officer on good practice in key areas such as programme management, risk management and involving key stakeholders. The national programme is implementing any recommendations which arise from each stage in the gateway review.

The national information technology programme is fully committed to external reviews being undertaken on a timely basis.

Chris Grayling: To ask the Secretary of State for Health how many man hours he estimates will be required to input a record for each NHS patient into the Integrated Care System; and who will be responsible for this work. [134287]

Mr. Hutton: Data and information is already keyed in on multiple systems and on multiple occasions.

The efficiency savings will be generated through data and information being keyed in once only. This will result in a net saving to the time required on record keeping and maintenance.

The integrated care records service is not about entering historical data but about improving the capture, use and quality of current data and future support to patient care.

North Bristol Trusts (Chief Executive)

Mr. Laurence Robertson: To ask the Secretary of State for Health how much was paid to the former Chief Executive of North Bristol Trusts on his departure in December 2002; and if he will make a statement. [135404]

Mr. Hutton *[holding answer 30 October 2003]:* North Bristol National Health Service Trust made a payment to its former chief executive upon his resignation, the total value of which was £70,961 (gross); the net value of this to the employee following deductions for tax/

national insurance etc was £54,576.60. The payment was considered and approved by the trust's remuneration committee in line with its terms of reference.

Nurse Prescribing

Mr. Rooney: To ask the Secretary of State for Health whether persons on nurse prescribing courses can be individually funded; [136163]

Ms Rosie Winterton *[holding answer 4 November 2003]:* The Department has made funds available to work force development confederations to train nurses in prescribing. It is for the confederation, in consultation with local National Health Service employers, to determine how to use the funds available to them.

PAF PI D43

Mr. Burstow: To ask the Secretary of State for Health how long people waited for services in the last five years to be provided after their first contact as recorded in PAF PI D43, broken down by *(a)* age and *(b)* length of wait. [130875]

Dr. Ladyman: There is insufficient data available to answer this question in full, as national estimates on waiting times are available only for 2001–02.

The estimated length of time between first contact and first service for new clients aged 18 and over for the year 2001–02 and the relevant percentages for each time band, are shown in the table, broken down by age group.

We are unable to provide any estimated figures for England 2000–01 as only 52 local authorities provided data for the relevant return. Data for years previous to 2000–01 were not collected.

Estimated length of time from first contact to first service for new clients by age group in 2001–02—England

Rounded figures

	Estimated figures			*Percentages*		
	All ages	*Clients aged 18–64*	*Clients aged 65 +*	*All ages*	*Clients aged 18–64*	*Clients aged 65 +*
All client groups	375,000	78,000	296,000	100	100	100
Contact day or the following day	63,000	16,000	47,000	17	21	16
More than day	52,000	9,300	43,000	14	12	15
More than 1 week up to 2 weeks	46,000	8,000	38,000	12	10	13
More than 2 weeks up to 6 weeks	93,000	17,000	76,000	25	22	26
More than 6 weeks up to 12 weeks	48,000	10,000	38,000	13	13	13
More than 12 weeks up to 6 months	40,000	9,100	31,000	11	12	10
More than 6 months	33,000	9,500	23,000	9	12	8

Note:
2001–02 data are national estimates based on 133 P5 forms
Source:
RAP return P5

Orthotics

Mr. Oaten: To ask the Secretary of State for Health (1) what the results of the Orthotics Pathfinder project were; and what the cost of the project was; [135276]

(2) whether it is his policy that the model of the Orthotics Pathfinder project will be introduced across the NHS. [135277]

Mr. Hutton: The report of the Orthotics pathfinder project will be published in January 2004 and its policy implications will need to be considered. The total cost of the project was approximately £400,000 over a period of three and a half years. Most of this cost was to fund the changes in service provision, whose effectiveness the project was evaluating.

Patient Power Programme

Dr. Evan Harris: To ask the Secretary of State for Health if he will make a statement on progress towards the Patient Power programme; what targets have been set; and what the *(a)* deadlines and *(b)* baselines are for these targets. [128906]

Mr. Hutton: Patient bedside televisions and telephones have been well received by patients and staff. The national health service and private sector suppliers are to be congratulated on the rapid progress being made, which to date is bringing over £100 million of investment into the NHS, and giving patients access to improved communications.

Patient bedside televisions and telephones are operational in 95 hospitals, including 76 major facilities. We want all major hospitals to at least have a contract agreed by the end of 2003, and to have the system installed by the end of 2004. The exception will be a small number of hospitals with public finance initiative schemes which will install the system as their new hospitals come on line. We have also worked with suppliers in order to enable them to introduce the system to smaller sites, so as many NHS patients as possible can have access to the service.

Pharmacies

Brian Cotter: To ask the Secretary of State for Health (1) how many fully qualified pharmacists are working in pharmacies that provide services for more than 100 hours per week; and if he will make a statement; [135398]

(2) how many pharmacies in England are open for more than 100 hours per week; and if he will make a statement. [135399]

Ms Rosie Winterton *[holding answer 30 October 2003]:* The information requested is not held centrally. However, as at March 2002, out of a total of 9,756 national health service community pharmacies in England, 1,524, or 15.6 per cent., received payment for extended opening hours either before 0900 hours or after 1730 hours on Monday to Saturday (or after 1300 hours on an early closing day). 4,015, or 41.2 per cent., received payment for opening on Sundays or on public holidays.

We are currently consulting on a range of measures to modernise the regulatory system which governs whether or not a community pharmacy can dispense NHS prescriptions. As well as maintaining and improving access to pharmacies in all our communities and continuing to raise standards for patients, the aim is to make the system more business friendly, to provide more certainty and reliability for the companies who depend on it and to make the process less time-consuming. The measures include a proposal to exempt from the current restrictions applications from pharmacies which intend to open more than 100 hours a week, provided they provide a full and prescribed range of services, appropriate to local needs, determined by the NHS primary care trust. Full details are given in the consultation document, "Proposals to reform and modernise the NHS (Pharmaceutical Services) Regulations 1992", published on 29 August 2003 and available on the Department's website at www.doh.gov.uk/pharmacyregulationconsultation.

Comments can be sent, by 21 November 2003, to Peter Dunlevy, Pharmacy and Prescriptions Branch, Department of Health, Room 155 Richmond House, 79 Whitehall, London SW1A 2NS or e-mailed to peter.dunlevy@doh.gsi.gov.uk.

Research and Development

Chris Grayling: To ask the Secretary of State for Health when the national health service research and development programme was last inspected; and when it is next due to be inspected. [133932]

Miss Melanie Johnson: The Department issued a research governance framework for health and social care in 2001. It brought together standards and statements of good practice against which national health service research and development programmes can in future be inspected. In 2002 and 2003, those NHS bodies involved in research reported to the Department on progress against an implementation plan.

In 2004, it is intended that research governance will be one of the controls assurance standards for the NHS. The standard will provide a common point of reference for strategic health authorities' performance management of research governance, and for the Commission for Healthcare Audit and Inspection to take into account in its assessments.

Subject to legislation, the Medicines and Healthcare products Regulatory Agency will from 2004 have statutory responsibility for inspecting NHS and other sites where clinical trials involving medicinal products are conducted.

Sick Leave

Simon Hughes: To ask the Secretary of State for Health how many sick leave days were taken in each London NHS Trust by *(a)* doctors, *(b)* nurses, *(c)* other health professionals and *(d)* other employees in (i) 1988, (ii) 1993, (iii) 1998 and (iv) for the most recent period available; and if he will make a statement. [135153]

Mr. Hutton: National data on sickness absence levels in the national health service have been collected only since 1999. Information on working days lost in the NHS due to sickness of less than three days duration is not held centrally, but may be available from individual NHS employers.

Action is being taken across the NHS to reduce sickness absence levels. A national improvement target has been set for all NHS employers to reduce sickness absence levels by 30 per cent. by 2003.

Sexual Health

Mr. John Taylor: To ask the Secretary of State for Health who is responsible for matters of sexual health for the Birmingham and Black Country Strategic Health Authority area; and whether that authority has plans for the development of paediatric services. [135885]

Dr. Ladyman: The medical director of the Birmingham and the Black Country Strategic Health Authority (SHA) is responsible for sexual health services in that area. The SHA is in the process of setting up a clinical network to support development of these services.

The SHA is currently working on its strategic framework, to be completed for full consultation by the end March 2004. Children's services are being addressed as part of that.

Mr. Waterson: To ask the Secretary of State for Health how many teenagers were treated for sexually transmitted diseases in the *(a)* Eastbourne and *(b)* Surrey and Sussex Health Authority in each of the last 10 years. [133383]

Ms Rosie Winterton: Information about the number of teenagers treated for sexually transmitted diseases is available only at health authority level, and is collected based on the residency of patients. This is shown in the tables.

Data have been provided only since 1995–96 as, prior to 1995, the coding of diagnoses was different and so data would not be comparable.

Primary diagnosis (ICD10 B20-B24, A50-A64) AIDS/HIV, sexually transmitted diseases: NHS hospitals, England, 1995–96

Count of finished in-year admission episodes

Age on admission 13 to 19 years

Regional health authorities of residence Sussex and Surrey		*Number*
G21	East Sussex, Brighton and Hove	3
H20	West Surrey	2
H21	East Surrey	3
	Total	8

Primary diagnosis (ICD-10 B20-B24, A50-A64) AIDS/HIV, sexually transmitted diseases: NHS hospitals, England, 1996–97 to 2001–02

Count of finished in-year admission episodes — *Age on admission 13 to 19 years*

Regional health authorities of residence Sussex and Surrey		*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
QAK	East Surrey	1	0	5	2	4	1
QAL	West Surrey	3	2	2	2	0	2
QAM	East Sussex, Brighton and Hove	6	3	9	5	3	0
QAN	West Sussex	2	4	1	6	3	0
	Total	12	9	17	15	10	3

Notes:
1. The figures for 1995–96 are based on old health authority areas.
2. Admissions are defined as the first period of in-patient care under one consultant within one health care provider. They do not represent the number of in-patients, as a person may have more than one admission within the year.
3. The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.
4. Figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02, which is not yet adjusted for shortfalls.

Source:
Hospital Episode Statistics (HES), Department of Health.

Smoking

Chris Grayling: To ask the Secretary of State for Health what percentage of smoking-related deaths were due to *(a)* lung cancer, *(b)* heart attack, *(c)* stroke and *(d)* chronic lung disease in 2002. [133924]

Miss Melanie Johnson: These data are not available in the form requested. However, an estimate of the proportion of deaths in the United Kingdom that were caused by smoking was made by the Health Education Authority in its 1998 report: "The UK Smoking Epidemic: Deaths in 1995". The table shows the proportions of all deaths caused by smoking for each of these diseases for people aged 35 and over.

Estimated number and percentage of deaths caused by smoking: United Kingdom, 1995

Disease	*Number of deaths*	*Percentage of total (net) deaths*
Total (net)	121,700	100
Total (gross)	123,000	
Deaths from diseases caused by smoking:		
Cancer	46,500	38
Respiratory	34,300	28
Circulatory	40,300	33
Digestive	1,900	2

Note:
The percentages add up to 101 per cent. because the percentages have been based on the net total number of deaths. The net number of deaths takes into account the estimated number of deaths which may be prevented in part by smoking.

Source:
Health Education Authority: "The UK Smoking Epidemic: Deaths in 1995".

Urinary Tract Infections

Mr. Burstow: To ask the Secretary of State for Health whether the Chief Medical Officer's strategy for tackling healthcare associated infections will address catheter-associated urinary tract infections; and if he will make a statement. [134195]

Miss Melanie Johnson: The Chief Medical Officer's strategy will be published shortly and will set out actions aimed at controlling all healthcare associated infections.

Walk-in Centres

Mr. Burstow: To ask the Secretary of State for Health pursuant to his answer of 14 October 2003, *Official Report*, column 58W, to the hon. Member for Oxford, West and Abingdon (Dr. Evan Harris), on walk-in centres, what protocol covers whether clinical information should be shared with a patient's general practitioner. [133402]

Mr. Hutton: National health service walk-in centres are expected to work with their local Caldicott Guardian and are bound by the Data Protection Act 1998 and the Access to Health Records Act 1990.

Worcestershire Royal Hospital

Mr. Luff: To ask the Secretary of State for Health what assessment he has made of the deficit at the Worcestershire Royal Hospital; and what timetable he has agreed for its repayment. [135498]

Dr. Ladyman: The West Midlands South Strategic Health Authority is currently developing a financial strategy, with the Worcestershire Acute Hospitals national health services trust and the three primary care trusts within Worcestershire, to address the financial challenges affecting the local health economy.

In line with NHS finance regulations it is intended that Worcestershire Acute Hospitals NHS trust will return to recurrent financial balance within three years.

EDUCATION AND SKILLS

Early-years Education

Stephen Hesford: To ask the Secretary of State for Education and Skills what percentage of three and four year-olds are receiving nursery or full time education. [135008]

Margaret Hodge *[holding answer 30 October 2003]:* Around 96 per cent. of the three and four-year-old population in England receives funded early years education provided by a maintained school, a private and voluntary provider or an independent school in January 2003.

We have made the commitment that by April 2004, six months ahead of our original target, all three-year-olds whose parents want one, will have access to a free, part-time early education place. Around 88 per cent. of three-year-olds are now benefiting from free early education.

The latest figures on early years provision in England were published by the Department in the Statistical First Release 15/2003 "Provision For Children Under Five Years Of Age In England—January 2003 (Provisional)", copies of which are available from the Library and the Department's website, www.dfes.gov.uk/statistics.

Education Provision (Bath and North East Somerset)

Dan Norris: To ask the Secretary of State for Education and Skills how much money Bath and North East Somerset received in total capital funds from central government in *(a)* 1996–97 and *(b)* 2003–04; and if he will list the main components of that spending. [136318]

Mr. Miliband: The following table sets out the capital allocations made by this Government to Bath and North East Somerset local education authority (LEA) and its schools in 1996–97 and 2003–04. The LEA determines investment of these funds by prioritising the capital requirements of its schools in an asset management plan.

Capital allocations for Bath and North East Somerset LEA

£000

	1996–97	2003–04[1]
LEA Co-ordinated Voluntary Aided Programme	—	140
Basic Need	1,545	1,364
NDS Condition	—	1,519
NDS Devolved Formula	—	2,383
NDS Modernisation	—	864
Schools Access Initiative	45	334
Schools Renewal Challenge Fund	511	—
Seed Challenge	—	224
Staff Workspace	—	96
Supplementary Credit Approvals	425	—
Targeted Capital Funding	—	4,924
Teaching Environments for the Future	—	350
Voluntary Aided School Grant	750	—
Total	3,276	12,198

[1] Figures for 2003–04 are to date.

Dan Norris: To ask the Secretary of State for Education and Skills (1) what the pupil-computer ratio was in *(a)* primary and *(b)* secondary schools in Bath and North East Somerset in (i) 1997 and (ii) 2003; [136335]

(2) how many computers there were in *(a)* primary and *(b)* secondary schools in Bath and North East Somerset in (i) 1997 and (ii) 2003. [136336]

Mr. Miliband: Information on the pupil-computer ratio and the number of computers in schools is not available in the form requested. Figures for England, which were derived from a sample of schools, are shown in the table.

Average number of computers per school and average number of pupils[1] per computer (used solely or mainly for teaching and learning purposes) by type of school—England—1998 and 2003 (position as at 31 March)

	Maintained primary schools		Maintained secondary schools	
	Average number of computers per school	Average number of pupils per computer	Average number of computers per school	Average number of pupils per computer
2003	28.6	7.9	192.7	5.4
1998	13.3	17.6	100.9	8.7

[1] Full-time equivalent numbers of pupils within maintained primary and secondary schools.

The latest information on ICT in schools was published in Statistical Bulletin "Survey of Information and Communications Technology in Schools 2003", which is available on the Department's website www.dfes.gov.uk/statistics.

Dan Norris: To ask the Secretary of State for Education and Skills how many *(a)* three-year-olds and *(b)* four-year-olds were in receipt of free nursery education in Bath and North East Somerset in (i) 1997 and (ii) 2003; and if he will estimate what proportion of the local three-year-old population these figures represent. [136337]

Mr. Miliband: Information is not available in the form requested. The available information is shown in the table.

Number[1] of three and four-year-olds taking up free early education places that are fully funded—Bath and North East Somerset Local Education Authority area 1997 and 2002 (position in January each year)

	1997	2002
Three-year-olds	[2]310	730
Four-year-olds	1,700	1,800

[1] Part-time equivalent number of children.
[2] Only includes three-year-olds attending maintained nursery and primary schools. (There was no Nursery Education Grant available for places for three-year-olds in 1997.)

In every local education authority area, there is an early education place for every four year old whose parents want one in either the maintained, private or voluntary sector. We have made the commitment that by April 2004, six months ahead of our original target, all three-year-olds whose parents want one, will have access to a free, part-time early education place.

Latest figures on three-year-olds and four-year-olds in early years providers were published by the Department in the Statistical Bulletin 'Provision for Children under five years of age in England—January 2002' (08/02) in December 2002, a copy of which is available from the Library. An electronic copy of this publication is also available on the Department's website (www.dfes.gov.uk/statistics).

Education Provision (East Riding)

David Davis: To ask the Secretary of State for Education and Skills what percentage of children in *(a)* the Haltemprice and Howden constituency, *(b)* the East Riding of Yorkshire and *(c)* England remained in education after the completion of their GCSEs in each year since 1997. [136468]

Mr. Miliband: Data on the percentage of students staying on in full-time education and education and training is not calculated for areas smaller than LEAs, as reliable estimates cannot be made.

The percentage of 16-year-olds participating in full-time education, and in education and training, in East Riding of Yorkshire Local Education Authority and in England for end 1997 to end 2000, the latest available year, are shown in the table.

Participation by 16-year-olds

	End 1997	*End 1998*	*End 1999*	*End 2000*
Full-time education				
East Riding of Yorkshire	70	71	72	74
England	70	70	71	71
Education and training				
East Riding of Yorkshire	[1]n/a	88	87	87
England	84	83	83	83

[1] Education and training figures by LEA were first published for 1998.

Participation rates by LEA for 16 and 17-year-olds are published in an annual statistical bulletin, "Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England".

GCSE Syllabuses

Mrs. Brooke: To ask the Secretary of State for Education and Skills what discussions he has had with examination boards about the compliance of GCSE syllabuses on child care and child development with the WHO International Code of Marketing of Breast Milk Substitutes. [135079]

Mr. Miliband: The responsibility for determining the content of GCSE syllabuses lies with the regulatory authority—the Qualifications and Curriculum Authority (QCA)—and the awarding bodies. I have asked the QCA to consider whether the provisions of the WHO International Code of Marketing of Breast Milk Substitutes are adequately reflected in the awarding bodies' GCSE child care related syllabuses. The Chief Executive of QCA will advise you of the outcome in due course.

Key Stage Tests

Dan Norris: To ask the Secretary of State for Education and Skills what proportion of children in Bath and North East Somerset in *(a)* 1996–97 and *(b)* 2002–03 gained Level 4 or above in their Key Stage 2 tests in (i) English and (ii) mathematics. [136315]

Mr. Miliband: The percentage of pupils achieving Level 4 or above at Key Stage 2 in Bath and North East Somerset in *(a)* 1997 and *(b)* 2003 in (i) English and (ii) mathematics are as follows:

Percentage

	English	*Mathematics*
1997		
Bath and North East Somerset	68	66
England	63	62
2003 (provisional)		
Bath and North East Somerset	78	76
England	75	73

Dan Norris: To ask the Secretary of State for Education and Skills how many children in Bath and North East Somerset in 2002–03 were eligible to sit Key Stage 2 tests. [136342]

Mr. Miliband: The total number of children in Bath and North East Somerset who were eligible to sit Key Stage 2 tests were:

2003 (provisional): 1,811

2002: 1,801.

Local Education Authority Expenditure

Michael Fabricant: To ask the Secretary of State for Education and Skills how much the target transitional grant for Staffordshire local education authority will be in the next two years; and what arrangements have been made for the provision of the grant. [136166]

Mr. Miliband: Details of the transitional support package for 2004–05 and 2005–06, including the arrangements for paying the targeted grant, will be published at the time of the provisional Local Government Finance Settlement later this month.

On 29 October the government published indicative figures for the targeted grant in 2004–05, which have been placed in the Library of the House. These assumed that grant would be available to authorities whose increase in Education Formula Spending and relevant DfES grant between 2002–03 and 2004–05 would otherwise be less than 12 per cent. per pupil. The increase in Staffordshire LEA is expected to be above 12 per cent. per pupil over the relevant period, which means it would not be eligible for the targeted grant.

However, if Staffordshire or any other LEA is able to put forward a compelling case that additional, transitional funds are needed in the short term—above and beyond those already available to the LEA—my right hon. Friend the Secretary of State will be prepared to consider bringing forward grant payments from my department, so that the LEA will have funds available in 2004–05 for this purpose, with the expectation of a consequential reduction to what they will receive in future years. The maximum amount that might be made available in this way would be a maximum of £300,000 per authority, or 0.2 per cent. of the authority's total education resources in 2004–05, if that is higher. For Staffordshire, 0.2 per cent. of its education resources would be over £800,000.

Ofsted Inspections

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will make a statement on the trends in the

percentage of Year 10 and 11 lessons inspected by Ofsted and recorded as set by ability in *(a)* history, *(b)* geography, *(c)* modern languages, *(d)* science and *(e)* English between 1996 and 2002. [133829]

Mr. Miliband: The following tables show the percentages of lessons that inspectors recorded as setted by ability by subject in each year for pupils in years 10 and 11. These data are among the background information which are collected by inspectors to assist them in making judgments about standards achieved in schools and are not part of a representative survey of the use of setting by schools.

The table figures provide a useful indicative picture of the use of setting across subjects, with setting being used in the vast majority of schools in mathematics, more than three-quarters of schools in science, and between half and three quarters of schools in English and modern foreign languages. A more detailed study, undertaken over a number of years with a consistent sample of schools, would be needed to enable secure judgments to be made about trends.

	Year 10	*Year 11*
History		
1996	27	27
1996/97	23	22
1997/98	24	23
1998/99	21	24
1999/2000	21	23
2000/01	23	25
2001/02	20	19
1996–2002	23	23
Geography		
1996	34	37
1996/97	30	29
1997/98	28	32
1998/99	30	32
1999/2000	35	33
2000/01	29	31
2001/02	24	23
1996–2002	30	30
Modern Languages		
1996	66	67
1996/97	69	65
1997/98	67	66
1998/99	69	69
1999/2000	68	67
2000/01	70	70
2001/02	70	69
1996–2002	69	67
Science		
1996	70	68
1996/97	77	69
1997/98	76	76
1998/99	76	76
1999/2000	77	77
2000/01	85	82
2001/02	85	86
1996–2002	78	76
English		
1996	45	54
1996/97	55	50
1997/98	56	58
1998/99	51	49
1999/2000	52	56
2000/01	59	61
2001/02	56	59
1996–2002	54	54
Mathematics		
1996	85	83
1996/97	90	86
1997/98	91	89
1998/99	90	91
1999/2000	89	89
2000/01	93	92
2001/02	92	92
1996–2002	90	89

Qualifications

Mr. Nicholas Brown: To ask the Secretary of State for Education and Skills what programmes are sponsored by his Department to ensure that *(a)* higher educational courses and *(b)* vocational training are responsive to forecast demand in the labour market. [136031]

Alan Johnson: There are a number of programmes that are responding to forecast labour market demands. In higher education they include: the expansion of Foundation Degrees, New Technology Institutes (NTI), the Teaching Quality Enhancement Fund, Aimhigher and the Enhancing Student Employability Co-ordination Team (ESECT).

In terms of vocational training, programmes such as Modern Apprenticeships and Advanced Modern Apprenticeships are designed to meet existing and future labour market needs. The Higher Education Funding Council and the Learning and Skills Council are working closely with the Skills for Business network and Regional Development Agencies to ensure that vocational qualifications meet the needs of local, regional and national labour markets. Further information is included in 21st Century Skills: Realising our Potential.

Mr. Nicholas Brown: To ask the Secretary of State for Education and Skills how many of the vocational training programmes recognised by his Department are structured in such a way that it is possible by undertaking additional further courses of study to obtain a degree level qualification. [136032]

Alan Johnson: All programmes at Level 3 in the National Qualifications Framework have the potential to allow students to undertake further courses of study to obtain a degree level qualification.

In particular reformed Advanced Modern Apprenticeship frameworks now include technical certificates. These are taken in addition to NVQ at Level 3 to assess underpinning occupational knowledge. Their inclusion in frameworks now allows for easier progression to higher education for those with the aptitude to do so.

We are also expanding the number of Foundation Degrees available, with 10,000 extra places from next year. These are new qualifications and provide opportunities for individuals to progress to full honours degrees.

Mr. Boswell: To ask the Secretary of State for Education and Skills what the evidential basis is for the statement in the Higher Education White paper that 80 per cent. of future jobs will require education to level 4. [136456]

Alan Johnson: The White Paper stated that:

'Between 1999 and 2010 the number of jobs in higher level occupations – the ones most likely to be filled by those who have been through higher education – will grow by over one and a half million. That represents 80 per cent. of new jobs over the decade'.

This forecast is based on work carried out by the Institute for Employment Research in 2001: 'Projections of Occupations and Qualifications 2000/01: Research in Support of the National Skills Task Force', Department for Education and Employment. The research estimated that out of the 2.1 million new jobs expected to be created between 1999 and 2010, 1.7 million (or 80 per cent.) will be in the top three occupational groups. These are the jobs which require the sorts of skills that can be acquired through Higher Education.

Teaching Assistants

Mr. Willis: To ask the Secretary of State for Education and Skills what measures are being taken to ensure that the phrase teaching assistants includes *(a)* supervisors working with classes of children without the presence of a teacher and *(b)* others employed under paragraph 10 of Schedule 2 to Statutory Instrument 1663 employed to undertake specified work and that these are recorded separately from those who already appear in the teachers tables of the school workforce statistics when these figures are next collected from schools and local education authorities. [136303]

Mr. Miliband *[holding answer 4 November 2003]:* Guidance to LEAs completing the Annual Survey of Teacher Numbers and Vacancies (618G) in January 2004 will make clear that support staff who may be providing cover supervision, or who may be carrying out specified work without a teacher present under the conditions set out in the regulations, should continue to be counted separately from teachers. We would expect most of these to be counted as teaching assistants in the Annual Schools Census, but often support staff in schools undertake more than one role. We are also considering what further categorisation we might introduce for the 2005 school census.

The Workforce Agreement Monitoring Group will continue to monitor developments in the strategies used by schools to deal effectively with teacher absence as part of its wider role in overseeing the implementation of the National Agreement on raising standards and tackling workload.

Trainee Teachers

Mr. Jenkins: To ask the Secretary of State for Education and Skills if he will list the additional financial support offered to trainee teachers since 1997. [136432]

Mr. Miliband: Since 1998, full tuition fee remission has been available to most postgraduate trainee teachers in England. In 1999, the Government announced a further package of support which consisted of a payment of £2,500 for people taking Postgraduate Certificate in Education courses in mathematics and science and a further £2,500 payable on appointment to a relevant post in the same subjects.

These payments were superseded in September 2000 when the Government introduced £6,000 training bursaries for eligible postgraduate trainee teachers and £4,000 Golden Hellos for those going on to teach one of five priority subjects in a maintained school in England. These incentives have been reinforced by the Repayment of Teachers' Loans pilot scheme, introduced in September 2002 for new teachers of priority subjects.

These measures have contributed to an increase of over 5,000 in the number of recruits to courses of Initial Teacher Training between 1998/99 and 2002/03.

Student Finance

Mr. Boswell: To ask the Secretary of State for Education and Skills what research he has commissioned on the principal alternative models for *(a)* university finance and *(b)* student funding. [136454]

Alan Johnson: I refer the hon. Member to my answer of 30 October 2003, *Official Report*, column 429, in which I cited the work the Government had done on the principal alternative options considered in the Higher Education Review for student finance and university funding—namely, an increase in flat-rate fees, a graduate tax and real rates of interest on student loans.

In addition, my right hon. Friend the Secretary of State for Education and Skills wrote a letter on this issue to my hon. Friend for Newcastle-under-Lyme (Paul Farrelly) on two separate occasions, on 11 April and 3 June 2003; both copies are placed in the House Library.

Work Placement

Mr. Pickthall: To ask the Secretary of State for Education and Skills what reports he has received on health and safety related to trainees on placement; and how experience is disseminated among learning and skills councils. [134279]

Mr. Ivan Lewis *[holding answer 29 October 2003]:* The Secretary of State receives individual accident reports on trainees injured while on work placement. The Learning Skills Council also report on health and safety issues as part of regular performance reviews with Ministers. They have their own internal arrangements for sharing information with local offices. Mark Haysom, the Chief Executive of the LSC, will write to my hon. Friend with further details of these arrangements and a copy of his reply will be placed in the House of Commons Library.

HOME DEPARTMENT

Cemeteries

Andrew Bennett: To ask the Secretary of State for the Home Department what progress has been made in implementing the Government response to the Transport, Local Government and the Regions Committee Report on Cemeteries. [133899]

Paul Goggins: We are planning to publish a public consultation document on reform of the burial laws shortly. We have now completed a pilot survey of burial grounds, and expect to launch the main survey soon. We are also currently considering the publication of a report on the research carried out last year. Guidance on cemetery management and memorial safety is well in hand.

Anti-social Behaviour Orders

Mr. Cummings: To ask the Secretary of State for the Home Department how many Anti-Social Behaviour Orders have been *(a)* applied for and *(b)* granted in each district council within County Durham. [134649]

Ms Blears: Information is given in the table on the number of notifications, as reported to the Home Office, of Anti-Social Behaviour Orders (ASBOs) applied for and issued within the County of Durham from 1 April 1999 up to 30 June 2003 (latest available).

The number of ASBOs, as notified to the Home Office by Magistrates courts committees and the Crown court, by complainant and local authority area within the County of Durham, 1 April 1999 to 30 June 2003

Local authority area	*Applications by complainant*				
	Total applications	*Local authority*	*Police*	*Total issued*	*Total refused*
Durham	24	6	18	24	0
of which:					
from 1 April 1999 to 31 May 2000 by pfa	n/a	n/a	n/a	0	n/a
from 1 June 2000 to 30 June 2003 by local authority area	24	6	18	24	0
Chester-le-Street DC	2	0	2	2	0
Darlington BC	4	0	4	4	0
Derwentside DC	4	3	1	4	0
Durham CC[1]	[1]4	0	[1]4	[1]4	0
Easington DC	4	0	4	4	0
Sedgefield BC	3	2	1	3	0
Wear Valley DC	3	1	2	3	0

[1] Order also includes prohibitions in Wear Valley DC
n/a = Not available (Note: Between 1 April 1999 - 31 May 2000 data available on number issued by police force area (pfa) only)

Asylum Seekers

Mr. Gerrard: To ask the Secretary of State for the Home Department how many people have been refused support by the National Asylum Support Service under section 55 of the Nationality, Immigration and Asylum Act 2002; and what reports he has received about the length of time these people had been in the United Kingdom before claiming support. [135452]

Beverley Hughes: Section 55 of the Nationality, Immigration and Asylum Act 2002 came into force on 8 January 2003, restricting the availability of National Asylum Support Service (NASS) support to those asylum seekers who make an asylum application as soon as reasonably practicable.

Of the total (4,365) cases referred to NASS for a Section 55 decision in the first quarter of 2003, 2,850 were refused NASS support on the grounds that their claims were not made as soon as reasonably practicable.

Of the total (3,110) cases referred to NASS for a Section 55 decision in the second quarter of 2003, 1,830 were refused NASS support on the grounds that their claims were not made as soon as reasonably practicable.

Information on how long these applicants had been in the United Kingdom before making an asylum claim is not held centrally.

Bob Spink: To ask the Secretary of State for the Home Department what discussions he has had with *(a)* local authorities and *(b)* service providers about the provision of housing for asylum seekers when the current contracts expire; and if he will make a statement. [135461]

Beverley Hughes: The Immigration and Nationality Directorate is in the process of developing a strategy which will determine the procurement of accommodation post 2005 when the majority of its current accommodation contracts expire. Local authorities, private sector accommodation providers, voluntary sector agencies, lobby groups and a number of Government Departments are all being consulted about the development of this strategy.

Cannabis

Peter Bradley: To ask the Secretary of State for the Home Department when he will announce his decision on the use of cannabis for medicinal purposes. [136220]

Caroline Flint: The Medicines and Healthcare products Regulatory Agency has yet to complete its evaluation of the safety, quality and effectiveness of the medical preparation of a cannabis-based drug developed and tested by GW Pharmaceuticals.

Once marketing approval has been received, we will move without delay to seek Parliament's agreement to any necessary changes to the misuse of drugs legislation. Our aim is to ensure ready and early availability of the drug as a prescribed medicine.

Mr. Wray: To ask the Secretary of State for the Home Department what assessment he has made of the sources of cannabis entering the UK; and what has been done to combat the amounts of cannabis imported. [136266]

John Healey: I have been asked to reply.

Current assessments of the source of cannabis entering the EU and UK are contained in 'The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) Annual Report 2003'; 'Tackling

Drugs Communications and Campaign Pack' published by the Home Office and 'Cannabis—An Update 1999–2002' by Professor D. J. Nutt and Dr. J. R. Nash. Copies of these are published at www.emcdda.eu.int and www.drugs.gov.uk.

Customs enforce the import prohibition which applies to cannabis and seizure data is published annually in their Annual Report. In 2001–02 Customs seized over 67 tonnes of cannabis.

Mr. Wray: To ask the Secretary of State for the Home Department if he will make a statement on his policy on declassifying cannabis; and what assessment he has made of the impact of declassification on cannabis consumption. [136269]

Caroline Flint: The Government believe that all controlled drugs, including cannabis, are harmful and that no one should take them. But our drug laws and our educational messages to young people must reflect the relative harms of drugs, in accordance with the available scientific and medical advice, if they are to be credible, convincing and, ultimately, effective.

The Government's proposal to reclassify cannabis to Class C—in line with the recommendation of the Advisory Council on the Misuse of Drugs and of the Home Affairs Select Committee—will help us to convey a more open, honest and balanced educational message—to young people in particular—about the dangers of misusing illegal drugs.

Reclassification of cannabis is also designed to continue to deter use of the drug, because of its continued illegality, while enabling the police to put in place a consistent regime for policing cannabis, in line with the Association of Chief Police Officers' cannabis enforcement guidance. This will allow the police to redeploy resources to tackling more serious offences, including dealing in Class A drugs, like heroin and crack cocaine, which do the most harm.

The Government will seek to make an impact on the current level of cannabis use by launching an educational and advertising campaign in January aimed at young people, making it clear how the law will operate in practice and seeking to dissuade them from experimenting with cannabis. We are also taking a tough line with dealers.

Crime Statistics

David Davis: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the adoption of the National Crime Recording Standard on the capacity to compare crime statistics with previous years' performance. [135279]

Ms Blears: It is difficult to make valid comparisons of recorded crime statistics over time owing to changes in police recording, the latest being the introduction of the National Crime Recording Standard (NCRS) in April 2002. However, the adoption of the NCRS by all forces will establish a fairer and more consistent basis upon which future crime statistics can be interpreted, both nationally and between police forces.

In order to provide a more realistic picture of crime levels, the Home Office has conducted a full evaluation of the estimated impact of the NCRS at a national and force level for 2002–03. More detailed information about the methodology can be found at http://www.homeoffice.gov.Uk/rds/pdfs2/rdsolr3103.pdf. The study concluded that overall the crimes counted in 2002–03 were approximately 10 per cent. higher than they would have been under pre-NCRS recording practices.

Additionally, it is important to note that findings from the British Crime Survey, which is the most authoritative source on crime trends (and which has not been affected by changes to police recording practices) enable trends in crime over the last 20 years to be identified on a reliable basis.

Crime Statistics (Avon and Somerset)

Dan Norris: To ask the Secretary of State for the Home Department how many drug dealers were convicted in Avon and Somerset in *(a)* 1997, *(b)* 2002 and *(c)* 2003. [136324]

Caroline Flint: The table contains data from the Home Office Court Appearances and Cautions Drugs Database showing the number of drug dealers in the Avon and Somerset Police force area brought to justice in the years 1996 to 2000 (the latest year available). The term 'brought to justice' has been taken to mean cautioned or found guilty of 'dealing' in drugs. "Dealing" has been taken mean drug trafficking, that is: to include possession with intent to supply, unlawful supply, unlawful production and unlawful import/export.

Drug dealers brought to justice in Avon and Somerset police force area, 1996 to 2000

	Number of dealers
1996	340
1997	360
1998	350
1999	330
2000	310

These data are taken from the annual Home Office Statistical Bulletin "Drug Seizure and Offender Statistics, UK 2000", which is available on the RDS website and in the Library http://www.homeoffice.gov.uk/rds/pdfs2/hosb402.pdf.

Drugs

Mr. Brady: To ask the Secretary of State for the Home Department what recent assessment he has made of the effectiveness of anti-drugs campaigns in *(a)* the United States and *(b)* other EU countries. [134837]

Caroline Flint: The issue of drugs is common to many countries. However trends in drug use differ form one country to the next. It is therefore difficult to make comparisons between Britain and other countries.

Part of the development of the "Frank" drugs campaign currently running in England and Wales was an assessment of the effectiveness of campaigns in the United States and in European Union member states. These supported the findings of research in this country that campaigns that aim to shock have at best limited success, because potential users do not associate themselves with the messages. What is needed instead is

reliable information and advice for personal contacts of potential users and for potential users themselves. The Frank campaign has been designed in that light.

Dungavel Removal Centre

Harry Cohen: To ask the Secretary of State for the Home Department what his response is to the Report by Her Majesty's Inspector of Prisons on Dungavel Removal Centre; and if he will make a statement. [135438]

Beverley Hughes: We welcomed the publication of Her Majesty's Chief Inspector of Prisons' inspection report on Dungavel Removal Centre. We were pleased to see that the report concluded that Dungavel was essentially a place of safety where detainees were treated with respect and received a good standard of custodial care. The report contains a number of recommendations and we are considering these carefully. We will respond formally to Her Majesty's Chief Inspector shortly.

Harry Cohen: To ask the Secretary of State for the Home Department why Fatima Muse was fined by staff at Dungavel Removal Centre on 27 August after hiding food in her room; under what power this was done; and if he will make a statement. [135439]

Beverley Hughes: Detainees at Dungavel Removal Centre are not fined. They benefit from an incentive scheme that provides them with a weekly cash allowance provided their behaviour and conduct is satisfactory. In the case of unsatisfactory behaviour, a warning letter will be issued and, if the detainee's behaviour does not improve, consideration will be given to withdrawing the weekly allowance. Unsatisfactory behaviour may include breaches of the centre rules on hygiene or health and safety. Detainees taking food from the dining room to their rooms would constitute such a breach. In the case in question, a warning letter was issued in respect of a number of separate matters but the detainee's weekly allowance was not in fact withdrawn.

Ethnic Monitoring System

Andrew George: To ask the Secretary of State for the Home Department what published reports have been produced by Government *(a)* departments and *(b)* agencies using information gathered through an approved statutory ethnic monitoring system. [135773]

Beverley Hughes: The information requested is not immediately available. We are currently seeking this information. I will write to the hon. Member as soon as this information has been received and collated.

HMP Leyhill

Mr. Webb: To ask the Secretary of State for the Home Department how many prisoners have absconded from HMP Leyhill in the last 12 months for which figures are available; how many of these have not been recaptured; and if he will place in the Library for each absconder in the last year a list of *(a)* the original offence for which they were imprisoned, *(b)* their original sentence and *(c)* the average length of their outstanding sentence. [134996]

Paul Goggins *[holding answer 28 October 2003]:* Leyhill is an open category D training establishment containing adult males mostly from the South West Area, although many transfer from other establishments after their recategorisation to category D. Leyhill also holds life sentence prisoners, allocated nationally.

Eighty-two prisoners absconded from Leyhill between 1 November 2002 and 24 October 2003. Of these 19 have not yet been recaptured. Table 1 lists for each absconder the offence for which he was imprisoned, the sentence and the length of sentence outstanding between the date of abscond and the expected release date. For prisoners other than life sentenced prisoners the average period for the time from date of abscond to expected release date was 10 months. Table 2 shows the changes in population, and the number of time served prisoners who were discharged from Leyhill in the last 12 months.

Table 1

Offence	*Sentence*	*Time to expected release date, at date of abscond*	*Those not recaptured by 24 October 2003*
Theft	2 years 6 months	11 months	
Violent Disorder	1 year 10 months	9 months	
Robbery	5 years	14 months	No
Wounding with Intent	7 years 6 months	21 months	
Supply of Drugs	4 years	14 months	
Breach of Supervision Order	2 year 6 months	3 months	
Theft	6 months	3 months	
Burglary	2 years	9 months	
Taking and Driving Away	7 months 26 days	3 months	No
Burglary	3 years	5 months	
Attempted Robbery	4 years 6 months	14 months	
Burglary	4 years	3 months	
Burglary	3 years	3 months	
Robbery	6 years	8 months	
Deception	3 year 10 months	8 months	
Grievous Bodily Harm	12 years	2 years	No
Burglary	5 years	14 months	
Burglary	4 years 6 months	14 months	
Driving whilst Disqualified	10 months	3 months	
Driving whilst Disqualified	4 months	1 month	
Deception	7 years 3 months	13 months	No
Burglary	3 years	1 month	
Taking and Driving Away	1 year 9 months	1 month	No

Table 1

Offence	*Sentence*	*Time to expected release date, at date of abscond*	*Those not recaptured by 24 October 2003*
Conspiracy to Theft	2 years	3 months	No
Breach of Community Supervision Order	6 months	1 month	
Burglary	2 years 6 months	13 months	
Burglary	5 years	8 months	
Attempted Robbery	4 years 9 months	7 months	
Burglary	5 years	11 months	
Robbery	6 years	14 months	
Burglary	5 years 4 months	9 months	
Murder	life	date to be fixed	
Murder	life	date to be fixed	No
Customs Evasion Drugs	8 years 10 months	18 months	No
Importing Drugs	5 years	13 months	
Burglary	18 months	3 months	No
Murder	life	date to be fixed	
Burglary	3 years	11 months	
Robbery	8 years	1 year 9 months	
Burglary	3 year 3 months	7 months	
Possession of Drugs	4 years 6 months	6 months	
Burglary	3 years	3 months	
Handling Stolen Goods	2 years 6 months	7 months	
Murder	life	date to be fixed	
Burglary	2 years 6 months	6 months	
Wounding with Intent	7 years	14 months	
Possession of Drugs	3 years 10 months	3 months	
Driving whilst Disqualified	6 months	1 month	
Burglary	6 years	11 months	
Robbery	3 years	5 months	
Robbery	3 years 6 months	9 months	No
Burglary	5 years	2 months	
Robbery	5 years 2 months	23 months	
Robbery	4 years	20 months	
Robbery	4 years	8 months	No
Robbery	3 years	2 months	
Robbery	5 years	8 months	
Theft	3 years	7 months	No
Burglary	10 months	2 months	
Burglary	4 years 6 months	2 months	
Burglary	3 years	1 month	
Robbery	4 years	16 months	
Burglary	2 years 6 months	9 months	
Burglary	4 years 2 months	8 months	
Robbery	5 years	11 months	
Manslaughter	7 years	16 months	No
Burglary	6 years 2 months	6 months	
Burglary	3 years	6 months	
Rape	7 years	22 months	
Drugs	4 years	4 months	
Burglary	3 years	4 months	No
Burglary	3 years 3 months	11 months	
Attempted Burglary	1 year 7 months	2 months	
Burglary	3 years 11 months	15 months	
Wonding with Intent	4 years	18 months	
Burglary	3 years	11 months	
Robbery	4 years	4 months	
Drugs	1 year 3 months	1 month	No
Prossession of Drugs	6 years	21 months	
Burglary	3 year 6 months	1 month	
Theft	8 months	2 months	
Burglary	1 year 5 months	6 months	
Burglary	2 years	8 months	
Affray	1 year	3 months	
Grievous Bodily Harm	6 years	3 months	
Threatening Behaviour	1 year 6 months	1 month	
Robbery	11 years	5 months	
Robbery	9 years 6 months	26 months	No

Table 1

Offence	*Sentence*	*Time to expected release date, at date of abscond*	*Those not recaptured by 24 October 2003*
Breach of Probation Order	4 years	9 months	No
Wounding with Intent	4 years	4 monts	
Customs Evasion	5 years 6 months	16 months	No
Theft	1 year 4 months	7 months	
Attempted Murder	Life	Date to be fixed	No

Table 2

	Baseline CNA[1]	*Population*	*Discharges*
October 2002	512	445	83
November 2002	512	449	75
December 2002	512	382	96
January 2003	512	360	59
February 20003	512	431	38
March 2003	512	497	89
April 2003	512	500	76
May2003	512	495	81
June 2003	512	500	82
July 2003	512	508	82
August 2003	512	511	69
September 2003	512	506	61

[1] CNA = Certified Normal Accommodation

Home Detention Curfews

Bob Spink: To ask the Secretary of State for the Home Department how many prisoners have been released from prison on the Home Detention Curfew scheme since the introduction of presumptive release. [135014]

Paul Goggins: The total number of home detention curfew (HOC) releases from 1 May 2002, when the presumptive scheme was introduced, to 30 April 2003 is recorded as 21,928, of which 11,259 were from sentences of under a year.

Immigration

Mr. Dhanda: To ask the Secretary of State for the Home Department when he expects a decision to be made on the application by *(a)* Mrs. Geraldine Marchant and *(b)* her daughter Ms Martina Rhule, Ref:M1012795, for indefinite leave to remain in the United Kingdom. [135311]

Beverley Hughes *[holding answer 30 October 2003]:* A decision in respect of both applicants should be made within the next two months.

Information Technology

Mr. Oaten: To ask the Secretary of State for the Home Department how much the Police Service spent on purchasing and upgrading IT equipment *(a)* in 2003 and *(b)* in 2002; and what this cost per police officer. [135896]

Ms Blears: The information is set out in the table.

Purchasing and upgrading IT equipment

	Estimated expenditure on ICT equipment[1] *England and Wales (£ thousands)*	*Estimated cost per police officer (£)*
2002–03	241,358	[2]1,8622
2003–04	203,826	[3]1,5283

[1] Information, Communication and Technology capital expenditure includes provisions for Airwave, the new communications system.

[2] Based on police numbers in England and Wales as at 31 March 2002.

[3] Based on police numbers in England and Wales as at 31 March 2003.

Source:

2002–03 figures—CIPFA Police Statistics 2002–03 Estimates

2003–04 figures—CIPFA Police Statistics 2003–04 Estimates

John Tero

Ms Keeble: To ask the Secretary of State for the Home Department (1) what the terms of reference are of the independent clinical review of the case of the late Mr. John Tero; [134617]

(2) who is carrying out the independent clinical review of the late Mr. John Tero's care in prison; [134618]

(3) when he expects the independent clinical review into the case of the late Mr. John Tero to report; [134619]

(4) what evidence is being considered in the independent clinical review of the case of the late Mr. John Tero. [134620]

Paul Goggins: I was sorry to learn of Mr. Tero's death. The Prison Service has asked Dr. Joseph Blackburn, a General Practitioner and Clinical Governance lead for North Surrey Primary Care Trust, to undertake a clinical review of this. He was given the following terms of reference:

"In respect to the care of Mr John Tero during his period in custody at Her Majesty's Prison Woodhill and Her Majesty's Prison Wymott:

Was the care post Transurethral Resection of the Prostate (TURP) satisfactory and equivalent to care in the NHS?

Was the care of his gastric symptoms satisfactory and equivalent to care in the NHS, including with regard to:

the clinical recordings of the patient's weight.

referral and attendance at hospital appointments?

Would any of above have affected the prognosis?"

The Prison Service expects Dr. Blackburn to consider any evidence which he feels is relevant to these terms of reference. The Prison Service expects to receive Dr. Blackburn's report in November.

Miscarriages of Justice

Mr. Dhanda: To ask the Secretary of State for the Home Department how many people are waiting for admittance to the compensation for miscarriages of justice scheme. [133539]

Paul Goggins: There are currently 58 applicants waiting the determination of their eligibility for compensation under section 133 of the Criminal Justice Act 1988 (the statutory scheme) or under the ex-gratia arrangements announced by the then Home Secretary (Douglas Hurd) in his statement to the House of Commons on 29 November 1985.

Mr. Dhanda: To ask the Secretary of State for the Home Department how many people who have served under 20 years in prison before being released due to a miscarriage of justice are waiting for admittance to the compensation for miscarriages of justice scheme. [133570]

Paul Goggins *[holding answer 21 October 2003]:* This information is not readily available. The length of time spent in prison following a wrongful conviction is not a matter that affects a decision on eligibility for compensation. This only becomes a factor when the level of award for a successful applicant is assessed. Consequently, those wrongfully convicted, or their representatives, do not always provide custody details with their initial applications for compensation.

Mr. Dhanda: To ask the Secretary of State for the Home Department what action he is taking to ensure that prompt mental health assessments are available for victims of miscarriages of justice. [133572]

Paul Goggins *[holding answer 21 October 2003]:* The Home Office funded Royal Courts of Justice Citizens Advice Bureau Miscarriage of Justice Project supports prisoners who have their convictions referred back to the Court of Appeal by the Criminal Cases Review Commission in the period leading up to their release and for up to six months after. This service would extend to providing advice on obtaining any necessary medical assistance.

Psychiatric and other medical reports are often provided by successful claimants for compensation for miscarriage of justice in support of the non-pecuniary loss element of their claim when it is alleged that the claimant's health/mental health has been affected by their period in prison. While the onus is on the applicant to provide such reports to substantiate the particular element of their claim, the cost in obtaining them will be considered when the final award is being assessed.

Mr. Dhanda: To ask the Secretary of State for the Home Department what the average waiting time for admittance to the compensation for miscarriages of justice scheme over the last 12 months was. [133573]

Paul Goggins *[holding answer 21 October 2003]:* In the 12 months to September 2003, the average time taken to determine eligibility for compensation under section 133 of the Criminal Justice Act 1988 (the statutory scheme) or under the ex-gratia arrangements announced by the then Home Secretary (Douglas Hurd) in his statement to the House of Commons on 29 November 1985 was 182 days.

North Wales Police

Ian Lucas: To ask the Secretary of State for the Home Department how many *(a)* staff, *(b)* civilian staff and *(c)* police officers have been recruited by North Wales Police in each of the last three years for which figures are available. [134509]

Ms Blears: The number of police officers in North Wales Police was 1,607 at 31 August 2003, an increase of 238 since March 1997. The number of police staff at 31 March 2003 was 703, an increase of 227 since 31 March 1997. Figures for the recruitment of police staff are not collected centrally. Those for police officers are set in the table.

North Wales police

	Police officers recruitment
2000–01	119
2001–02	90
2002–03	1,331

Note:
March 2003 figures are not comparable to previous recruitment figures as data includes transfers from England and Wales forces and officers returning after a period of secondment.

Driving Offences

Mr. David Marshall: To ask the Secretary of State for the Home Department what plans he has to increase the number of penalty points required to be incurred by drivers leading to an automatic ban; and if he will make a statement. [136182]

Ms Blears: Drivers can expect to be disqualified from driving if they acquire 12 penalty points. The Government have no plans to increase this trigger level.

People Trafficking

Mr. Reed: To ask the Secretary of State for the Home Department what assessment he has made of the need for the introduction of safe houses in Leicestershire for *(a)* women and *(b)* children rescued from traffickers involved in the illegal sex trade. [134356]

Caroline Flint: The Government has acknowledged that provision needs to be made for the victims of trafficking, in whichever part of the country they may live. It is intended that any victim support measures should be available in due course for all victims of trafficking.

The best information we have about possible number of victims of trafficking in the United Kingdom comes from research published in the report—Stopping Traffic (2002). This estimated that anything between 140 and 1,400 were trafficked annually into the UK for purposes of sexual exploitation.

At present the majority of known trafficking cases are in London and surrounding areas—this is where the service delivery partner is based and have developed

their specialist services. Additionally pro-active policing by the Metropolitan Police is uncovering numbers of victims of trafficking in London also.

There is growing evidence to suggest this is a national problem and it seems reasonable to suppose that wherever there is a well developed vice market, there is likely to be a demand for trafficked women to work in the sex industry.

The White Paper "Secure Borders, Safe Haven"—published in February 2002—sets out our general proposals for assisting the victims of human trafficking.

On 10 March this year, we launched a pilot scheme in the London area. Under the scheme, adult female victims of human trafficking for sexual exploitation whose circumstances meet the criteria set out in the White Paper are offered protection and support provided:

The victim has been brought to the UK;

She is being forcibly exploited;

She is working as a prostitute or she demonstrates that she has escaped from the trafficker, and that in the period immediately prior to her escape she had been working as a prostitute;

She has come forward to the authorities; and;

She is willing to co-operate with the authorities.

The objectives of the pilot scheme include: to develop mechanisms that enable and ensure formal assessment of the number of victims of trafficking, the assessment of the relevance and impact of the services provided, development of a multi-disciplinary case-work model to facilitate the effective identification and assessment of victims.

Under the provisions of the Children Act 1989 minors are the responsibility of local authority social services Departments. It is not possible for minors to be admitted to the pilot scheme.

The pilot scheme will be evaluated to assess its impact. We will then consider what more we can do to help victims of trafficking.

Police

Mr. Oaten: To ask the Secretary of State for the Home Department how many arrests were made by police officers in England and Wales on foot patrol in each of the last six years; and what percentage of arrests made in England and Wales this represents. [135870]

Ms Blears: Information collected centrally on the number of persons arrested for notifiable offences does not distinguish foot patrol arrests from other arrests.

Police Grant Allocation

Tony Baldry: To ask the Secretary of State for the Home Department what percentage floor will be set on his Department's police grant allocation; and if he will make a statement on the relationship of that floor to the police pay award. [136020]

Ms Blears: I shall announce details of the provisional police funding settlement for 2004–05 in mid November, including details of the floor and ceiling on police grant.

Prisons

Mr. Francois: To ask the Secretary of State for the Home Department how many full-time prison officers were employed by HM Prison Service in Essex on 1 September. [132631]

Paul Goggins: On 1 September 2003, there were 255 full-time prison officers, including senior officers and principal officers, employed in Essex. There were 76 at Bullwood Hall prison and young offender institution and 179 at Chelmsford prison.

Mr. Blunt: To ask the Secretary of State for the Home Department what the establishment of staff is at *(a)* Downview and *(b)* High Down Prisons; and how many staff were in post at each prison on 1 October. [133263]

Paul Goggins: The information requested is shown in the table. Figures are for all staff and are full time equivalent basis.

	Complement 1 October 2003	*Staff in post 1 October 2003*
Downview	234	186.5
High Down	481	446

Mr. Gibb: To ask the Secretary of State for the Home Department pursuant to his answer of 6 October 2003, *Official Report*, column 1246W, on prisons, if he will assess the likelihood of the legislative and other changes listed in his answer being fully implemented within the timescales of the projections. [133554]

Paul Goggins: The prison population projections only include legislative and policy changes that have been implemented or have an agreed date for implementation. All those listed in the previous answer are expected to have delivered their full impact during the period covered by the projections apart from automatic life sentences for serious repeat offenders where the impact is expected to extend beyond June 2009. The impact beyond June 2009 is projected to be around 50 prison places. Estimates made of the impact of such changes are kept regularly under review.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department (1) what provision is made by the Prison Service to ensure that prisons are able to fulfil their statutory duty to provide frequent and reasonable access to legal texts; [134622]

(2) how many prison libraries stock legal texts and statutes as stipulated in Prison Service Order 6710. [134623]

Paul Goggins: All prison libraries are required by their service level agreement to stock the texts stipulated in the libraries Prison Service Order. The Prison Service ensures that libraries comply with this requirement through the Standards Audit and through the annual review of the library service level agreement.

All prison Governors must ensure that libraries obtain the stipulated publications using the capitation grant provided for this purpose.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department (1) how many prisoners awaiting trial are being held more than *(a)* 50 and *(b)* 100 miles from their committal court town; [134624]

(2) how many prisoners awaiting trial were sharing cells with convicted prisoners in the last month for which figures are available. [134625]

Paul Goggins: An individual prisoner's court details are recorded to show first court appearance, committal, remand, conviction or sentencing. Information specifically on committal court details could be obtained only at disproportionate cost.

On 31 August 2003, the latest date for which information is available, details were available for 7,473 prisoners, 94 per cent. of the total prison population awaiting trial. This information is shown in the following table. The number of prisoners awaiting trial who share a cell with convicted prisoners is not held centrally and could be obtained only at disproportionate cost.

Prison Service rules and policy state that prisoners awaiting trial should not be required to share a cell with a convicted prisoner. Where it becomes necessary for an unconvicted prisoner to share with a convicted prisoner due to population pressures, they should only do so if they have given their consent.

Every effort is made to ensure that appropriate prisoners are located together and any such decision is made on the basis of staff judgment and experience. Steps are taken to ensure that prisoners are held safely. A full cell-sharing risk assessment procedure is carried out before prisoners are considered suitable to share a cell.

Distance from court town

Prisoners awaiting trial	*Number of prisoners*	*As a percentage of the total*[1]
Held over 100 miles away from their court committal town	96	1
Held 50–100 miles away from their court committal town	556	7
Held fewer than 50 miles away from their court committal town	6,821	86
Information unavailable	507	6
Total number of prisoners awaiting trial	7,980	100

[1] Based on total number of prisoners awaiting trial

Mr. Webb: To ask the Secretary of State for the Home Department if he will make a statement on his plans for the management of prison gardens. [135467]

Paul Goggins *[holding answer 30 October 2003]:* There are no plans to change the existing arrangements for the management of prison gardens.

Rap Music

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of a link between violent lyrics in rap music and gun crime. [136248]

Caroline Flint: Although there has been considerable discussion about the relationship between gun crime and rap music, the Government recognises that there are many factors that can influence the incidence of gun crime. The glamorisation of violence and gun culture in music or other media aimed at young people is unacceptable, but we recognise that music can play an important part in young people's lives and be used to promote and reinforce positive images.

Reoffending

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department what assessment he has made of the impact of overcrowding on the ability of an individual to participate in reoffending reduction courses. [135493]

Paul Goggins: The Prison Service keeps the impact of population pressures under review. The main threat to offending behaviour programmes stems from prisoners being transferred to another prison before completing a programme, in order to alleviate population pressures. So far this has been largely avoided. Only 1.5 per cent. of prisoners who started a cognitive skills offending behaviour programme in 2002–03 failed to complete the programme as a result of transfer (which may have been due to overcrowding or for other reasons). This is similar to the previous three years and compares with 4.8 per cent. in 1996–97.

Thames Valley Police

Tony Baldry: To ask the Secretary of State for the Home Department what his Department's targets are for the police officers per thousand ratio; what the Thames Valley Police Force's target ratio is; and to what extent his Department expects any imbalance will be addressed by the time of the 2004–05 grant allocation to Thames Valley. [136021]

Ms Blears: Thames Valley Police had record police strength of 3,965 on 31 August, which is 270 more than in March 1997. In addition the force had 2,412 police (support) staff, which is 587 more than in March 1997.

No target for ratio of police officers to 1,000 population is set. Decisions on the balance between police officers and police (support) staff is a matter for the Chief Officers of Police and will have an impact on the ratio of police officers to population in forces.

Tuberculosis (Prisons)

Mr. Alan Campbell: To ask the Secretary of State for the Home Department how many tuberculosis cases there are among the prison population; what measures are being taken to *(a)* identify and *(b)* isolate TB cases early; and what other measures are being taken to prevent transmission between inmates. [132550]

Paul Goggins: The Prison Service does not routinely collect information from establishments about the number of cases of tuberculosis among prisoners in

England and Wales. It has, however, contracted the Health Protection Agency to provide a communicable disease data collection and monitoring service. As part of this contract, the London prisons will shortly begin to pilot use of a new reporting form, which will provide information on newly diagnosed cases of tuberculosis and also on people already being treated for tuberculosis when received into prison.

The Health Protection Agency also issues a Quarterly Report on Infectious Diseases in Prisons. The two most recent editions have included detailed guidance about the control of tuberculosis in prisons designed to clarify and reinforce earlier guidance to establishments. This makes it clear that all prisoners should be screened for tuberculosis on first reception by direct questioning about the particular symptoms of the disease. Where any case of tuberculosis is suspected, immediate efforts should be made to confirm the diagnosis or to make an urgent referral to the local NHS chest physician. Any prisoners with symptoms of the disease should be isolated until a diagnosis is made. The recent guidance also includes advice on notification under the Public Health (Control of Disease) Act 1984 and associated contact tracing.

West Yorkshire Police Authority

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will make a statement on police officer manning levels in the West Yorkshire Police Authority area. [135876]

Ms Blears: Decisions on the balance between police officers and police (support) staff is a matter for the Chief Constable of West Yorkshire Police (Mr. Colin Cramphorn). At the end of August West Yorkshire Police had 5,169 police officers. This is 140 more than in March 2003 and 280 more than in March 2002. I understand that the force has forecast strength for 31 March 2004 at 5,286 officers. In March 2003 the force had 2,538 police (support) staff, which is 174 more than in March 2002.

Additionally, West Yorkshire Police had 96 Community Support Officers on 31 August, with plans to have 160 by March 2004.

Written Answers to Questions

Thursday 6 November 2003

PRIME MINISTER

Committee on Standards in Public Life

Gareth Thomas: To ask the Prime Minister when he expects to announce new appointments to the Committee on Standards in Public Life; and if he will make a statement. [137420]

The Prime Minister: I have appointed two new members to the Committee.

The right hon. Member for North-West Norfolk (Mrs. Shephard) DL MP takes up appointment as the Conservative Party nominee in succession to the right hon. Lord MacGregor of Pulham Market OBE. Baroness Maddock takes up appointment as the Liberal Democrat Party nominee in succession to Lord Goodhart QC. Both appointments are for three years in the first instance.

The right hon. Lord MacGregor of Pulham Market and Lord Goodhart are both stepping down from the Committee on completion of their second terms of appointment. I would like to take this opportunity to thank them both for the valuable work they have undertaken on the Committee over the last six years, and the significant contribution they have made to improving standards in public life.

Departmental Expenditure (Official Residences)

Mr. Flight: To ask the Prime Minister how much was spent on *(a)* maintenance, *(b)* renovation, *(c)* council tax and *(d)* running costs of residential properties used by the Prime Minister and officials in each year since 1997. [134696]

The Prime Minister: For running costs and the cost of maintenance, renovation and council tax of residential properties in Downing street, I refer the hon. Member to the answers I gave to the hon. Member for Lewes (Mr. Baker) on 22 July 2002, *Official Report*, column 804W, and on 28 February 2002, *Official Report*, columns 1443–44W.

Expenditure on routine maintenance work to the flat above No. 11 Downing street for 2001–02 was £32,949.

Final figures for 2002–03 are not yet available.

For Chequers, I refer the hon. Member to the answer I gave to the hon. Member for north Devon (Mr. Harvey) on 13 February 2003, *Official Report*, column 952W.

The annual grant for maintenance and to cover civilian staff employed at Chequers for 2002–03 was £499,817.

The Chequers Trust is responsible for paying the council tax on all Chequers estate property.

Northern Ireland

Mr. Andrew Turner: To ask the Prime Minister (1) with whom he has communicated to try to find a way in which he can disclose certain information given to him and the Prime Minister of the Irish Republic by General de Chastelain; and what the responses have been; [136948]

(2) pursuant to his statement of 22 October 2003, *Official Report*, column 634, on Northern Ireland, when he expects to be able to reveal the information given to him and the Prime Minister of the Irish Republic by General de Chastelain to which he referred; and what the evidential basis was for his statement that on the basis of what he and the Prime Minister of the Irish Republic know that people would be satisfied if they knew the full details; [136949]

(3) whether during his conversation with the Prime Minister of the Irish Republic and General de Chastelain he obtained from the latter facts which were not in the General's press conferences and statement. [136950]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Sevenoaks (Mr. Fallon) at Prime Minister's Questions on 29 October 2003, *Official Report*, column 300.

TRANSPORT

Bus Lanes

Jane Griffiths: To ask the Secretary of State for Transport when he will make regulations to allow cameras to be used to enforce bus lanes outside London; and if he will make a statement. [136362]

Mr. Jamieson: Section 144 of the Transport Act 2000 enables regulations to be made so that local authorities outside London can enforce bus lanes using cameras to detect vehicles being driven in them illegally. The work on the preparation of the regulations including resolving relevant legal points has taken longer than expected but the Department for Transport and the Department for Constitutional Affairs hope to be able to make the relevant regulations later this year.

MOT Testers

Mr. David Marshall: To ask the Secretary of State for Transport what plans he has to increase the number of MOT testers; and if he will make a statement. [136183]

Mr. Jamieson: None—there is no evidence to suggest that there is a shortage of qualified MOT testers. Currently there are around 19,500 MOT testing stations with 50,000 testers. There is no restriction on the number of garages that can apply to become MOT testing stations and, once designated, garages can employ as many MOT testers as they wish.

Railways

Mrs. Ellman: To ask the Secretary of State for Transport when he expects trains from Liverpool to London to travel at speeds of 125 mph. [136453]

Mr. McNulty *[holding answer 4 November 2003]:* It is expected that the modernisation of the West Coast Main Line will enable train services, including those from London to Liverpool, to travel at speeds of up to 125 mph from the autumn of 2004.

Road Safety

Mr. Drew: To ask the Secretary of State for Transport what assessment he has made of the safety implications for road users of speed cameras. [136082]

Mr. Jamieson: On 11 February 2003 the Department published an independently produced evaluation report of the two-year trial of the safety camera cost recovery system. This showed a 35 per cent. reduction in those killed or seriously injured at camera sites, equating to around 280 people and a 4 per cent. reduction in those killed or seriously injured across the pilot areas, equating to around 530 people.

Mr. Drew: To ask the Secretary of State for Transport what plans he has to introduce further regulations on the fitness of individuals to drive. [136085]

Mr. Jamieson: We have an on-going research programme into fitness to drive, the results of which will help inform the Secretary of State's Honorary Medical Advisory Panels in relation to their advice on the driver licensing standards.

Mr. Jenkins: To ask the Secretary of State for Transport what measures he is introducing to reduce the numbers of children under the age of 16 who are killed or receive a serious head injury as a result of a cycling accident. [136422]

Mr. Jamieson: We have produced a large body of material on cycle safety aimed at younger children promoting the use of cycle helmets as well as other cycle safety messages such as conspicuity and training. We have also developed a Cycle Sense campaign aimed at teenagers that was launched on 21 May this year. The campaign encourages teenagers to wear cycle helmets and consists of posters and a new cycle sense website.

Traffic Management Bill

Mr. Stringer: To ask the Secretary of State for Transport if he will comply with the Cabinet Office's guidance on consultation when consulting on the detailed regulations which accompany the Traffic Management Bill. [136802]

Mr. McNulty: We will comply with Cabinet Office guidance when consulting on any such regulations.

Mr. Stringer: To ask the Secretary of State for Transport what plans he has to consult the utilities companies on the detailed regulations that will accompany the Traffic Management Bill. [136803]

Mr. McNulty: We will be consulting widely not only with utility companies, but also with local authorities and other relevant bodies.

UK Airport Security

Jim Dowd: To ask the Secretary of State for Transport what powers exist to authorise security staff at United Kingdom airports to examine passengers' luggage, by force if necessary, without the knowledge or consent of the passenger; and how many times they have been exercised in the past 12 months. [136796]

Mr. McNulty: Aerodrome managers and aircraft operators are directed through secondary legislation, made under the Aviation Security Act 1982, to examine passenger baggage to a standard sufficient reasonably to ensure that no prohibited articles are taken into a restricted zone or onto an aircraft. Where passengers refuse to permit such an examination, the baggage is not allowed to pass beyond the point of search. If the baggage is not accompanied by its owner, and x-ray screening of a bag has not resolved all doubts, the aircraft operator is permitted by direction to search the bag by hand. Searching unaccompanied hold baggage by hand is therefore rarely necessary.

Underground (Vandalism)

Simon Hughes: To ask the Secretary of State for Transport how many prosecutions there have been by British Transport Police for acts of vandalism on *(a)* on tube trains, *(b)* in tube stations and *(c)* on tube lines in each of the last 10 years. [136524]

Mr. McNulty: Vandalism is not classified as a crime group but the offence of criminal damage is the closest equivalent. Prosecutions are a matter for the Crown Prosecution Service. However, the BTP have provided the information in Table 1 regarding the number of people arrested, summonsed or charged with criminal damage in the past six years which is the maximum period for which reliable data are available. Table 2 shows the total number of criminal damage offences reported and cleared for the last 10 years. Table 3 gives a breakdown for criminal damage offences reported and cleared, split between tube stations, tube lines and tube trains for the last four years, the maximum period for which reliable data are available.

Table 1

Time period (1 October–30 September)	*Number of persons Arrested/ Charged/Summonsed for criminal damage offences*
1997–98	92
1998–99	75
1999–2000	82
2000–01	98
2001–02	64
2002–03	152

Table 2

Criminal Damage Offences (1 April–31 March)	*Reported*	*Cleared*
2002–03	925	119
2001–02	725	139
2000–01	693	136
1999–2000	697	135
1998–99	715	173
1997–98	836	336
1996–97	780	187
1995–96	978	191
1994–95	1,042	154
1993–94	1,391	122

Table 3

Criminal Damage Offences (1 April–31 March)	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Offences at tube stations:	376	340	366	361
Cleared:	85	96	92	70
Offences on tube lines:	46	26	65	125
Cleared:	10	20	14	8
Offences on tube trains:	295	292	302	426
Cleared:	34	31	32	41
Total Offences:	717	658	733	912
Cleared:	129	147	138	119

Data in Table 3 differ slightly from data in Table 2 as it has been extracted on crime committed date as opposed to approved date. A crime report has an approved date which is the date the crime report has been evaluated and is often different to the date committed. Therefore crime figures will differ slightly depending on which date is used.

CABINET OFFICE

Civil Service Secondments (Science and Technology)

Dr. Iddon: To ask the Minister for the Cabinet Office what action has been taken to bring more people from science and technology backgrounds into the Civil Service on secondments as recommended by the Council for Science and Technology in its review in 1999 of Science and Technology Across Government. [133944]

Mr. Alexander: The Government are committed to developing a modern, flexible and outward focused Civil Service that works in partnership with all sectors of society. A key tool in meeting that commitment is the Interchange initiative, which promotes and encourages the exchange of people and good practice between the Civil Service and other organisations. Most organisations from anywhere in the country can take part and all sectors of the economy are encouraged to do so.

Individual Departments are directly responsible for the staff they bring in to help them deliver their objectives, including secondees. Information on secondments into the Civil Service is recorded separately by Departments. The Cabinet office holds aggregate data, though not specifically on secondees from a science and technology background.

Since financial year 1998–99, there have been, on average, around 4,000 instances of interchange taking place each year of which about half are inward to the Civil Service.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Horticulture Holdings

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many agriculture and horticulture holdings in the United Kingdom there were which were mainly *(a)* beef, *(b)* dairy, *(c)* sheep, *(d)* pigs, *(e)* poultry meat, *(f)* poultry egg, *(g)* fruit and vegetables, *(h)* flowers and other non edible crops, *(i)* energy crops, *(j)* arable, *(k)* mixed and *(l)* other in each of the last 10 years for which records are available. [135769]

Mr. Bradshaw: Agricultural and horticultural holdings are classified annually from the June agricultural and horticultural census into 27 different types.

For the last 10 years the figures are:

Main farm type—1993 to 2002: June agricultural census—England

Main farm types	*1993*	*1994*	*1995*	*1996*	*1997*
Cereals	20,443	20,212	19,960	20,379	21,085
General cropping	13,318	13,031	12,909	12,828	11,696
Specialist fruit	1,589	1,578	1,408	1,435	1,492
Specialist glass	3,472	3,346	3,034	2,808	2,743
Other horticulture	3,593	3,307	2,990	2,858	3,227
Specialist pigs	2,441	2,342	2,137	2,080	2,236
Specialist poultry	2,903	2,801	2,445	2,557	2,959
Mixed pigs and poultry	129	121	111	110	152
Dairy—LFA	3,797	3,673	3,421	3,213	2,996
Dairy—lowland	16,987	16,906	16,211	15,691	15,011
Specialist sheep—SDA	2,641	2,524	2,390	2,320	2,318
Specialist beef—SDA	1,805	1,725	1,737	1,703	1,618
Mixed cattle and sheep—SDA	3,537	3,395	3,257	3,003	2,843
Cattle and sheep—DA	3,365	3,266	3,129	2,941	2,866
Cattle and sheep—Lowland	31,880	32,589	31,024	31,173	30,878
Cropping and dairy	1,714	1,615	1,604	1,578	1,634
Cropping cattle and sheep	6,155	6,221	6,256	6,128	5,858
Cropping pig and poultry	1,191	1,161	1,109	1,106	1,118
Cropping and mixed livestock	633	666	658	572	602
Mixed livestock	2,009	1,940	1,799	1,896	2,121
Specialist mushrooms	173	183	167	155	146
Specialist hardy nursery stock	1,094	1,077	1,126	1,188	1,104
Specialist set-aside	1,309	1,238	1,104	1,044	937
Specialist grass and forage	17,563	18,260	16,506	16,638	16,897
Specialist goats	520	512	355	359	337
Specialist horses	8,301	8,879	8,590	9,149	9,166
Non-classifiable—fallow	401	406	296	283	285
Non-classifiable—other	459	452	379	443	452
All types	153,422	153,426	146,112	145,638	144,777

Main farm types	*1998*	*1999*	*2000*	*2001*	*2002*
Cereals	21,473	20,905	20,996	21,340	21,258
General cropping	11,239	11,119	9,861	9,991	9,200
Specialist fruit	1,645	1,554	2,647	2,675	2,553
Specialist glass	2,826	2,771	2,741	2,671	2,604
Other horticulture	3,026	3,019	3,260	3,143	3,368
Specialist pigs	2,171	1,920	1,893	1,981	2,160
Specialist poultry	3,179	3,437	4,100	4,680	4,685
Mixed pigs and poultry	113	104	129	130	146
Dairy—LFA	3,014	2,895	2,605	2,584	2,662
Dairy—lowland	14,000	13,418	12,614	11,522	11,680
Specialist sheep—SDA	2,665	2,845	2,875	2,996	3,388
Specialist beef—SDA	1,901	1,885	1,652	1,850	1,943
Mixed cattle and sheep—SDA	3,154	3,037	2,913	2,915	3,043
Cattle and sheep—DA	2,835	2,880	2,657	2,944	3,389
Cattle and sheep—Lowland	29,893	31,269	32,816	31,306	33,778
Cropping and dairy	1,679	1,565	1,401	1,198	1,181
Cropping cattle and sheep	5,772	5,680	5,573	5,397	5,179
Cropping pig and poultry	1,173	1,046	959	930	809
Cropping and mixed livestock	611	647	998	1,086	1,048
Mixed livestock	2,044	1,814	1,984	2,045	2,067
Specialist mushrooms	140	152	141	94	40
Specialist hardy nursery stock	883	848	995	999	995
Specialist set-aside	859	988	1,035	1,340	1,341
Specialist grass and forage	18,256	21,175	24,298	25,781	23,476
Specialist goats	346	408	809	1,127	1,690
Specialist horses	9,420	9,026	14,326	14,967	16,845
Non-classifiable—fallow	302	305	541	548	580
Non-classifiable—other	474	508	11,036	19,694	26,763
All types	145,093	147,220	167,855	177,934	187,871

Abbreviations:
LFA—Less Favoured Area
SDA—Severely Disadvantaged Area
DA—Disadvantaged Area
Notes:
1. 1993 to 1999 figures refer to main holdings only.
2. 2000 onwards—main and minor holdings.

Aquaculture Research

Mr. David Stewart: To ask the Secretary of State for Environment, Food and Rural Affairs how many aquaculture research projects were commissioned by her Department from the Ardtoe Marine Farming Unit in each year since 1997; and what the *(a)* subject and *(b)* cost of each project was. [136157]

Mr. Bradshaw [*holding answer 3 November 2003*]: Aquaculture research projects commissioned by Defra from the Sea Fish Industry Authority's Marine Farming Unit at Ardtoe since 1997 are as follows:

FC0107—environmental control of halibut broodstock and rearing procedures for feeding larvae; 1993–98; total cost £515,400;

FC0905—halibut egg and early larval rearing; 1998; total cost £20,000;

FC1011—development strategy for the UK shellfish cultivation industry; 2000–01; total cost £45,000; and

FC1140—economic evaluation to assess the output potential of the UK shellfish cultivation industry; 2000; £45,000.

Details of Defra research projects may be viewed at the following website: http://www.defra.gov.uk/research/project.

Chemical Industry

Vera Baird: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the REACH proposals for regulation of the chemical industry. [136681]

Alun Michael: The Government are committed to the new EU Chemicals Strategy which aims to improve protection for human health and the environment. The new EU Chemicals Strategy is trying to address the fact that thousands of chemicals have been used for many years without adequate information about their hazardous properties or what risks are involved in their short-term and long-term use. In doing so, the proposal for new chemicals legislation, which was adopted by the European Commission on 29 October 2003, should create greater transparency and help identify chemicals of concern.

In the forthcoming negotiations the UK has three overarching objectives:

To create a fast, efficient and workable process of testing, screening and assessing substances of concern, starting with the most harmful, because of their impact on human health or the environment;

To keep animal testing to the minimum necessary to protect human health and the environment; and

To maintain or enhance the competitiveness of the chemical industry and downstream users.

We are currently considering the Commission proposal to assess how far it meets these objectives. The Government will carry out a UK consultation early in the new year which will be accompanied by a regulatory impact assessment, and provide an opportunity for all interested stakeholders to express their views.

Dairy Farming

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* farmers, *(b)* partners, *(c)* directors and *(d)* spouses were engaged in dairy farming in each of the last five years. [135745]

Mr. Bradshaw: Data for the total number farmers, partners, directors and spouses combined are collected annually from the June agricultural and horticultural census as a total. Figures are not available for each item.

For the last five years the figures are:

Farmers, directors, partners and spouses on holdings with a dairy herd June agricultural census—England

	Number
1998	47,591
1999	45,151
2000	43,150
2001	40,702
2002	40,906

Notes:
1. Dairy Herd—holdings with Dairy cows producing milk.
2. 1999 and 1998 figures refer to main holdings only.
3. 2000 onwards—main and minor holdings.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy farmers have left the industry in the last 10 years for which records are available. [135770]

Mr. Bradshaw: Data on the number of farmers leaving the dairy industry are not collected by Defra. From the June Agricultural and Horticultural Census, we can provide the numbers of farmers, partners, directors and spouses. From these figures it will be possible to determine the net difference year on year.

For the last 10 years the figures are:

Farmers, directors, spouses and partners on farms with a dairy herd June agricultural census—England

	Farmers, directors, spouses, partners
1993	50,402
1994	49,592
1995	47,515
1996	46,150
1997	48,066
1998	47,591
1999	45,151
2000	43,150
2001	40,702
2002	40,906

Notes:
1. Dairy Herd—holdings with Dairy cows producing milk.
2. 1993 to 1999 figures refer to main holdings only.
3. 2000 onwards—main and minor holdings.

Date-based Export Scheme

Malcolm Bruce: To ask the Secretary of State for Environment, Food and Rural Affairs if she will place in the Library papers submitted by her Department to the European Commission on *(a)* changes to the Date Based Export Scheme and *(b)* moderate risk status; and how many representations her Department has made to the Commission regarding these papers subsequently. [134660]

Mr. Bradshaw: Copies of the papers submitted will be placed in the Library of the House.

The Secretary of State has discussed these issues with Commissioner Byrne on a number of occasions, most recently on 22 September at the informal Agriculture Council at Taormina. Defra officials have also met Commission officials on a number of occasions, and are in regular contact with them.

Direct Production Payments

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the 100 farmers who received the largest direct production payments in the last year for which information is available; and how much each received. [132452]

Mr. Bradshaw: We are unable to supply information on individual payments under the terms of the Data Protection Act 1998 unless such details are allowed by any of the exemptions to the Act. If such exemptions can be identified, then further consideration can be given to the request.

Earth Summit

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the progress that has been made by her Department to meet the outcomes of the Earth Summit in Johannesburg. [136112]

Mr. Morley: I refer the hon. Member to the answer given on 1 September 2003, *Official Report*, column 845W, which noted that the Government would be presenting an overview of progress against commitments made at the Johannesburg World Summit on Sustainable Development. That progress report, which covers actions across Government, has now been published and is available at: http://www.sustainable-development.gov.uk/eac-wssd/progress.htm

GM Crops

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has commissioned into coexistence on a commercial scale between GM and non-GM crops that takes account of the interactions and relationships between seed contamination, volunteers, spillage and cross-pollination. [136234]

Mr. Morley: Defra has commissioned a number of studies relevant to co-existence to complement those undertaken by others. These include a report published in 2000 by the National Institute of Agricultural Botany on crop separation distances needed to achieve specified cross-pollination thresholds. Details of other studies

including studies on cross-pollination between GM and conventional crops and between GM crops and wild relatives and studies on the persistence and weediness of GM crop volunteers are availlable through the Defra website a: www.defra.gov.uk/environment/gm/research/index.htm The European Commission also published a major research study on this subject last year, available at: www.jrc.es/home/publications/publication.cfm?pub=1044 The body of literature was also recently reviewed by the GM Science Review Panel as part of the GM Dialogue, and their final report is available at: www.gmsciencedebate.org.uk

The Agriculture and Environment Biotechnology Commission has been analysing possible approaches to co-existence and is due to submit a report to the Government later this month. We will consider this issue further in the light of that report.

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the petition from residents within the Havering area opposing GM crops. [136475]

Mr. Morley: We have no record of receiving the specific petition to which the hon. Member refers, but the Government certainly recognise that people have concerns on this subject. We already have strict and transparent safety controls on GM crops, along with clear labelling rules to ensure consumer choice. The Government are now considering the outcome of the GM public debate that they have sponsored and will make a response to this in due course.

Livestock Industry

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions her Department has had with *(a)* industry representatives, *(b)* the Food Standards Agency and *(c)* others in respect of the regulatory framework which applies to (i) mobile slaughter operators and (ii) the livestock farmers who employ them. [136263]

Mr. Bradshaw: The public health aspects of the slaughter of animals for human consumption are a matter for the Food Standards Agency. The Fresh Meat (Hygiene and Inspection) Regulations 1995 (as amended) require that no person shall carry on the business of a slaughterhouse unless the premises are licensed under the Regulations. Furthermore the Regulations also require that no person shall sell fresh meat for human consumption unless it has been slaughtered in a licensed slaughterhouse. Consequently it is unlawful for a mobile licensed slaughterman to kill and dress an animal for human consumption outside of licensed premises. At a meeting in February this year, at which Defra officials were present, the Agency explained the regulatory framework to representatives of the National Farmers Union. Subsequently officials from both the Department and the Agency participated in a meeting arranged by the Union, at which representatives of the Union and former mobile slaughter operators were present, to discuss how the framework could apply to the licensing of mobile slaughterhouses.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from *(a)* industry representatives and *(b)* others in respect of regulations which apply to mobile slaughter operators. [136264]

Mr. Bradshaw: The National Farmers Union, Members of Parliament and members of the public have been in contact with the Department about the regulatory framework that applies to the slaughter of animals for human consumption and in particular the private kill of animals on farm.

Pair Trawling (Bass)

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to introduce an outright ban on pair trawling for bass; and what assessment she has made of the use of separator grids to preserve dolphin wildlife in the United Kingdom. [134849]

Mr. Bradshaw *[holding answer 28 October 2003]:* Defra-funded trials to reduce cetacean bycatch in the offshore bass fishery have demonstrated that separator grids are a viable means of minimising dolphin bycatch in this fishery. The very significantly reduced mortality rate overall in this trial compared with observations on boats over previous years is extremely encouraging. Two animals died in 82 hauls over a seven-week period beginning in March this year, a significant reduction in what is normally observed to be the case. In observations elsewhere in the fishery without the grid deployed, 28 dolphin casualties were recorded in 49 hauls.

On the basis of these results, we will be moving forward from trialling the separator grid to deploying the gear in the fishery. We will continue to monitor the effectiveness of the grid and adjust as necessary. If an effective reduction in small cetacean bycatch cannot be maintained through the use of the grid, I do not rule out other options such as closure of the offshore-bass fishery.

Scrapie

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received in the last six months about the eradication of genome groups under the scrapie plan; and if she will make a statement. [135378]

Mr. Bradshaw: Defra has regular contact with stakeholders to discuss a wide range of issues relating to the National Scrapie Plan. Among these are a bi-annual stakeholder forum and various ad hoc industry focus group meetings to discuss and assist in the development of proposals and initiatives to further improve and enhance the National Scrapie Plan.

Sheep Annual Premium

Mr. Llwyd: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of sheep annual premium payments were paid more than two months late in England in the last 24 months. [135380]

Mr. Bradshaw: As detailed in the table, 0.15 per cent. of 2001 Sheep Annual Premium Scheme (SAPS) claims and 0.18 per cent. of 2002 claims were paid two months later than their respective scheme year payment deadlines.

	Scheme year	
	2001	*2002*
Total claims received	30,363	27,083
Claims paid two months later than the EU payment deadline[1]		
Number	46	49
Percentage	0.15	0.18

[1] These relate claims under query.

The payment window for SAPS 2003 opened on 16 October 2003. To date, 98 per cent. of claims have been paid.

Tenant Farmers (Rents)

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the implications for tenant farmers of rural development for rents under the revised Common Agricultural Policy. [134842]

Mr. Bradshaw: The biggest implication for tenant farmers arises from the decoupling of support from production. This will mean that all farmers, including tenants, will have more flexibility in terms of what they produce. This is because the support they receive will no longer be dependent on the types of crop or livestock they farm. Taking the reforms as a whole, it is difficult to forecast the precise effects reform might have on rents. However, where tenants continue to farm and claim support, the requirement for land will continue to underpin the land rental market. Further work is planned in this area and we hope to make the results generally available in due course.

MINISTER FOR WOMEN

Regional Development Agencies

20. **Mr. Win Griffiths:** To ask the Minister for Women, what steps she is taking to help regional development agencies to encourage women to participate in the labour market. [136670]

Ms Hewitt: The Regional Development Agencies have a remit to promote skills, enterprise and labour market participation in their regions. All of these, including the provision of child care, are relevant to women's participation in the labour market.

Equal Pay

21. **Judy Mallaber:** To ask the Minister for Women, if she will make a statement on progress with the equal pay audits in Government Departments. [136671]

Jacqui Smith: The Government have made a commitment for Civil Service departments and agencies to undertake equal pay reviews and prepare action plans. Action plans representing 99 per cent. of the Civil Service have now been received by the Cabinet Office. The Government will shortly be publishing a summary of the findings from pay review action plans.

Iraq

22. **Mr. Michael Jabez Foster:** To ask the Minister for Women, what action she is taking to ensure that Iraqi women are fully involved in all plans for the *(a)* reconstruction and *(b)* Government of Iraq. [136672]

Mr. John Smith: To ask the Minister for Women what steps she is taking to ensure that Iraqi women play a part in the leadership of Iraq. [136668]

Ms Hewitt: Two weeks ago I met Dr. Raja Khuzaai, one of the two female members of the Iraqi Governing Council. In July I met the US Special Envoy, Amb. Bremer, in Baghdad. I impressed on him the importance of women's full involvement in the emerging political structures—this includes the Constitutional reform process.

I have pledged my full support for the establishment of an Iraqi Women's Higher Council—a non-governmental advisory body on women's issues.

TRADE AND INDUSTRY

Engineering Investment

12. **Helen Jackson:** To ask the Secretary of State for Trade and Industry, what recent discussions she has held with employers in the engineering sector regarding their plans for investment. [136687]

Ms Hewitt: I have benefited from a number of opportunities, both in writing and in person, to discuss a wide range of issues with representatives of the engineering sector.

Employment Rights (Parents)

13. **Mr. Tom Harris:** To ask the Secretary of State for Trade and Industry, what action she has taken to ensure that there is a high take-up of the new rights for parents of young children. [136688]

Jacqui Smith: The package of new laws implemented this April provides parents with more choice and more support about how they balance work and childcare in ways that benefit everyone: employers, employees and children. The Government have produced a wide package of support to promote take-up including guidance and case studies in booklets on the web. National adverts at the time of implementation and in October have ensured a high level of awareness. In addition, we have supported other bodies such as the Federation of Small Businesses and Fathers Direct, to produce their own material.

Research and Development

15. **Joyce Quin:** To ask the Secretary of State for Trade and Industry, what plans she has to increase research and development expenditure in the regions. [136691]

Ms Hewitt: All regions stand to benefit from the action taken by the Government to boost public R&D through the last three spending reviews and to

encourage business R&D through the tax credits. However, Government research and development spending is largely organised on a national basis as it the best means of securing value for money and driving up excellence. But the Regional Development Agencies are in an excellent position to advise on knowledge transfer in the regions and are fully engaged in the formal role of the deployment of next round of the Higher Education Innovation Fund.

Demolition/Waste Removal Sector (Insurance)

16. **Bob Russell:** To ask the Secretary of State for Trade and Industry what steps she is taking to ensure that all *(a)* demolition contractors and *(b)* waste removal companies have insurance cover. [136692]

Nigel Griffiths: Employers Liability is a statutory insurance. Enforcement for non-compliance is undertaken by the Health and Safety Executive. The Government have been actively working with stakeholders to reform and improve the existing enforcement arrangements.

If the hon. Member has details of any company breaking this statutory requirement, he should forward the details to the HSE.

Bechtel

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list the contracts for consultancy and other work carried out by Bechtel in each year since 1997, stating in each case *(a)* the nature of the work, *(b)* the value of the contract and *(c)* the duration of the contract; and if she will make a statement. [135901]

Ms Hewitt *[holding answer 3 November 2003]*: The Department has placed one direct contract with Bechtel since 1997. The work covers the provision of technical support and assistance to the Department's Liabilities Management Unit in carrying out its remit to prepare the ground for the creation of the Nuclear Decommissioning Authority. The Department paid Bechtel £8.044 million for its work in 2002–03. The contract was placed on 10 June 2002 for a two-year duration, with options to extend for a further period of up to five years.

Broadband

Mr. Luke: To ask the Secretary of State for Trade and Industry what steps she has taken to increase availability of broadband in the more disadvantaged areas of the UK [136682]

Mr. Timms: Broadband is available to 80 per cent. of households in the UK which is higher than in Italy, France and the USA. The DTI is working with the Devolved Administrations (DAs) and Regional Development Agencies (RDAs) to extend the availability of broadband still further. We have given them £30 million for pilot schemes to extend the availability of broadband. This has stimulated further regional schemes worth at least £377 million over 2000–06.

In England, the Broadband Aggregation Project will make sure that the £1 billion that the Government will spend on broadband connectivity for the public sector between 2003–06 will offer best value for money and widen availability. We have also set up a joint DTI/ Defra Rural Broadband Team to address the issue of broadband availability in rural areas.

Fair Trade

Mr. Rosindell: To ask the Secretary of State for Trade and Industry if she will make a statement on Government action to encourage fair trade initiatives. [135508]

Ms Hewitt: I strongly support the aims of the Fairtrade movement. It gives a clear indication to consumers that disadvantaged producer groups in developing countries receive a minimum price above that offered by mainstream markets.

A real strength of the Fairtrade movement has been in raising awareness among mainstream retailers about the importance of managing supply chains to maximise benefits to the poor, and in raising public awareness of important development issues surrounding trade. That is why the Government, through the Department for International Development (DFID) has provided £500,000 in support of UK development awareness and education campaigns centred on Fairtrade over the past two years. My hon. Friend the Minister for Corporate and Social Responsibility met business leaders last year to encourage greater take-up of Fairtrade products. I have ensured that Fairtrade tea and coffee is made available throughout the DTI offices and many of my Cabinet colleagues have responded to my urging to do likewise.

The Fairtrade market, despite recent rapid growth, remains small (£63 million in 2002). Through DFID's support for initiatives such as the Ethical Trading Initiative (£1.3 million over three years 2002–04)—an alliance of UK retail companies, NGOs and trade unions working to improve labour conditions in the supply chains of its corporate members—we are able to contribute to improving the working conditions under which £100 billion of goods are produced each year.

Fireworks

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what plans she has to launch a public awareness programme after the introduction of the fireworks regulations. [136286]

Mr. Sutcliffe: A communication strategy to make those affected aware of the new regulations is in preparation and will be finalised when the timing and details of the regulations are decided.

Mr. Gardiner: To ask the Secretary of State for Trade and Industry what discussions her Department has had and plans to have with *(a)* police forces and *(b)* local authorities about the implementation of the new fireworks regulations and their enforcement. [136287]

Mr. Sutcliffe: The Department has had preliminary discussions on fireworks regulations both to come into force before the end of the year and those regulatory proposals scheduled for implementation later on, in 2004.

Specifically, with respect to *(a)*, discussions have taken place on the powers required by the police to enforce possession offences under the Act; and, *(b)*, on the role of local authorities in setting up the requisite machinery for the planned national curfew on firework use, which will be a part of the raft of measures to come into force in 2004.

We will continue consultations and discussions on all proposed regulations in the coming months.

Mr. Bailey: To ask the Secretary of State for Trade and Industry whether it is her policy that the sections of the Fireworks Act 2003 that concern anti-social behaviour and fireworks should be in force by Christmas. [135922]

Mr. Sutcliffe: The Department will implement two provisions of the Fireworks Act 2003 by the end of this year—those concerned with the antisocial use of fireworks. Those are:

a prohibition on the possession of fireworks in public places by those under the age of 18; and

a prohibition on the possession of category 4 fireworks by the general public.

Other aspects of the Act concerned with both supply and other antisocial behaviour issues we intend to implement by the summer of 2004.

Inward Investment (Indian Businesses)

Mr. Luff: To ask the Secretary of State for Trade and Industry if she will make a statement on investment by Indian businesses in the UK. [136693]

Ms Hewitt: There are more than 440 Indian investments in the UK with 19 new investments last year creating 316 new jobs.

Manufacturing

Mr. Djanogly: To ask the Secretary of State for Trade and Industry what *(a)* proportion and *(b)* volume in financial terms of manufacturing conducted by companies registered in the UK (i) was carried out within the UK in 1993 and (ii) is carried out within the UK now; and what estimate her Department has made of the (A) proportion and (B) volume in *(x)* 2004, *(y)* 2008 and *(z)* 2013. [135081]

Jacqui Smith: The information requested is not available.

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what steps are being taken to encourage young people to work in the manufacturing sector. [135505]

Ms Hewitt: Through the Government's National Skills Strategy we are working closely with all sectors of industry, and other stakeholders, to ensure that employers have access to the right skills to support their businesses and organisations. This is complemented by recent changes to the National Curriculum to add vocational choice, which will encourage young people to understand the opportunities that careers in various sectors, including manufacturing, can offer them.

The DTI also published a Manufacturing Strategy, in May 2002, which set out seven areas of activity for manufacturing success, one of which was raising skills and education levels.

Modern Apprenticeships are central to this Government's drive to improve the opportunities for work-based vocational training. Our target is that by 2004, 28 per cent. of young people will start a modern apprenticeship by age 22. To aid us in this task we have has set up a Modern Apprenticeship Taskforce to look at ways to increase the opportunities available for young people to participate in high quality Modern Apprenticeships and to recommend effective and innovative ways of ensuring that Modern Apprenticeship programmes respond to the changing needs of employers and young people.

Many of the new Sector Skills Councils are helping to promote careers in manufacturing. In particular, SEMTA is supporting SETNET and financing careers advice; Skillfast UK has produced CDs containing careers advice for use in schools and colleges; and Proskills is developing a sandwiched based student apprenticeship programme.

My Department continues to support the SETNET scheme, which was created in 1996 to raise interest in science, engineering, technology and mathematics (STEM) in young people (between five and 18) by showing them that they can lead to interesting and rewarding careers—which clearly includes the manufacturing sector. SETNET operates through 53 local SETPOINTS around the UK and is involved in the provision of schemes, resources and initiatives to enrich the delivery of STEM activities in schools.

We are also taking steps to encourage interest in manufacturing and other STEM careers among women and ethnic minorities.

Manufacturing Investment

Mr. Amess: To ask the Secretary of State for Trade and Industry what steps her Department is taking to improve levels of manufacturing business investment. [136690]

Jacqui Smith: By maintaining a stable macroeconomic climate, together with measures such as reforming capital gains tax, making permanent enhanced capital allowances for small and medium sized firms, and introducing the R&D tax credit, we are providing a climate conducive to investment for the long-term in UK manufacturing.

Ofgem Guidance

Mr. John Taylor: To ask the Secretary of State for Trade and Industry what recent discussions she has had with Ofgem on the guidance they give to *(a)* hon. Members and *(b)* constituents on difficulties in obtaining responses from the Customer Relations Department of npower. [136801]

Mr. Timms: Ministers at the DTI have not had any recent discussions on these matters with Ofgem. Constituents who have had difficulty in resolving problems with gas and electricity suppliers should, in the first instance, contact the statutory consumer body, the Gas and Electricity Consumer Council (Energywatch), not Ofgem.

Patents

Mr. Allan: To ask the Secretary of State for Trade and Industry what assessment she has made of the proposed directive on the patentability of computer-implemented inventions as approved by the European Parliament on 24 September; and if she will make a statement. [136202]

Ms Hewitt *[holding answer 3 November 2003]*: In considering the best ways to encourage innovation in the UK, the Government believe that a fair and effective intellectual property system, for software as well as for other areas of technology, plays a central part in developing and protecting new ideas. The aim of the UK Government and the European Commission, in the proposed directive on software patents, is to clarify the position on patentability of computer-implemented inventions and confirm that only those inventions that involve a technical contribution can be protected by patents. We believe that this is beneficial for industry and consumers alike.

We continue to listen to the concerns of those who oppose the granting of patents in this field, and we believe that the Government's approach offers the best balance of protection for the industry and for users of software. The directive is now before a working group of the Council of Ministers where representatives from EU member states, and the Commission, will consider the amendments made by the Parliament and in due course submit it to the Council itself for its consideration. We will await the comments of the working group and the Commission before finalising our position.

Radioactive Waste

Llew Smith: To ask the Secretary of State for Trade and Industry when the planned nuclear decommissioning authority will be given powers to renegotiate existing reprocessing contracts with British Energy when it takes over the ownership and management of the THORP reprocessing plant at Sellafield. [135626]

Mr. Timms: Legislation will be brought forward to establish the Nuclear Decommissioning Authority (NDA) as soon as parliamentary time permits. We intend that the NDA will come into effect in April 2005.

The NDA will take responsibility for those liabilities and assets currently owned and managed by BNFL at the THORP reprocessing plant. As the required legislation has not yet been introduced, it would be wrong to comment on what role the NDA might have in respect of contracts between BNFL and British Energy.

In her statement to the House on 28 November 2002, my right hon. Friend the Secretary of State for Trade and Industry made clear that the Government would need to contribute significantly to British Energy's historic nuclear fuel liabilities that are managed by BNFL in order for the restructuring of British Energy to work. My right hon. Friend the Secretary of State for Trade and Industry also said she will look at how these contracts are managed as part of the creation of the NDA.

Small Business Advice

Linda Perham: To ask the Secretary of State for Trade and Industry what plans she has to improve the provision of business advice to owners of small businesses in London. [136619]

Nigel Griffiths: During the first six months of the current financial year, Business Link for London has worked with over 31,887 businesses, this compares to the corresponding period of the previous financial year (2002–03) when 16,432 businesses were assisted, this being a 94 per cent. increase, including 23 per cent. that are Black or Minority Ethnic businesses.

Business Link for London has an agreed Delivery Plan with the Small Business Service to provide a high quality business advice and support service to small and medium sized businesses (SMEs) in London.

Client satisfaction levels are currently at 83.1 per cent. (Quarter 2 result 2003–04), a 5.1 per cent. raise in satisfaction levels compared to the corresponding period in the previous financial year, showing that the quality of service is improving as well as the numbers receiving the service.

Small Loans Guarantee Fund

Linda Perham: To ask the Secretary of State for Trade and Industry if she will make it her policy to increase the level at which the Government underwrite the Small Loans Guarantee Fund. [136618]

Nigel Griffiths: The Small Firms Loan Guarantee (SFLG) was extensively revised in April 2003 as part of the DTI's transformed business support programme. The changes, including a new guarantee level of 75 per cent for all eligible businesses and additional sector coverage including retail and catering, simplified the SFLG and widened its scope. From 1 April 2003 to 30 September 2003 take-up increased by 40 per cent over the same period last year. The DTI continues to monitor the operation of the SFLG to ensure that it remains relevant and accessible to small businesses.

Technology Sector

Mr. Rosindell: To ask the Secretary of State for Trade and Industry what assessment she has made of the state of the technological sector in the United Kingdom. [135511]

Ms Hewitt: During the course of the Innovation Review, my officials have produced a detailed economic assessment of the UK's innovation performance. This includes data and analysis on the technological performance of UK based firms.

This assessment will be published shortly.

HOME DEPARTMENT

Evidence (Duress)

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what safeguards UK courts have in place to ensure that evidence presented before them has not been obtained under duress; and if he will make a statement. [132644]

Paul Goggins: I refer my hon. Friend to my answer given on 14 October 2003, *Official Report*, column 102W.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 14 August from the right hon. Member for Manchester, Gorton, with regard to Mr. Khalid Rahtin. [133842]

Mr. Blunkett: I wrote to my right hon. Friend on 3 September 2003.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he will reply to the letter to him dated 2 September from the right hon. Member for Manchester, Gorton, with regard to facilities for the disabled. [133843]

Mr. Blunkett: I wrote to my right hon. Friend on 23 October 2003.

Criminal Justice Boards

Mrs. Brooke: To ask the Secretary of State for the Home Department how many targets he has set for each local criminal justice board in 2003–04. [133485]

Paul Goggins: For the year 2003–04 and in the context of the Criminal Justice System Public Service Agreement, each local criminal justice board has been set the following targets:

A nationally set target to increase by five per cent. the number of crimes for which an offender is brought to justice—this is also known as the 'narrowing the justice gap' target.

The 'Narrowing the Justice Gap' target includes two further locally set sub-targets:

- To increase the number (within a range of five—15 per cent.) of offences brought to justice committed by the core group of persistent offenders.
- To reduce the proportion of ineffective trials with locally set targets contributing to a required national level of improvement of 27 per cent. in both Crown court and magistrates courts over the three-year course of the target.

A nationally set target to improve the level of public confidence in the criminal justice system—where a national six per cent point improvement is sought over the three-year course of the target.

Outside of the Criminal Justice System Public Service Agreement, local boards have also been set the following targets for the year 2003–04:

A nationally set target to ensure that the average time from arrest to sentence for Persistent young offenders is halved from 142 days to 71 days or lower in all criminal justice areas.

A number of locally set targets across the time cases take, covering both youths and adults cases from charge to completion in the magistrates courts, and separately the time taken to handle a case in the Crown court ('timeliness' targets)—with the proviso that any area currently performing the national average must set an improvement target.

Criminal Records Bureau

Mr. Bailey: To ask the Secretary of State for the Home Department (1) what assessment was made of the increase in running costs to the Criminal Records Bureau that necessitated the recent increase in fee levels; [131815]

(2) what the changes were since 1993 in fees from the Criminal Records Bureau to local authorities for applications for posts in the education and social care sectors. [131819]

Paul Goggins: The Criminal Records Bureau began operating in March 2002. Initially, the fee for both Standard and Enhanced Disclosures was £12 (with Disclosures issued free of charge to volunteers). We made it clear that the Bureau would eventually become self-financing through the fees that it charged and that the fees would be reviewed regularly. With effect from 1 July 2003, the fee for Standard Disclosures has risen to £24 and for Enhanced Disclosures to £29. A copy of a Regulatory Impact Assessment containing more detailed information has been placed in the Library.

The Disclosure fee is determined by a combination of CRB costs and the volume of applications. The deferment of the introduction of Basic Disclosures has inevitably meant that the volumes of Disclosures issued has been less than forecast, thereby pushing up the unit cost of producing each Disclosure. In addition, the CRB has experienced some increase in costs, for example, as a result of the introduction of the paper application channel in response to customer demand. The CRB's planned expenditure in 2003–04 is £75 million (on the basis of a projected demand for 2.3 million Disclosures) as compared with an outturn of £59 million in 2002–03 (when some 1.5 million Disclosures were issued).

Mr. Bailey: To ask the Secretary of State for the Home Department (1) what the average time taken to assess a Criminal Records Bureau application in the education and social care sectors was in the last quarter for which figures are available; [131816]

(2) what the backlog is of Criminal Records Bureau assessments in education and social care. [131817]

Paul Goggins: The specific information that my hon. Friend has asked for on processing times for applicants in the education and social care sectors is not available from the Criminal Records Bureau (CRB) systems. The CRB does monitor and report on the average time to deal with all Disclosure applications, but its systems do not break this information down by sector.

Likewise, the number of applications from individual sectors that are still awaiting a disclosure is not available. At present, however, the Bureau is processing in excess of 90 per cent. of all Enhanced Disclosures in four weeks and 90 per cent. of all Standard disclosures in two weeks. These performance figures are available on the CRB website: www.crb.gov.uk

The CRB also monitors the number of applications that have been outstanding for more than six weeks. As at 4 October 2003, the latest date for which figures are available, the number of applications over six weeks old and awaiting completion is 1,486.

John Cryer: To ask the Secretary of State for the Home Department what plans he has to reduce the time taken for Criminal Records Bureau checks to be carried out on new staff in care homes. [133272]

Paul Goggins: Over 90 per cent. of Standard and Enhanced Disclosures are now issued within two and four weeks respectively, exceeding current service standards. These have been set based on experience gained of this complex operation. The current targets are realistic but challenging. They will be kept under review.

We are determined to continue to improve the efficiency of the Criminal Records Bureau (CRB) and the quality of the service it provides to its customers. Measures are currently under consideration in light of the recommendations of the Independent Review Team appointed by my right hon. Friend the Home Secretary which are designed to reduce processing time.

As the independent regulator, the National Care Standards Commission (NCSC) has the responsibility to ensure that care homes meet all their statutory obligations. It has stated clearly that where CRB clearances are not in place, and provided that the welfare of care home residents is protected, it will apply its discretion on the use of its enforcement powers on a case by case basis. The NCSC issued a press release on 22 September 2003 setting out its approach to CRB checks for care home staff. A copy is available on the NCSC's website at www.carestandards.org.uk.

Mr. Waterson: To ask the Secretary of State for the Home Department what recent representations he has received in the increase in fees for security checks charged by the Criminal Records Bureau. [133384]

Paul Goggins: We have received—both direct and through right hon. and hon. Members—a significant number of representations. These have, chiefly concerned two issues: the size of the increases in fees, which reflect increased unit costs and the need for the Criminal Records Bureau (CRB) to move substantially towards a target of being self-financing by 2005–06; and the short notice of the increases which reflected the need to reduce the possibility of a surge in demand which could have had a detrimental effect on the CRB's operation.

Domestic Violence

Mr. Hancock: To ask the Secretary of State for the Home Department what guidance he gives on the way the police deal with the perpetrators of domestic violence. [130990]

Paul Goggins: Home Office circular 19/2000 gives guidance on police handling cases of domestic violence.

The National Centre for Policing Excellence (NCPE) is currently developing updated guidelines for police handling of domestic violence cases.

Diana Organ: To ask the Secretary of State for the Home Department (1) how the funding announced in January for domestic violence projects will be allocated; [134912]

(2) in which financial year he will allocate the money announced in January for domestic violence projects; [134913]

(3) when funding for domestic violence projects will be transferred from his Department to crime and disorder partnerships; whether the funds for prevention domestic violence will be ring-fenced; whether prevention of domestic violence will remain a priority for the Department under the new funding arrangements; and if he will make a statement. [134960]

Paul Goggins: Domestic violence accounts for around 25 per cent. of violent crime and tackling it effectively remains a priority for the Home Department.

In February this year my right hon. Friend the Home Secretary announced a £14 million funding package for domestic violence over a three year period. The first allocation from this funding—announced in May—was of over £2 million this year to domestic violence projects set up under the Crime Reduction Programme's Violence Against Women initiative. This included Gloucestershire's 'Co-ordinated Community Response' to domestic violence. This funding was to help these projects ensure that their services are work of local agencies and that they can secure sustainable ongoing funding for the longer term.

Further funding over the three years will be allocated to help improve local action on domestic violence through Crime and Disorder Reduction Partnerships (CDRPs). A 'mapping exercise' of CDRP activity on domestic violence has recently been conducted to help inform these further allocations. We will be making announcements on this shortly.

Drugs

Norman Lamb: To ask the Secretary of State for the Home Department what assessment he has made of the trade in heroin emanating from Afghanistan since the defeat of the Taliban; and if he will make a statement on the trends in volumes of heroin arriving in the United Kingdom from Afghanistan. [135856]

Mr. Rammell: I have been asked to reply.

I refer the hon. Member to my written ministerial statement on 30 October 2003 regarding the United Nations Office on Drugs and Crime (UNODC) survey results for the 2003 opium poppy crop in Afghanistan, *Official Report*, column 20WS.

The UNODC conducts an annual survey into the level of opium poppy cultivation and production in Afghanistan. It has reported levels over the past five years as follows:

	Hectares	*Tonnes*
1999	91,000	4,600
2000	82,000	3,300
2001	8,000	185
2002	74,000	3,400
2003	80,000	3,600

The UNODC figures for 2001 reflects the Taliban ban on opium cultivation. The ban did not however address the underlying causes of poppy cultivation in Afghanistan and was enforced with a mix of serious violence and bribery.

Afghanistan is the world's leading producer of opium and the UNODC has estimated that, taking into account seizures in the region, the likely amounts available for shipment out of Afghanistan in 2002 were 685 tons of opium and 212 tons of heroin and morphine. Approximately 25–35 metric tons of heroin are targeted on the UK every year and we estimate that around 95 per cent. of this originates from Afghanistan. Trends have remained fairly static.

The UNODC poppy cultivation survey in 2003 has shown reductions in the traditional areas, which demonstrates that drug control policy has been effective where the Afghan Government have been able to exert control. Increasing security and stability in Afghanistan remains key to progress in reducing opium production. This in turn will also bring more stability to Afghanistan.

Mr. Rosindell: To ask the Secretary of State for the Home Department, what is being done to combat the international drugs trade, particularly that emanating from countries of concern; and if he will make a statement on its impact upon the United Kingdom. [136478]

Mr. Rammell: I have been asked to reply.

The FCO's commitment to tackle international drug trafficking is set out in its Public Service Agreements. In line with the Government's 10-year drugs strategy, '1998–2008: Tackling Drugs Together to Build a Better Britain', the FCO's priority is to reduce the availability of Class A drugs in the UK. Through the Drugs and Crime Fund (£9.9 million in the financial year 2003–04), the FCO assists law enforcement and other agencies in key production and transit countries to improve their capability to disrupt the flow of Class A drugs to the UK.

About 95 per cent. of the UK's heroin comes from Afghanistan. Afghanistan's National Drug Control Strategy, agreed earlier this year, has set the target of eliminating opium poppy by 2013. The UK is investing £70 million on sustainable measures over the next three years to support implementation of that strategy. Additional staff are being deployed to Kabul to assist in the implementation. I will be co-hosting, with President Karzai and the United Nations Office on Drugs and Crime (UNODC), an international conference in Kabul in February next year to boost further the international counter-narcotics effort in Afghanistan.

In the financial year 2002–03 the FCO provided over £5 million in counter-narcotics related assistance to priority countries in South America and the Caribbean where illegal drugs are produced or trafficked. This assistance included funding for HMCE drug law enforcement training, provision of drug detection equipment, assessment of local law enforcement communications equipment and contributions to UNODC projects.

Fireworks

Tony Cunningham: To ask the Secretary of State for the Home Department what measures are being taken to halt the illegal importation of fireworks, in particular through the internet. [136958]

Mr. Sutcliffe: I have been asked to reply.

Talks are already under way between DTI and the principal Departments that deal with importation and storage issues, that is, Customs and Excise and HSE, respectively.

The Department, under the new Fireworks Act 2003, will bring in a raft of measures by the summer of 2004 and which will include a requirement on importers to provide information about their imports. The purpose of this would be to better track fireworks imports to help ensure that they are destined for legal (licensed) distribution and supply outlets.

Forensic Science Service

Mr. Grogan: To ask the Secretary of State for the Home Department whether the proposed Public-Private Partnership regarding the Forensic Science Service will require legislation. [132404]

Ms Blears: The transformation of the Forensic Science Service into a Public-Private Partnership will require the revocation of the Forensic Science Service Trading Fund Order 1998.

Information Technology

Mr. Oaten: To ask the Secretary of State for the Home Department how much was spent on purchasing and upgrading IT equipment by his Department *(a)* in 2003 and *(b)* in 2002; and what this cost per employee. [135895]

Fiona Mactaggart: The information requested is in the following table:

	Time period	*Totals (£)*
Part FY	01 January 2002–31 March 2002	36,464,010
Full FY	01 April 2002–31 March 2003	13,017,585
Part FY	01 April 2003–30 September 2003	9,127,403
		58,608,998

Note:
(a) The figures are expenditure incurred by the Home Department, which excludes Executive Agencies and Non-Departmental Public Bodies (NDPBs).
(b) The figures exclude expenditure from the Department's Outsourced Managed Service Contracts for the provision of IT infrastructure services, where the assets have not transferred to the public sector.

The Home Department is unable accurately to reflect the cost per employee of purchasing and upgrading IT equipment due to differing commercial arrangements adopted in its contracts.

Jury Trial

Bob Spink: To ask the Secretary of State for the Home Department *(a)* in what circumstances and *(b)* for which criminal offences a jury trial may be refused to a person charged with a criminal offence. [135019]

Paul Goggins: There are presently no circumstances in which a person charged with a criminal offence may be refused jury trial.

Certain offences are triable only on indictment, and must be heard by a judge and jury. Summary offences—which constitute the overwhelming majority of criminal cases—are triable only in the magistrates' courts unless they fulfil certain conditions (for example, because they are related to an indictable-only offence). Other offences are triable either way:

> by a judge and jury in the Crown Court on the direction of the magistrate or the election of the defendant, or summarily, with the consent of the defendant. There are no circumstances in which a person charged with an either-way offence can be tried summarily unless he or she has consented to summary trial. The Criminal Justice Bill currently before Parliament sets out new procedures for deciding the allocation of either-way cases, and for the sending to the Crown Court of those cases which need to go there, according to these principles.

The Government have proposed in the Criminal Justice Bill that the prosecution should be able to apply for a trial on indictment in the Crown Court to proceed in the absence of a jury where the length and/or complexity of the trial is likely either to be so burdensome upon the jury trying it as to make it necessary in the interests of justice to conduct the trial without a jury, or to place an excessive burden on the life of a typical juror. The length or complexity (or both) must be caused by the need to address arrangements, transactions or records of a financial or commercial nature or which relate to property. The Bill also provides for a trial on indictment in the Crown Court to be conducted without a jury where there is a real and present danger of jury tampering, or to be continued without a jury where the jury has been discharged because of jury tampering. None of these provisions is restricted to particular criminal offences.

The provisions were defeated at Lords Committee stage of the Bill. The Government have indicated their intention to reinstate them when the Bill returns to the House of Commons.

Prison Officers

David Davis: To ask the Secretary of State for the Home Department how many full-time prison officers were employed by Her Majesty's Prison Service in the East Riding of Yorkshire on 1 September in each of the last three years. [136469]

Paul Goggins: There are two prisons managed by Her Majesty's Prison Service (public sector prisons) in the East Riding of Yorkshire: Everthorpe and Hull prisons. Information on full-time officers employed at these prisons in each of the last three years is shown in the table.

	Full time officers in post		
Establishment	*1 September 2003*	*1 September 2002*	*1 September 2001*
HMP Everthorpe	124	120	125
HMP Hull	342	307	242

Officers include prison officers, senior officers and principal officers.

Prison Population

Mr. Keith Bradley: To ask the Secretary of State for the Home Department what the percentage change in the prison population has been in each of the last 10 years; and what the percentage change in numbers of prison officers has been in each year in the same period. [129604]

Paul Goggins: The information requested is given in the following table. Figures are for England and Wales. Figures exclude those in privately managed prisons.

Year (as at end March)	*Percentage change in prison population compared to previous year*	*Percentage change in number of prison officers compared to previous year*
1994	10.3	-1.5
1995	4.4	2.0
1996	4.4	0.7
1997	10.0	-5.5
1998	7.8	1.7
1999	-2.5	1.8
2000	0.4	0.9
2001	-0.6	-1.3
2002	6.2	-3.0
2003	4.6	2.3

Witnesses

David Davis: To ask the Secretary of State for the Home Department what steps are being taken to maximise the number of witnesses to crime who *(a)* come forward and *(b)* stay with a case to its conclusion. [134054]

Paul Goggins *[holding answer 23 October 2003]:* The Government published in July this year a national strategy to deliver improved services to victims and witnesses. It recognises that ensuring witnesses come forward and give evidence in court is essential for the effective administration of justice.

The Criminal Procedure (Attendance of Witnesses) Act 1965 and the Magistrates' Court Act 1980 already provide for a witness summons to be issued if the court is satisfied that the witness is likely to be able to give or produce material evidence but will not do so voluntarily. On 3 October we published a consultation paper and invited responses by 2 January 2004 to a proposal to introduce a greater element of compulsion in securing the attendance of witnesses in court.

The Government have introduced a range of special measures to assist vulnerable witnesses to give their evidence in court, including video recording, live links, the use of intermediaries and communication aids. The Youth Justice and Criminal Evidence Act 1999 provides the legislative framework for these measures and a phased implementation programme began on 24 July 2002.

Pilot projects to maximise the number of witnesses coming forward and staying with the case are currently operating on a local basis and the Government have agreed to support these financially. For example:

The West Mercia Constabulary is engaged on a project to examine the reasons why some witnesses are reluctant to report crime and to test the effectiveness of a single point of contact (a "one stop shop") as a way of regularly updating witnesses on the progress of their cases.

The Warwickshire Police is piloting the co-location of police and Crown Prosecution Service (CPS) staff dealing with witnesses and integrated information technology.

The Metropolitan Police is piloting better co-ordination of the arrangements, both within and between criminal justice agencies, of the arrangements for dealing with witnesses.

The CPS, the Prime Minister's Office of Public Service Reform (OPSR) and the Association of Chief Police Officers (ACPO) are running a joint project with pilot sites in South Yorkshire, West Midlands, North Wales, Gwent and Essex. This project is testing a customer-focused service that tailors support more closely to individual witnesses' needs and provides multi-agency dedicated witness care units. These work with witnesses at every stage of the criminal justice process.

The pilots directly support the criminal justice system's Public Service Agreement (PSA) target of narrowing the justice gap, reducing ineffective hearings and raising public confidence. They also complement two other key criminal justice initiatives—the CPS/ACPO Charging Programme and the Effective Trial Management Programme.

EDUCATION AND SKILLS

Education and Business Links

Linda Perham: To ask the Secretary of State for Education and Skills if he will take steps to seek to improve school leavers' understanding of the business environment. [136615]

Mr. Miliband: We are already taking steps for this goal. The introduction of work-related learning in September 2004 as a statutory requirement at Key Stage 4 for 14 to 16 year-olds will help improve pupils' understanding of the diversity and function of business and its contribution to national prosperity. As part of this, from 2005 all Key Stage 4 pupils will be offered the equivalent of five days' enterprise activity which will develop enterprise capability. This will add to their existing learning opportunities through the PSHE and citizenship curriculum and activities such as work experience placements, industry days and employer mentoring schemes.

Education Provision (Bath and North East Somerset)

Dan Norris: To ask the Secretary of State for Education and Skills if he will list the schools in Bath and North East Somerset which have benefited significantly from the Government's capital initiatives since 1997. [136319]

Mr. Miliband: All schools in Bath and North East Somerset have benefited significantly from capital investment, as we introduced Devolved formula capital for all schools in 2000–01. For a typical primary school of 250 pupils this is worth £21,900 in 2003–04, rising to £25,500 in 2005–06. A typical secondary of 1,000 pupils would receive £74,900 in 2003–04, rising to £87,250 in 2005–06.

As the majority of capital funding is now allocated to local education authorities by formula, so that they can fund locally agreed priorities, the Department does not collect detailed information about the work carried out. This should be held locally. Overall capital investment is set to rise from £3.8 billion this year to over £5 billion in 2005–06, compared with under £700 million in 1996–97.

Dan Norris: To ask the Secretary of State for Education and Skills if he will estimate how many support staff were employed by schools in Bath and North East Somerset in *(a)* 1997 and *(b)* 2003. [136333]

Mr. Miliband: Support staff numbers in maintained schools in England by local authority are shown in table 19 of the Schools Workforce in England statistical first release (SFR) of 9 September 2003. A copy of this SFR has been placed in the Library. The table is also available on the statistics section of the DfES website at: http://www.dfes.gov.uk/rsgateway/DB/SFR/s000411/index.shtml

Dan Norris: To ask the Secretary of State for Education and Skills how many full-time equivalent teachers there were in Bath and North East Somerset in *(a)* 1997, *(b)* 2001 and *(c)* 2003. [136334]

Mr. Miliband: Full-time equivalent teacher numbers in maintained schools in England by local authority are shown in table 15 of the Schools Workforce in England statistical first release (SFR) of 9 September 2003. A copy of this SFR has been placed in the Library. The table is also available on the statistics section of the DfES website at: http://www.dfes.gov.uk/rsgateway/DB/SFR/s000411/index.shtml

Dan Norris: To ask the Secretary of State for Education and Skills (1) what proportion of 15-year-olds in Bath and North East Somerset in 2002–03 entered for GCSE or equivalent examinations; [136340]

(2) what proportion of 15-year-olds in Bath and North East Somerset in *(a)* 1996–97 and *(b)* 1997–98 achieved *(a)* five or more A*-C GCSE grades and *(b)* one or more GCSE passes. [136341]

Mr. Miliband: The statistical information for Bath and North East Somerset requested in the two questions 136340 and 136341 is detailed in the table:

		Percentage of:	
Academic Year	*15-year-old pupils who entered for 1 or more GCSE/GNVQ*	*15-year-olds achieving 5 or more grades A*-C GCSE/GNVQ*	*15-year-olds achieving 1 or more grades A*-G GCSE/GNVQ*
1997	96.4	51.3	95.3
1998	97.2	53.2	96.5
2003 (provisional)	97.1	59.7	95.9

Education Provision (East Riding)

David Davis: To ask the Secretary of State for Education and Skills how many *(a)* primary and *(b)* secondary teacher vacancies there were in the East Riding of Yorkshire on 31 October of each year since 1997. [136058]

Mr. Miliband: Vacancy data as at October are not collected. The following table shows teacher vacancies in maintained nursery, primary and secondary schools in the East Riding of Yorkshire at January of each year.

Full-time vacancies in the East Riding of Yorkshire:

	Nursery and Primary	*Secondary*
1997	0	0
1998	1	0
1999	4	0
2000	2	0
2001	0	6
2002	12	12
2003	0	5

David Davis: To ask the Secretary of State for Education and Skills if he will list the average class sizes of *(a)* primary and *(b)* secondary schools in Haltemprice and Howden for the current academic year. [136060]

Mr. Stephen Twigg: Figures on average class sizes for primary and secondary schools for this academic year are not yet available. Monitoring of all class sizes is carried out via the information collected in the Annual Schools Census in January of each year.

As at January 2003, the average sizes of classes taught by one teacher in primary schools and secondary schools in Haltemprice and Howden were 26.8 and 22.2 respectively.

The national figures for primary and secondary schools were 26.3 and 21.9 respectively.

Free School Dinners

Ms Buck: To ask the Secretary of State for Education and Skills what proportion of pupils are eligible for free school dinners in each constituency, listed in descending order. [136282]

Mr. Stephen Twigg: The information requested has been placed in the House of Commons Library.

Higher Education (Social Groups)

Mr. Damian Green: To ask the Secretary of State for Education and Skills (1) how many students were admitted to higher education from each social group in each academic year since 1997; [133701]

(2) how many applicants to higher education there were from each social group in each academic year since 1997. [133702]

Alan Johnson: I refer the hon. Member to the answer I gave him on 3 June 2003, *Official Report*, column 214W, which gave the latest available figures for applicants and accepted applicants through the Universities and Colleges Admissions Service (UCAS) to full-time and sandwich undergraduate courses in the UK.

Figures for 2003 entry should be available in early 2004.

Key Stage Tests

Dan Norris: To ask the Secretary of State for Education and Skills how many 14 year-olds in Bath and North East Somerset were eligible to sit Key Stage 3 tests in 2002–03. [136316]

Mr. Miliband: The total number of Key Stage 3 eligible pupils in 2002 and 2003 in Bath and North East Somerset were:

2003 (Provisional)—2,219

2002—2,189

Dan Norris: To ask the Secretary of State for Education and Skills what proportion of children in Bath and North East Somerset in *(a)* 1996–97 and *(b)* 2002–03 gained level 5 or above in their Key Stage 3 tests in (i) English and (ii) mathematics. [136317]

Mr. Miliband: The percentage of pupils achieving Level 5 or above at Key Stage 3 in Bath and North East Somerset in *(a)* 1997 and *(b)* 2003 in (i) English and (ii) mathematics are as follows:

Percentage

	English	*Mathematics*
1997		
Bath and North East Somerset	64	67
England	57	60
2003 (provisional)		
Bath and North East Somerset	74	76
England	68	70

Dan Norris: To ask the Secretary of State for Education and Skills how many pupils each year, between 1996–97 and 2002–03, gained *(a)* Key Stage 5 A-Cs, *(b)* Key Stage 2 level 4 and *(c)* Key Stage 3 level 5. [136339]

Mr. Miliband: The figures requested for all schools in England are:

(a) GCSE/GNVQ

	Number achieving 5 or more A-C*	*Percentage achieving 5 or more A*-C*
1996–97	264,892	45.1
1997–98	266,431	46.3
1998–99	278,560	47.9
1999–2000	285,727	49.2
2000–01	301,542	50.0
2001–02	312,739	51.6
2002–03[1]	327,301	52.6

(b) KS2 tests

	English		Maths		Science	
	Number achieving Level 5 or above	*Percentage achieving Level 4 or above*	*Number achieving Level 5 or above*	*Percentage achieving Level 4 or above*	*Number achieving Level 5 or above*	*Percentage achieving Level 4 or above*
1996/97	373,392	63	365,998	62	404,629	69
1997/98	394,170	65	356,749	59	420,577	69
1998/99	443,445	71	434,044	69	493,235	78
1999/2000	466,408	75	446,480	72	527,428	85
2000/01	474,881	75	446,998	71	552,699	87
2001/02	478,533	75	468,994	73	553,462	86
2002/03[1]	477,625	75	461,804	73	551,031	87

(c) KS3 tests

	English		Maths		Science	
	Number achieving Level 5 or above	*Percentage achieving Level 5 or above*	*Number achieving Level 5 or above*	*Percentage achieving Level 5 or above*	*Number achieving Level 5 or above*	*Percentage achieving Level 5 or above*
1996/97	315,582	57	332,482	60	331,834	60
1997/98	357,973	65	331,582	59	310,502	56
1998/99	365,702	64	358,423	62	315,192	55
1999/2000	369,786	64	376,274	65	343,787	59
2000/01	382,566	65	394,581	66	389,996	66
2001/02	407,269	67	412,016	67	407,374	67
2002/03[1]	412,847	68	428,557	70	414,027	68

[1] Provisional figures

Qualifications

Mr. Boswell: To ask the Secretary of State for Education and Skills if he will make a statement on the findings of research conducted for his Department by Machin, Vignoles and Galindo-Rueda on the relationship between institutional productivity and skills attainments at various levels. [136457]

Mr. Charles Clarke: The research by Machin, Vignoles and Galindo-Rueda showed strong productivity effects from academic level 4+ qualifications and positive productivity effects from level 2 academic qualifications, although these are not quite as robust as the academic level 4 results. At both of these levels employers receive a productivity benefit over and above the wage increase employees enjoyed as a result of holding these qualifications.

No systematic impact on productivity from vocational qualifications was found, regardless of level though the methodology used meant that the impact of vocational qualifications would be more difficult to detect than that of academic qualifications. The authors themselves admit that this finding contradicts previous research, such as that by McIntosh[1], which shows that there are wage returns to the individual for vocational qualifications. Further work is being carried out to gain a firmer evidence base in this area.

The analysis also showed that workers with the poorest basic skills are more likely to be found out of work.

[1] McIntosh, S. Further Analysis of the Further Returns to Academic and Vocational Qualifications. DfES 2002 (RR370)

Schools (Ethnic Mix)

Mr. Gordon Prentice: To ask the Secretary of State for Education and Skills what steps he is taking to promote a greater ethnic mix in schools in multi-ethnic areas; and if he will make a statement. [136074]

Mr. Stephen Twigg: The Code of Practice on School Admissions was revised in January 2003 and makes it clear that all admission authorities have a duty to promote racial equality and should assess the impact of their admissions policies on ethnic minority pupils and parents.

Guidance issued earlier this year to School Organisation Committees asks them to consider the potential contribution to community cohesion when considering proposals for a new school. Schools can promote community cohesion by inclusive admission arrangements or by working with other local schools to bring children of different cultural and ethnic backgrounds together to promote understanding between different groups in our society.

Student Drop-out

Mr. Boswell: To ask the Secretary of State for Education and Skills how many students dropped out from undergraduate degree courses in each of the past five years, broken down by the year of their course in which the drop-out occurred. [131728]

Alan Johnson: The available information on the non-continuation of students beyond the first year in each university, and the projected course non-completion rate in each university is contained in "Performance Indicators in Higher Education in the UK" published by the Higher Education Funding Council for England, a copy of which is available from the House library. The latest edition, published in December 2002, gives figures for students starting full-time degree courses in the United Kingdom in 1999/00. No data are held covering those students who drop out of their course after two or three years.

The latest figures are given below. Corresponding data for 2000/01 will be published later in the autumn.

Completion rates of HE students in UK HE institutions

	Full-time first degree entrants	
Students starting courses in academic year:	*Percentage not continuing to 2nd year*	*Percentage who failed to complete the course*
1996/97	10	18
1997/98	9	17
1998/99	10	17
1999/2000	10	17

Nationally, the non-completion rate has remained broadly the same at 17–18 per cent. since 1991–92, a period of considerable expansion of student numbers.

Figures published in 2003 by the Organisation for Economic Co-operation and Development (OECD) show that the UK has one of the lowest non-completion rates among OECD countries.

Student Performance Variations

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will make a statement on the "Education at a Glance" 2003: OECD Indicators finding that in the United Kingdom 82 per cent. of the variation in student performance lies within schools. [131954]

Alan Johnson: The OECD's "Education at a Glance" for 2003 reports the variation in reading literacy between schools in the UK to be 22.4 per cent. of the average variation in student performance across all OECD countries, and the corresponding variation in reading literacy within UK schools to be 82.3 per cent. Taken together, these variances imply that 78.6 per cent. of the total UK variance lay within schools, and 21.4 per cent. between.

A majority of the countries that participated in PISA 2000 showed a greater variation in performance within schools than between schools. Compared with the UK, within-school variation was higher in Australia, New Zealand, Denmark, Norway, Sweden, Iceland and the USA. The UK had a similar level of within-school variation to Finland, Ireland and Canada. Countries that have more selection by ability tend to show more variation between schools and less variation within them, compared to countries with less selection.

An important contributor to the variation in reading literacy performance in schools is socio-economic background. We aim through our proposals for 14 to 19-year-olds[1] to transform the learning experience for young people, so that by the age of 16 they are committed to continued learning, whether in school, college or the workplace, whatever their home background.

Policies aimed at levelling up pupil attainment include:

the school work force reform programme, the central purpose of which is to give teachers more time to focus on activities that really make a difference—including the planning, preparation and assessment that enable teaching and learning to be tailored to individual pupil needs;

work to strengthen school leadership such as the National Professional Qualification for Headship, now run by the National College for School Leadership (NCSL) which also runs programmes to improve the performance of middle managers such as year heads;

tracking pupil achievement more closely; and

supporting parents and encouraging them to participate in their children's learning, in line with research evidence showing (i) that parental interest in their child's education between the ages of 11 and 16 has a more powerful effect on children's attainment than social class, size of family and level of parental education; and (ii) that good at-home parenting has a significant impact on children's education throughout the years of schooling.

The creation of the Children and Families Directorate and the recent publication of the Green Paper "Every Child Matters" reaffirm the Department's commitment to making life better for children and their families.

[1] 14–19: opportunity and excellence.

Teacher Numbers

Simon Hughes: To ask the Secretary of State for Education and Skills how many qualified teachers were working in *(a)* primary schools and *(b)* secondary schools in each borough of London for each year since 1997. [135150]

Mr. Miliband: The following tables show full-time equivalent regular qualified teachers in maintained nursery/primary and secondary schools in each London authority in January of each year since 1997. During this period there was a decrease of 8,200 in the number of pupils in primary schools in London and an increase of 42,800 in secondary school pupil numbers. The tables exclude regular teachers without Qualified Teacher Status (QTS), for example, those on employment based routes leading to QTS and those who have overseas teaching qualifications. There were 5,400 full-time equivalent regular teachers without QTS in service in maintained nursery/primary and secondary schools in London in January 2003.

Full-time equivalent regular[1] qualified primary school teachers

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
City of London	10	20	20	20	10	10	20
Camden	590	560	550	580	520	530	580
Greenwich	1,020	990	990	1,010	970	930	930
Hackney	840	850	870	870	840	780	790
Hammersmith and Fulham	460	410	410	440	430	450	420
Islington	800	800	740	750	680	750	700
Kensington and Chelsea	360	350	350	330	340	340	340
Lambeth	1,040	1,040	1,010	950	960	990	940
Lewisham	1,010	1,010	970	1,020	1,030	1,010	1,050
Southwark	1,000	1,030	1,050	1,040	1,080	1,060	1,060
Tower Hamlets	1,150	1,080	1,140	1,100	1,040	990	940
Wandsworth	870	850	890	870	860	860	840

Full-time equivalent regular[1] qualified primary school teachers

	1997	1998	1999	2000	2001	2002	2003
Westminster	560	520	530	530	520	520	530
Barking and Dagenham	750	720	730	730	740	720	710
Barnet	1,270	1,210	1,230	1,220	1,190	1,200	1,190
Bexley	890	870	900	880	910	910	850
Brent	1,110	1,100	1,090	1,030	1,020	1,010	1,020
Bromley	970	980	1,000	980	1,090	1,100	1,080
Croydon	1,420	1,400	1,380	1,530	1,550	1,370	1,370
Ealing	1,210	1,200	1,200	1,170	1,140	1,120	1,030
Enfield	1,110	1,130	1,120	1,260	1,150	1,230	1,120
Haringey	1,020	1,010	1,000	990	970	950	940
Harrow	960	910	890	800	880	840	830
Havering	900	890	900	920	890	890	870
Hillingdon	930	930	920	970	990	960	920
Hounslow	910	880	890	870	850	830	750
Kingston upon Thames	490	480	480	490	490	490	500
Merton	690	670	680	640	670	650	600
Newham	1,110	1,110	1,160	1,210	1,210	1,210	1,210
Redbridge	910	920	950	980	970	940	930
Richmond upon Thames	550	550	550	540	560	520	560
Sutton	580	590	600	600	620	610	650
Waltham Forest	990	1,030	1,040	950	890	910	780
London	28,470	28,070	28,230	28,280	28,050	27,690	27,040

Full-time equivalent regular[1] qualified secondary school teachers

	1997	1998	1999	2000	2001	2002	2003
City of London	0	0	0	0	0	0	0
Camden	770	770	740	630	760	780	650
Greenwich	870	850	860	870	890	940	930
Hackney	490	510	530	520	480	500	510
Hammersmith and Fulham	360	410	410	450	440	420	390
Islington	520	500	490	510	510	500	490
Kensington and Chelsea	250	250	250	240	250	240	240
Lambeth	480	510	490	510	490	470	470
Lewisham	740	740	730	740	800	770	780
Southwark	590	620	620	630	630	680	620
Tower Hamlets	900	890	910	890	880	860	960
Wandsworth	640	640	640	630	650	660	630
Westminster	530	540	550	560	570	570	550
Barking and Dagenham	660	640	660	670	660	680	690
Barnet	1,410	1,360	1,370	1,380	1,390	1,370	1,390
Bexley	900	920	950	940	950	1,050	1,010
Brent	930	950	940	940	910	920	1,050
Bromley	1,170	1,190	1,200	1,200	1,290	1,320	1,270
Croydon	1,000	1,030	1,030	1,200	1,120	1,080	1,050
Ealing	890	870	900	920	880	890	970
Enfield	1,230	1,280	1,320	1,270	1,280	1,180	1,240
Haringey	740	720	730	740	750	720	710
Harrow	560	550	560	530	550	540	550
Havering	900	900	910	880	940	930	950
Hillingdon	970	990	960	1,010	1,020	1,000	980
Hounslow	990	960	980	970	980	950	920
Kingston upon Thames	520	520	520	510	520	510	570
Merton	460	460	450	440	450	440	490
Newham	1,000	1,020	1,040	1,050	1,080	1,080	1,080
Redbridge	1,030	1,040	1,070	1,040	1,160	1,140	1,190
Richmond upon Thames	480	480	470	440	440	490	430
Sutton	730	750	770	810	830	860	940
Waltham Forest	810	820	840	890	820	800	770
London	24,540	24,690	24,880	25,000	25,350	25,320	25,490

[1] Figures rounded to nearest 10.

Tuition Fees

Mr. Cousins: To ask the Secretary of State for Education and Skills what plans he has to change the income assessments for eligibility for full or partial remission of tuition fees. [136541]

Alan Johnson: We intend to keep the income thresholds at which students are eligible for full and partial fee remission under review. In addition, from 2004, the poorest 30 per cent. of students—those whose parental income is below £15,200—will receive a full HE grant of £1,000. From 2006–07, Higher Education Institutions will need to offer additional bursaries to students, as part of the access agreements they will draw up in return for the ability to charge variable fees of up to £3,000.

Undergraduate Courses

Mr. Damian Green: To ask the Secretary of State for Education and Skills how many and what proportion of undergraduates failed to complete a course at a higher education institution, broken down by *(a)* institution and *(b)* course title, in each year since 1997. [133691]

Alan Johnson: I refer the hon. Member to the answer I gave him on 3 June 2003, *Official Report*, column 215W, which gave the latest available information on non-completion rates contained in "Performance Indicators in Higher Education", published by the Higher Education Funding Council for England (HEFCE).

The next edition, covering students starting courses in 2000–01, is scheduled for publication later in the autumn.

CULTURE, MEDIA AND SPORT

Digital Television

Mr. David: To ask the Secretary of State for Culture, Media and Sport what percentage of *(a)* the UK and *(b)* Wales she estimates will be able to receive digital TV transmissions by January 2004. [135768]

Estelle Morris: The ITC and BBC advise that around 73.1 per cent. of UK households and around 56 per cent. of households situated in Wales are now able to receive the Freeview digital terrestrial television (DTT) service. We do not anticipate further significant coverage increases from the current transmitter sites at this stage. Work on developing a detailed plan for increased DTT coverage is on-going under the Digital Television Action Plan, a copy of which is available at www.digitaltelevision.gov.uk. Digital television services are also available to around 98 per cent. of UK households on digital satellite and to around 25 per cent. of households on digital cable.

Foreign Visitors (Romford)

Mr. Rosindell: To ask the Secretary of State for Culture, Media and Sport how many foreign visitors she estimates visited Romford in 2002–03. [136474]

Mr. Caborn: The International Passenger Survey records visits to Romford as part of the total for London; figures on the number of visits by foreign residents specifically to Romford are not collected.

National Lottery

Chris Ruane: To ask the Secretary of State for Culture, Media and Sport what the total amount given in lottery grants was for each constituency in the past 10 years; and what the total amount of lottery money raised in each constituency was in the past 10 years, listed in descending order according to the amount spent in each constituency. [136964]

Estelle Morris: I am arranging for the information detailing the total amount given in lottery grants in each constituency to be placed in the Libraries of both Houses.

Information about National Lottery ticket sales is not broken down by constituency, but the National Lottery Commission is able to provide information about sales broken down by postcode area. I shall write to my hon. Friend with it as soon as possible, placing copies of my letter in the Libraries of both Houses.

Ticket sales do not directly link to the overall amount of money raised by the lottery. Payments not in respect of ticket sales form a part of lottery income and this money cannot be attributed to any specific area.

Chris Ruane: To ask the Secretary of State for Culture, Media and Sport what the total amount of Lottery grants given to *(a)* the richest 100 wards in the UK and *(b)* the poorest 100 wards in the UK in the past 10 years was, in descending order. [136965]

Estelle Morris: Based on information provided by the Lottery distributors for the Department's Lottery awards database, and using the most recent Index of Multiple Deprivation, the amounts awarded to the most and least deprived wards are in the tables. Since 2000, due to boundary changes, a number of wards have ceased to exist and so are not shown in the tables.

The lists relate only to England as no comparable UK list is available.

Most deprived electoral wards

	Total (£)
Central-Manchester	103,026,295
Everton-Liverpool	69,302,407
West City-Newcastle upon Tyne	52,392,867
Ardwick-Manchester	42,135,721
Spitalfields and Banglatown-Tower Hamlets	31,244,580
Myton-Kingston upon Hull, City of	24,751,077
Blackwall and Cubitt Town-Tower Hamlets	20,063,992
Burngreave-Sheffield	18,060,393
Central-Bolton	16,052,010
Birkenhead-Wirral	12,749,057
Sparkbrook-Birmingham	10,437,974
Central-Peterborough	10,274,418
Beswick and Clayton-Manchester	9,869,176
Aston-Birmingham	9,734,515
Portrack and Tilery-Stockton-on-Tees	9,172,229
Weavers-Tower Hamlets	9,139,375
St. Mary's-Liverpool	7,822,697
St. Hilda's-Middlesbrough	6,904,911
South Bank-Redcar and Cleveland	6,743,538
Granby-Liverpool	6,564,303
Linacre-Sefton	6,192,862
Vauxhall-Liverpool	5,550,313
Byker-Newcastle upon Tyne	4,853,126
Central and Falinge-Rochdale	4,750,701
Elswick-Newcastle upon Tyne	4,594,991
Beckton-Newham	4,464,004
Orchard Park and Greenwood-Kingston upon Hull, City of	4,172,593
Moss Side-Manchester	3,805,794
Manvers-Nottingham	3,701,533

Most deprived electoral wards

	Total (£)
North Braunstone-Leicester	3,198,980
Beckfield-Middlesbrough	3,117,328
Smallbridge and Wardleworth-Rochdale	2,889,038
Clubmoor-Liverpool	2,808,023
Pier-Thanet	2,688,012
Nelson-Great Yarmouth	2,687,800
Kensington-Liverpool	2,552,052
Coldhurst-Oldham	2,451,232
Daneshouse with Stoneyholme-Burnley	2,066,213
Little Norton-Bradford	1,954,084
Kirkby Central-Knowsley	1,951,391
Regent-Great Yarmouth	1,853,980
Whitefield-Pendle	1,778,409
Walker-Newcastle upon Tyne	1,741,950
Dearne Thurnscoe-Barnsley	1,731,179
Bradford-Manchester	1,718,580
Park-Sheffield	1,683,975
Queensbridge-Hackney	1,594,743
East India and Lansbury-Tower Hamlets	1,558,065
Manor-Sheffield	1,503,839
Breckfield-Liverpool	1,490,809
Smithdown-Liverpool	1,470,202
Soho and Victoria-Sandwell	1,189,662
Werneth-Oldham	1,170,332
Netherley-Liverpool	1,029,582
Tranmere-Wirral	955,339
Cherryfield-Knowsley	951,926
Alexandra-Oldham	935,289
Strelley-Nottingham	879,832
Middleton West-Rochdale	876,537
Woodhouse Park-Manchester	853,951
Bidston-Wirral	851,456
Melrose-Liverpool	793,951
Limehouse-Tower Hamlets	792,624
Gorton South-Manchester	745,674
Grangetown-Redcar and Cleveland	718,173
Owton-Hartlepool	714,291
Speke-Liverpool	706,523
Dyke House-Hartlepool	705,506
Central-Hyndburn	646,921
Chirton-North Tyneside	635,459
Northwood-Knowsley	633,526
Benchill-Manchester	563,921
Harpurhey-Manchester	550,234
Southwick-Sunderland	488,700
Newton Heath-Manchester	428,392
Monkchester-Newcastle upon Tyne	413,430
Dovecot-Liverpool	392,140
Pirrie-Liverpool	373,207
Southey Green-Sheffield	354,357
Thorntree-Middlesbrough	336,011
Bradford Moor-Bradford	328,145
Blakenall-Walsall	311,834
Eden Hill-Easington	257,828
Cantril Farm-Knowsley	248,438
Audley-Blackburn with Darwen	207,508
Shadsworth-Blackburn with Darwen	201,900
Deneside-Easington	198,179
Mirehouse-Copeland	194,353
Park End-Middlesbrough	192,450
Tower Hill-Knowsley	181,916
Pallister-Middlesbrough	180,499
Princess-Knowsley	167,034
Sandwith-Copeland	158,607
Longview-Knowsley	56,349
Higher Croft-Blackburn with Darwen	34,246
Beechwood-Middlesbrough	30,220
Shirebrook North-West-Bolsover	7,409

Least deprived electoral wards

	Total (£)
Beaconsfield South-South Bucks	6,012,382
Eton North and South-Windsor and Maidenhead	3,410,463
Boxley-Maidstone	2,333,634
St. Paul-Winchester	2,220,065
Merrow and Burpham-Guildford	2,197,413
Verulam-St. Albans	1,987,714
Lightwater-Surrey Heath	1,615,756

Least deprived electoral wards

	Total (£)
Tudor-Kingston upon Thames	1,419,732
Harpenden West-St. Albans	1,356,024
St. Alphege-Solihull	1,308,273
Trafalgar-Horsham	992,090
Parkside-Surrey Heath	970,678
Gerrards Cross North-South Bucks	902,829
Prestwood and Heath End-Chiltern	847,733
Chalfont St. Peter Central-Chiltern	724,880
Over-South Cambridgeshire	630,906
Martlesham-Suffolk Coastal	629,507
Thames-Reading	571,921
Christchurch-Guildford	527,030
Wollaston-Wellingborough	443,823
Ashtead Village-Mole Valley	425,023
Pangbourne-West Berkshire	424,696
Bourne End-cum-Hedsor-Wycombe	394,412
Haywards Heath-Heath-Mid Sussex	365,079
Sonning Common-South Oxfordshire	323,587
West Byfleet-Woking	311,000
Coronation-Wokingham	310,845
Hiltingbury East-Eastleigh	307,424
Chorleywood West-Three Rivers	284,509
Chesham Bois and Weedon Hill-Chiltern	269,425
Fetcham East-Mole Valley	263,578
Deeping St. James-South Kesteven	251,764
Windlesham-Surrey Heath	237,391
Shenfield-Brentwood	233,902
Shrivenham-Vale of White Horse	232,677
Abbey-Warwick	226,804
Chevening-Sevenoaks	216,300
Tarporley and Oulton-Vale Royal	199,212
Redhatch-Wokingham	192,446
Fulshaw-Macclesfield	183,162
Broadstone-Poole	176,072
Chalfont St. Giles-Chiltern	172,527
Burgess Hill-Chanctonbury-Mid Sussex	172,480
Comberton-South Cambridgeshire	171,516
Lindfield Urban-Mid Sussex	170,008
Haywards Heath Harlands-Mid Sussex	158,764
College—Epsom and Ewell	149,743
Petts Wood and Knoll-Bromley	148,298
Hempstead and Wigmore-Medway	145,029
Weybridge South—Elmbridge	143,541
Marlow North-Wycombe	132,986
Hazlemere Central-Wycombe	130,275
Croxley Green-Three Rivers	122,516
Little Sandhurst-Bracknell Forest	101,000
Aldenham East-Hertsmere	97,102
Evendons-Wokingham	93,544
Harpenden South-St. Albans	92,103
Emmbrook-Wokingham	90,028
Bisley-Stroud	89,576
Weston Green-Elmbridge	78,000
Stapleford-South Cambridgeshire	62,786
Little Hungerford-Wokingham	53,627
Frimley Green-Surrey Heath	46,660
FetchamWest—Mole Valley	45,534
Pannal—Harrogate	35,681
Hiltingbury West—Eastleigh	30,797
Hazlemere West-Wycombe	30,357
Selsdon and Ballards-Croydon	27,447
South Woodham-Collingwood East and West-Chelmsford	23,405
Fleet Pondtail-Hart	21,904
Hook-Hart	18,857
Kempshott-Basingstoke and Deane	18,651
Pyrford-Woking	18,384
Heatherside-Surrey Heath	17,995
Oxshott and Stoke D'Abernon-Elmbridge	17,207
Walton South-Elmbridge	16,248
Harpenden East-St.Albans	12,649
Croxley Green South-Three Rivers	11,515
Chineham-Basingstoke and Deane	10,000
Riverhead-Sevenoaks	9,000
Moor Park and Eastbury-Three Rivers	8,995
Holmes Chapel-Congleton	8,735
Fleet Courtmoor-Hart	7,926
Sonning-Wokingham	7,230
Nork-Reigate and Banstead	5,614
Marlow Bottom-Wycombe	4,100
HinchleyWood-Elmbridge	1,612
Burgess Hill-Franklands-Mid Sussex	1,120

New Community Development Fund

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport what proportion of the New Community Development Fund sports budget will be allocated to *(a)* tennis, netball, hockey and swimming and *(b)* other women's and girls' sporting activities. [136794]

Mr. Caborn: Under the Community Club Development Programme, a total of £60 million has been made available over 2003–06 for the development of facilities at community sports clubs. Of that total, tennis will receive £9.4 million as one of four major participation sports (the others being football, rugby and cricket). Netball, hockey and swimming will receive £1.66 million each.

The Government have not made these funds available on the assumption that these, or other, sports are exclusively for women or girls. Each of the 16 sports included in the programme will make funds available for the encouragement of women's and girls' participation, against their own development plans.

Obesity

Mr. Best: To ask the Secretary of State for Culture, Media and Sport what steps her Department is taking to tackle obesity through sport. [136649]

Mr. Caborn: The Government are aware that obesity levels are rising, especially among young people. Raising levels of community participation is key to tackling this. The Government are addressing this by investing in high-quality local sport and activity resources which are available to all. The New Opportunities Fund (NOF) and Space for Sport and the Arts are putting over £581 million into new PE and school sport facilities in England and Wales, and putting over £400 million into local sports facilities, healthy living centres and activity centres for young people. In addition, we are supporting the vital network of 110,000 amateur sports clubs with a new £60 million capital investment, tax and charity breaks, and mandatory rate relief. £28 million is also being invested by my Department in the recruitment, training and deployment of sports coaches across the UK.

Regional Development Agencies

Mr. Best: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on co-ordination between regional development agencies and her Department on sport. [136648]

Mr. Caborn: Under its modernisation and restructuring programme, Sport England is devolving greater responsibility for funding decisions on community sports projects to its regional offices. New Regional Sports Boards, constituted as sub-committees of Sport England, will prepare Regional Sports Strategies in consultation with all relevant regional interests, including regional development agencies. The strategies will inform funding decisions in the regions.

The Department and Sport England also work directly with individual RDAs on specific issues, such as the long-term future of the British Grand Prix at Silverstone in which the East Midlands Development Agency is representing the Government in discussions with key players. The Department's Olympic Games Unit is also working very closely with the London Development Agency (LDA) in support of the 2012 Olympic Bid, and earlier this year met with representatives of all nine RDAs to discuss the implications across the country of staging the Games. The Department and Sport England continue to work closely with the LDA on monitoring the construction of the new National Stadium at Wembley.

Summer Activities (Young People)

Mr. Best: To ask the Secretary of State for Culture, Media and Sport if she will make a statement on her Department's funded programme of summer activities for young people. [136650]

Estelle Morris: The Department for Culture, Media and Sport is working with other Government Departments and agencies to deliver the Positive Activities for Young People (PAYP) programme during all school holidays, including half-term breaks. The programme builds on the success of last year's Splash Extra and Summer Plus schemes and aims to reduce youth offending, encourage children and young people to return to education or training and build community cohesion.

PAYP engages young people through arts, sports and educational activities. It is targeted at those young people most at risk of offending or truancy and areas where community cohesion or street crime is identified as being a particular problem.

It will run for an initial period of three years and is funded by the Department for Education and Skills, the Home Office and by the National Lottery through the New Opportunities Fund. The Youth Justice Board is making an in-kind contribution. The funds available for the first year total £25 million and funding for years 2 and 3, to be confirmed shortly, will remain at least at this level. The programme is being delivered through the Government Offices for the Regions who in turn appoint sub-regional Lead Delivery Agents to plan provision according to local need. The most at risk young people receive key worker support to ensure continuity between school holiday periods.

The programme ran in four locations in the Leeds North West constituency and provided a total number of 549 places on 126 activities.

A full evaluation of the effectiveness of the year-round holiday provision is under way and key findings are expected to be available around May 2004. In the meantime initial feedback from the summer and half term programmes—which is still being collated—suggests a high level of take-up of the schemes over these periods and promising associated benefits.

DEFENCE

Armed Forces (Pay)

Mr. Keetch: To ask the Secretary of State for Defence whether all personnel have received their pay on time during the last six months; what irregularities have been reported; and if he will make a statement. [136577]

Mr. Caplin: 51 RAF trainees experienced a delay in receiving their monthly salary for October 2003. This was caused by an oversight in creating an officer's computer pay record for each of the personnel affected. These records have now been created, and the personnel affected paid.

No other delays affecting significant numbers have been reported during the last six months, and over 99.9 per cent. of electronic monthly payments to personnel have been made on time. Inevitably, however, given the size of our armed forces, isolated cases of delays due to administrative errors can occur.

Arms Fairs

Mr. Gardiner: To ask the Secretary of State for Defence what plans he has to support arms fairs. [136295]

Mr. Ingram: The support given by the Ministry of Defence to defence exhibitions at home and overseas will continue in accordance with the Government's policy of assisting the United Kingdom defence industry in its aim to achieve legitimate exports.

Campaign Medals

Mr. Flook: To ask the Secretary of State for Defence when Servicemen and women who served in Afghanistan in 2001–02 will be given their campaign medals. [136955]

Mr. Caplin: Service in Afghanistan on Operation Veritas from 11 September 2001 to a date to be announced has been recognised by the institution of the Operational Service Medal. Command Paper Cm 5939, which contains the detailed qualifying criteria, was laid before Parliament on 8 September 2003 and a Defence Council Instruction was subsequently published on 31 October 2003. The issue of medals will commence upon receipt of applications from Service personnel.

Mr. Flook: To ask the Secretary of State for Defence when Servicemen and women who served in Operation Telic in Iraq in 2003 will be given their campaign medals. [136956]

Mr. Caplin: I refer the hon. Member to the answer I gave on 23 October 2003, *Official Report*, column 654W, to the hon. Member for Aldershot (Mr. Gerald Howarth). I can add that the detailed eligibility criteria have since been completed by the Department and passed to the Committee on the Grant of Honours, Decorations and Medals for their approval. The work is progressing well.

Deepcut Barracks Inquiry

Lembit Öpik: To ask the Secretary of State for Defence what measures his Department has taken to implement each of the recommendations contained in Surrey Police's inquiry into the deaths at Deepcut Barracks; what the timeframe for implementation is; and if he will make a statement. [135937]

Mr. Ingram: The Surrey Police have yet to produce their fifth and final report and the Ministry of Defence is therefore not aware of the detailed recommendations it will contain. However, the Army has worked closely with Surrey Police to develop a learning account to ensure that the key lessons arising from these tragic deaths are identified and swiftly acted upon. This learning account contains 28 recommendations. Of these recommendations, 25 have been implemented and the remaining three are well in hand.

Fissile Material

Norman Baker: To ask the Secretary of State for Defence how much fissile material has been produced in each year from 1979 to date; and how much is presently held, broken down into material classified as *(a)* high level, *(b)* intermediate level and *(c)* low level material. [135078]

Mr. Ingram: Since 1979, deliveries of fissile material, under Ministry of Defence production contracts, have been as follows (rounded to the nearest kilogram):

	Kilogram
1989–90	181
1990–91	271
1991–92	179
1992–93	268
1993–94	181
1994–95	171
1995–96	21

Fissile material is not classified in the categories requested, which are used to describe levels of radioactive waste. I am therefore unable to provide the information in the form requested.

HMS Trafalgar

Mr. Hancock: To ask the Secretary of State for Defence what the expected commissioning date is of HMS Trafalgar; where the nuclear reactor Power Range Tests will be carried out prior to commissioning; and if he will make a statement. [136519]

Mr. Ingram: HMS Trafalgar is currently undergoing a Revalidation Assisted Maintenance Period at Devonport. She has not been de-commissioned, and this work will not involve re-fuelling the reactor. There is therefore no requirement for Power Range Testing. HMS Trafalgar is expected to return to service early 2004.

Iraq

Mr. Hoyle: To ask the Secretary of State for Defence how many *(a)* United Kingdom troops and *(b)* troops from the Territorial Army are serving in Iraq. [134435]

Mr. Ingram: We currently have around 11,000 United Kingdom service personnel serving in Iraq, of which approximately 1,800 are members of the Territorial Army.

Mr. Jenkins: To ask the Secretary of State for Defence how many packets have been sent to armed forces personnel stationed in the Gulf free of charge since the scheme was launched. [136398]

Mr. Ingram: It is not possible to give the precise number of packets sent to members of Her Majesty's forces and entitled civilians on Operation Telic since the service was instituted on 17 April 2003, as numbers are calculated by sampling rather than counting of

individual items. However, as at Friday 31 October 2003, we calculate that some 570,000 free packets have been sent.

Harry Cohen: To ask the Secretary of State for Defence pursuant to his answer of 1 September, *Official Report*, column 905W, on Iraq, what the outcome was of the investigation; and if he will place a copy of the relevant communications log in the Library. [131785]

Mr. Ingram: The Ministry of Defence is determined to do all we can to establish the facts, and to bring to account those responsible for the deaths of the six Royal Military Police soldiers killed so tragically in Iraq on 24 June. It would not be appropriate to comment while the SIB investigation is still ongoing and we cannot put a timeframe on how long the investigation might take. Once it has been completed a full report will be given to the families concerned. The next of kin are being kept informed of the investigation's progress. I will make public as many of its findings as possible, subject to operational and other security constraints.

Mr. Rosindell: To ask the Secretary of State for Defence how often he receives briefings from the Commander of British Forces in Iraq. [132132]

Mr. Hoon: I receive regular briefings on operations in Iraq, which include input from the Commander of British Forces in Iraq. These are supplemented with additional briefings where necessary.

Mr. Kilfoyle: To ask the Secretary of State for Defence what estimate he has made of the number of deaths of *(a)* Iraqi civilians and *(b)* Iraqi military personnel (i) during the recent conflict and (ii) since the formal cessation of hostilities. [133234]

Mr. Ingram: I refer my hon. Friend to the answers given by my right hon. Friend the Secretary of State for Defence on 16 June 2003, *Official Report*, column 55W, to the hon. Member for Lewes (Norman Baker) and the answer I gave to the hon. Member for East Carmarthen and Dinefwr (Adam Price) on 14 October 2003, *Official Report*, column 7W.

Kazakhstan

Angus Robertson: To ask the Secretary of State for Defence what discussions *(a)* he, *(b)* Ministers in his Department and *(c)* other representatives of the Government have had with representatives of the Government of Kazakhstan concerning the (i) storage, (ii) disposal and (iii) security of ex-Soviet (A) biological and (B) chemical weapons located in Kazakhstan; and if he will make a statement. [136308]

Mr. Ingram: We are not aware of any discussions with the Government of Kazakhstan concerning the storage, disposal, or security of possible ex-Soviet biological and chemical weapons located in Kazakhstan.

Under the Chemical Weapons Convention (CWC), a state is obliged to declare any chemical weapons (CW) on their territory. Kazakhstan is a state party to the CWC and has not declared any CW being located in Kazakhstan. Kazakhstan is not a state party to the Biological and Toxin Weapons Convention.

Low Flying

Mr. Drew: To ask the Secretary of State for Defence whether there was a low-flying field training exercise in October in the Severn Valley area. [136014]

Mr. Caplin: There were no major low-flying training exercises in the Severn Valley area during October. Any military aircraft sighted will probably have been undertaking routine military low-flying training.

Ministry of Defence Police

Mr. Hancock: To ask the Secretary of State for Defence when the first statutory inspection of the Ministry of Defence Police by Her Majesty's Inspector of Constabularies, under the Police Reform Act 2002, will take place; and if he will make a statement. [136392]

Mr. Caplin: The first statutory inspection of the Ministry of Defence Police by her Majesty's Inspectorate of Constabulary, under the Police Reform Act 2002, was conducted between June and October 2003. In common with other Home Department police forces, MDP underwent a baseline assessment of its core business areas. The draft assessment is expected in January 2004 and will be followed by a rolling programme of follow-up visits.

North Site (Malvern)

Sir Michael Spicer: To ask the Secretary of State for Defence what his plans are for the future of North Site, Malvern. [136957]

Mr. Caplin: The site was handed to Defence Estates on 27 March this year and is being prepared for disposal on the open market.

Nuclear Warfare

Mr. Keetch: To ask the Secretary of State for Defence when the United Kingdom *(a)* withdrew the last nuclear free-fall bomb, *(b)* reduced the operationally available stockpile of nuclear warheads to below 200, *(c)* reduced the number of warheads deployed on Trident submarines to 48 warheads and *(d)* placed fissile material no longer required for defence purposes under international safeguards. [135913]

Mr. Ingram: The United Kingdom withdrew the last nuclear free-fall bomb in March 1998. We have made adjustments to ensure the operationally available stockpile of nuclear warheads has been below 200 since that policy was announced as part of the Strategic Defence Review in July 1998. We reduced the number of warheads deployed on Trident submarines to 48 warheads by December 1998. Since 1990, we have placed fissile material no longer required for defence purposes under international safeguards, with significant volumes of material being brought into safeguards in July and August 1998.

Mr. Keetch: To ask the Secretary of State for Defence what further actions his Department will pursue to implement the disarmament measures identified at the end of the 2000 Nuclear Non-Proliferation Treaty Review Conference. [135914]

Mr. Hoon: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs on 5 November 2003, *Official Report*, column 662W, to the right hon. and learned Member for North-East Fife (Mr. Campbell).

Purchasing Strategy

Mr. Hancock: To ask the Secretary of State for Defence if he will make it his policy to take into consideration *(a)* the social issues involving the employment of disabled people, *(b)* strategic issues regarding product development and *(c)* response times to crises, when determining his Department's purchasing strategy; and if he will make a statement. [135763]

Mr. Ingram: The decision on the appropriate purchasing strategy for any procurement has to take into account a wide range of factors, underpinned by the need to provide the armed forces with the equipment they require at best value for money for the taxpayer. As set out in the Government's Defence Industrial Policy (published in October 2002), these factors include, amongst others, security of supply and the ability to respond in times of crises, and the implications for key technologies and industrial capabilities.

Most contracts for the procurement of goods and services include an express condition of contract which encourages our prime contractors to give consideration to the placing of sub-contract work with Supported Employment Enterprises.

Mr. Hancock: To ask the Secretary of State for Defence what factors underlay the decision to change the purchasing strategy of chemical and biological warfare protection suits by changing the tender from UK only to international sourcing; and if he will make a statement. [135764]

Mr. Ingram: There has been no change in the Ministry of Defence's purchasing strategy for chemical, biological, radiological and nuclear (CBRN) warfare protection suits with regard to the tendering process. These items are classed as warlike stores and as such are exempt from the requirement to advertise in the European Journal (OJEC). The Department advertises its requirements for these items in the MOD Contracts Bulletin. Any company may respond and the Department will run a competition to ensure that its requirements are met in the most cost-effective way.

The procurement of CBRN suits is included in the Defence Logistic Organisation's procurement reform strategy, for Supplier Base Optimisation, which is still under review.

Regiments

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the future of the *(a)* Queen's Lancashire Regiment and *(b)* King's Regiment. [135810]

Mr. Ingram: There are no plans to disband the Queen's Lancashire Regiment or the King's Regiment.

LEADER OF THE HOUSE

September Sittings

Mr. Ben Chapman: To ask the Leader of the House what representations he has received about the September sitting of the House. [136500]

Mr. Hain: A number of Members have raised with me their view on September sittings—both for and against—by raising it in the Chamber, at business questions and questions to the Leader of the House, and in private discussion. I have had one letter from an hon. Member on the subject, in favour of the change. I have received representations from two outside organisations on the dates of the September sittings.

In my view, the September sitting was successful in conducting important business and in allowing the Prime Minister and other Members of the Cabinet to be questioned and challenged on key issues such as Iraq for which there might otherwise have been demands for a recall of the House.

Sitting Hours

Mr. Ben Chapman: To ask the Leader of the House what recent representations he has received about the sitting hours of the House. [136499]

Mr. Hain: A number of Members have raised with me their view on the sitting hours—both for and against the change—by raising it in the Chamber, at business questions and questions to the Leader of the House, by letter and in private discussion; and I am aware of early-day motions on the subject. I have had no representations from outside Parliament in favour of the House reverting to its former hours. The House has agreed the change for the remainder of this Parliament and will need to review the matter before then.

NORTHERN IRELAND

Call Centres

Mr. Connarty: To ask the Secretary of State for Northern Ireland whether his Department plans to outsource call centre work to premises outside the United Kingdom. [132111]

Mr. Pearson: Northern Ireland Departments and the NIO have no plans to outsource call centre work to premises outside the United Kingdom.

Terrorism

Mr. Jenkin: To ask the Secretary of State for Northern Ireland what his assessment is of the current terrorist threat level in Northern Ireland. [135395]

Jane Kennedy: Recent activity by dissident republicans and loyalists shows that they still pose a threat to the peace process. However, the security forces continue to disrupt, intercept or thwart their operations through good intelligence-led policing and covert operations.

CONSTITUTIONAL AFFAIRS

Bailiffs

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many complaints have been made in each year since 1997 concerning the conduct of bailiffs; how many complaints have been investigated; how many complaints have resulted in a prosecution; how many convictions there were concerning the conduct of bailiffs; and if he will publish a list of banned bailiffs. [136800]

Mr. Leslie: I shall reply to the hon. Member as soon as possible.

Divorced Parents

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his answer of 22 October 2003, *Official Report*, column 631W, on divorced parents, if he will commission research on the impact upon children of one divorced parent being given leave to remove their children from the United Kingdom; and if he will make a statement. [136099]

Mr. Lammy: There are no plans to commission such research. Applications to remove children from the jurisdiction (of England and Wales) are made under Section 13(1)(b) of the Children Act 1989. The Section stipulates that where a residence order made under the Act is in force with respect to a child, no person may

"remove him from the United Kingdom; without either the written consent of every person who has parental responsibility for the child or the leave of the court".

However, to take a child out of the country either parent requires the written or oral consent of the other parent, even if it is for less than one month. Where there is a residence order in place, the parent in whose favour the residence order is made may remove or send the child outside the UK for up to one month, provided there are no other court orders in place, e.g. a prohibited steps order. When making a residence order, the court may grant the necessary leave to remove the child either generally or for specific purpose.

Sir Nicholas Winterton: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his answer of 22 October 2003, *Official Report*, column 631W, on divorced parents, if he will estimate the percentage of cases in which divorced mothers are successful in obtaining leave to remove their children from the United Kingdom. [136100]

Mr. Lammy: We do not have the data available to enable such an estimate to be made. Figures are kept of the total number of orders made under section 13 of the Children Act 1989 for removal from the jurisdiction since 2000 (when figures were first collected). Separate figures are not held for mothers and fathers.

Forfeiture/Security of Tenure Inquiry

Mr. Lepper: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the scope of the inquiry by the Law Commission into forfeiture and security of tenure; and when he expects the inquiry to be completed. [135877]

Mr. Lammy: The Law Commission is carrying out two reviews dealing with forfeiture and tenancy issues:

(1) The 'Termination of Tenancies' review addresses the whole law of forfeiture including the right of landlords to terminate a tenancy by physical re-entry. The Commission hopes to complete a consultation paper this year. A report will be published later.

(2) The 'Housing in the Rented Sector' review considers the legal basis of landlord and tenant relationships, in particular, the form of tenancies offered by local authorities, other social landlords, and by private landlords. A report will be published on 5 November followed by a further report and draft Bill next year.

Legal Representation (Deaths in Custody)

Chris Ruane: To ask the Parliamentary Secretary, Department for Constitutional Affairs if the Secretary of State will make funding available for legal representation of families whose children have died in custody. [135787]

Mr. Lammy: An applicant who is a member of the deceased's immediate family may obtain public funding for representation at an inquest, where the deceased has died in custody, if:

(i) the applicant satisfies the standard financial eligibility tests, and

(ii) legal representation is necessary to assist the coroner to investigate the case effectively.

Ministerial Meetings

Keith Vaz: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many meetings *(a)* he and *(b)* other Ministers in his Department have held with (i) Lord Bingham, (ii) Lord Woolf and (iii) Lord Irvine since he took office. [127404]

Mr. Lammy: Since taking office the Secretary of State has had three meetings with Lord Bingham and five meetings with Lord Woolf. He has not met with Lord Irvine.

I have had one meeting with Lord Woolf, Christopher Leslie has met him twice and Lord Pilkin has met with him once. Don Touhig and Anne Maguire have not met with Lord Woolf.

None of the Parliamentary Under-Secretaries of State has met with Lord Bingham or Lord Irvine.

Petitions

Malcolm Bruce: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* company winding-up petitions, *(b)* creditors' petitions, *(c)* debtors' petitions and *(d)* insolvency petitions were issued per quarter in each year since 1997, broken down by (i) county court, (ii) county and (iii) region. [136799]

Mr. Leslie: A copy of the figures requested has been placed in the Library of both Houses.

Public Information

Mr. Gardiner: To ask the Parliamentary Secretary, Department for Constitutional Affairs what

requirements there are that changes in Government regulations and orders should be made publicly available before they come into force. [136171]

Mr. Alexander: I have been asked to reply.

The arrangements for production of all new regulations and orders are governed by the Statutory Instruments Act 1946 and the Statutory Instruments Regulations 1947. The Cabinet Office issues guidance to Departments in the form of the Statutory Instrument Practice manual (SIP), which can be downloaded from HMSOnline at: http://www.hmso.gov.uk/services/si_practice.htm

The guidance in SIP sets out that the date chosen for the coming into force of new regulations and orders should take into account the production time for printing and publication. Where an instrument creates a new offence, Departments need to ensure that the instrument is issued in good time allowing the public to study the instrument before it comes into force.

All new instruments issued each day can be accessed on HMSOnline at: http://www.hmso.gov.uk/legislation/whatsnew.htm and in the Statutory Instruments Issue List, which is published as part of The Stationery Office (TSO) Daily List of Publications. It is good practice for Departments to ensure publicity for all new instruments before they come into force.

SOLICITOR-GENERAL

Antisocial Behaviour

Clive Efford: To ask the Solicitor-General what steps she has taken to ensure that the Crown Prosecution Service uses powers available under the Police Reform Act 2002 when dealing with cases of antisocial behaviour. [136221]

The Solicitor-General: The Crown Prosecution Service (CPS) has issued guidance on the procedures to be followed in cases when it is appropriate to remind a court of its power to make an order on conviction in criminal proceedings pursuant to section 1C of the Crime and Disorder Act 1988, as amended by the Police Reform Act 2002.

In appropriate cases, the prosecutor will remind the court of its power to make an order on conviction and will draw the court's attention to the facts of the case that are relevant to the making of an order, together with details of any relevant previous convictions.

The Anti-Social Behaviour Bill seeks to provide the CPS with express power to apply for orders on conviction and to call additional evidence to be led at a contested hearing of an order on conviction, which need not be restricted or linked to the criminal case before court. The CPS will issue further guidance and training to reflect these changes.

Clive Efford: To ask the Solicitor-General what action she has taken to ensure that the Crown Prosecution Service co-operates with *(a)* local authorities and *(b)* police forces to deal with cases of antisocial behaviour. [136222]

The Solicitor-General: The Crown Prosecution Service has assembled a project team to deal with issues arising from the Anti-Social Behaviour Bill. The aims of the project are: firstly, to develop national guidance with the police dealing with the evidence required to pursue an order on conviction and the type of conditions to be sought; and secondly, to develop local protocols with the police and local authorities as to when it will be appropriate for each agency to take the lead in dealing with applications for orders and prosecuting breaches.

The Home Office Anti-Social Behaviour Unit has agreed to fund a network of 10 to 12 local anti-social behaviour prosecutors within the Crown Prosecution Service. These local experts will engage with the local community and will work with a central project team to issue guidance. They will assist in developing protocols with local agencies, encourage the use of orders on conviction and coordinate local training.

Mr. Wray: To ask the Solicitor-General how many anti-social behaviour prosecutors will join the Crown Prosecution Service; and what their powers will be. [136270]

The Solicitor-General: The Home Office Anti-Social Behaviour Unit has agreed to fund a network of 10 to 12 local antisocial behaviour prosecutors with the Crown Prosecution Service (CPS). These local experts will engage with the local community and will work with a central team to issue guidance, develop protocols and provide training across the CPS.

The prosecutors will be deployed in areas where a high level of antisocial behaviour orders are sought, although they will be expected to share good practice across the CPS. They will: prosecute antisocial behaviour and low-level disorder offences; establish good links with local communities and agencies; encourage the use of orders on conviction; and coordinate local training.

LORD CHANCELLOR'S DEPARTMENT

Correspondence

Mr. Kaufman: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor intends to reply to the letter to him dated 21 October from the right hon. Member for Manchester, Gorton with regard to Mrs. C. Whitehurst. [85146]

Ms Rosie Winterton: The Lord Chancellor replied to the right hon. Member's letter on 4 December. I apologise to the right hon. Member for the delay in responding to his letter. This was due to an administrative error, and officials have reviewed procedures for handling correspondence as a result.

Family Proceedings Rules Committee

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if the Lord Chancellor will place the schedule of meetings of the Family Proceedings Rules Committee for the next six months in the Library. [84756]

Ms Rosie Winterton: The Family Proceedings Rule Committee has no statutory obligation to meet to conduct its business. Drafts of Family Proceedings Rules are circulated to Members for comments and, when they are content, for signature.

HEALTH

Genetically Modified Food

Andrew George: To ask the Secretary of State for Health what research has been *(a)* commissioned and *(b)* published on post-marketing monitoring of the safety of GM food for people and GM feed for animals. [136191]

Miss Melanie Johnson *[holding answer 3 November 2003]*: The Food Standards Agency (FSA) has funded a feasibility study on the post-market monitoring of genetically modified (GM) foods. The report from this study was published on the FSA website on 23 July 2003. No research has been commissioned on the post-market monitoring of GM animal feed.

Accidental Injury

Mr. Dhanda: To ask the Secretary of State for Health what plans he has to improve the local surveillance of accidental injury. [135316]

Miss Melanie Johnson *[holding answer 30 October 2003]*: The South West Public Health Observatory is working on a pilot basis with the national health service-wide clearing service to run quarterly extracts of specific variables from the accident and emergency minimum data set in the South West. There are currently problems with the quality of the data, and with the level of participation by individual trusts. If these problems can be resolved, it may be possible to replicate the system in other regions.

Breast Cancer (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Health what the average period between screening for breast cancer and notification of the result of the screening was in the Northumberland strategic health authority area for the latest three-month period for which figures are available. [135518]

Miss Melanie Johnson: This information is not collected centrally.

Cancer Services

Mr. Jim Cunningham: To ask the Secretary of State for Health what evaluation of improvements to cancer services in the NHS he has commissioned. [133893]

Miss Melanie Johnson *[holding answer 27 October 2003]*: A National Cancer Patient Survey took place in 2001. Over 65,000 cancer patients discharged between July 1999 and June 2000 responded. The outcome of the survey was published in July 2002 and is available at: http://www.doh.gov.uk/nhspatients/cancersurvey. It provides a baseline measurement of cancer patients' experience of care in the national health service against which improvements can be monitored. The results of the survey were shared with, among others, cancer networks and NHS trusts who should have studied their local results and taken action to respond to them. Responsibility for the national survey programme, and therefore repeating this survey, has now moved to the Commission for Health Improvement.

A Manual of Cancer Services Standards was published in February 2001 against which cancer networks in England can assess the quality of services they are providing. A process of peer review took place in 2001 to assess compliance with these standards. A second round of peer review will commence in summer 2004.

The "NHS Cancer Plan—Three-year progress report: Maintaining the Momentum" available at www.doh.ov.uk/cancer/progressreport2003 was published on 28 October 2003. It describes overall progress on implementation of the NHS Cancer Plan.

Chorley and South Ribble Hospital

Mr. Hoyle: To ask the Secretary of State for Health how many patients have been treated at Chorley and South Ribble Hospital accident and emergency in the last 12 months; how many people from Chorley have been taken to Royal Preston Hospital accident and emergency; and how many patients waited longer than four hours for treatment at *(a)* Chorley and *(b)* Preston hospitals. [135805]

Miss Melanie Johnson: The information requested is not available.

Disabled People (Assistance)

Mr. Wray: To ask the Secretary of State for Health what non-financial assistance is available to families with disabled *(a)* adults and *(b)* children. [136148]

Dr. Ladyman: All disabled people have full access to national health service primary, secondary and tertiary health care services. Disabled people have the right to receive an assessment of their care needs by their local social services department. Those eligible, according to local criteria, may receive a wide range of services to meet their need, provided as a "package" of support by social services and/or the health service.

Services available include:

Advice, guidance and counselling;

Home care and home help;

Equipment and adaptations to use at home;

Day time opportunities/day centres providing facilities for recreation and training for independent living skills;

Day care, covering day nurseries, registered childminders and part-time playgroups respite care provision, either in peoples own homes or elsewhere;

Nursing and medical support.

In addition, people may receive direct payments, which are cash payments in lieu of social services, giving individuals greater choice and control over how their support needs are met—allowing people to buy their own package of care.

Domestic Accidents

Mr. Dhanda: To ask the Secretary of State for Health what discussions he has had with *(a)* other Government Departments, *(b)* local authorities and *(c)* other agencies to establish a co-ordinated approach to preventing accidents in the home. [135317]

Miss Melanie Johnson *[holding answer 30 October 2003]:* Other Government Departments, local authorities, and other agencies were represented on the Accidental Injury Task Force, whose report was published in October 2002. Subsequent discussions with Government Departments and with regional directors of public health have shown that better co-ordination will depend on integrating injury prevention into broader programmes on the needs of children and older people, with particular emphasis on health inequalities.

This is now being pursued in implementing the older peoples' national service framework (NSF), in preparing the remainder of the NSF for children, and in contributing to cross-Government policy proposals for these groups, for example in the Ministerial Sub-Committee on Older People.

Family Planning Clinics

Mr. John Taylor: To ask the Secretary of State for Health what plans he has *(a)* to develop family planning clinics and *(b)* for the development of a career structure for family planning doctors. [135886]

Miss Melanie Johnson: A stated aim of the National Strategy for Sexual Health and HIV is to reduce levels of unintended pregnancies, and the provision of good quality contraception services will play a major role in achieving this aim. Contraceptive services should be available through a range of settings including general practice and specialist care settings, and the Department has issued guidance on good practice in commissioning those services, as well as providing additional investment of £1 million this year to improve access. The Department has also convened a group of experts, including representatives from the Faculty of Family Planning and Reproductive Healthcare, the Royal College of General Practitioners and the Family Planning Association, to define and implement a work-plan to support the improvement of contraception services at primary care trust level. This group will also work with the Faculty of Family Planning to consider issues of staffing and career development.

Fluoridation

Mr. Simon: To ask the Secretary of State for Health what advice the Chief Medical Officer has given on the potential effects of fluoridated drinking water for a patient diagnosed with chronic obstructive pulmonary disorder. [134246]

Miss Melanie Johnson: The Department is not aware of any evidence that the effects of fluoridated drinking water differ between people with and without chronic obstructive pulmonary disease.

Food Supplements Directive

Dr. Iddon: To ask the Secretary of State for Health if he will make a statement on the outcome of the recent meeting between the Food Standards Agency and the European Food Safety Authority to discuss difficulties anticipated by industry in preparing dossiers of information to support the inclusion of substances on the lists of nutrients and nutrient sources appended to the Food Supplements Directive; and what plans the Food Standards Agency has to continue that dialogue. [135264]

Miss Melanie Johnson: On 14 October, representatives from food supplement industry trade associations met with representatives of the European Food Safety Authority (EFSA) to discuss requirements for dossiers supporting addition of nutrient sources to the lists appended to the Food Supplements Directive. The meeting was constructive. EFSA representatives indicated that applicants should submit data establishing the identity and purity of the nutrient source, and any available safety data. EFSA would then advise whether further data were required, taking into account similarities with substances which have already been approved either as nutrient sources or as additives. This, together with advice that combined dossiers for similar substances are welcome, means that dossier preparation costs for many of the 'missing' substances will be significantly lower than previously estimated. The Food Standards Agency is writing to inform interested parties of the outcome and will continue to liaise with EFSA and European Commission representatives on this issue.

Gene Transfer

Joan Ruddock: To ask the Secretary of State for Health what published research involving humans he has assessed which examines the potential for horizontal gene transfer from GM bacteria to gut bacteria; how many people were involved in the experiments; what evidence of gene transfer was identified; and what research he has commissioned on this subject. [136064]

Miss Melanie Johnson *[holding answer 4 November 2003]:* The Department of Health has not commissioned any research that looks at horizontal gene transfer from genetically modified (GM) bacteria to gut bacteria. The Food Standards Agency (FSA) however has published research on the use of human volunteers to examine the potential for horizontal gene transfer from GM food to gut bacteria. Seven people were involved in the study. No intact DNA was shown to be transferred to intestinal tract bacteria. The current state of knowledge regarding gene transfer was reviewed in the GM science review. This concluded that "transgenic DNA is no different from other DNA consumed as part of the normal diet and it will have a similar fate". The science review is available in the Library.

Applications to use oral GM bacteria are assessed on a case by case basis by either the Health and Safety Executive (under the Contained Use Regulations), or by the Department for Environment, Food and Rural Affairs Advisory Committee on Releases to the Environment (under the Deliberate Release Regulations). Each application involving the use of GM bacteria is comprehensively evaluated with regard to safety, including gene transfer.

Genetics Research

Kevin Brennan: To ask the Secretary of State for Health if he will list *(a)* the organisations which have applied for the special research funding announced in the Government's White Paper on Genetics, *(b)* the value of each bid and *(c)* the single gene disorders related to each bid. [135486]

Miss Melanie Johnson *[holding answer 4 November 2003]*: Bids are treated in strict confidence and the information requested cannot be given. The specific clinical conditions to be addressed through the funding for both pharmacogenetic research and research into gene therapy for single gene disorders will depend on what bids are submitted by the research community and how the individual bids stand up to rigorous assessment through peer review. Details of grants awarded will be added to the national research register at www.doh.gov.uk/research/nrr.htm.

Genito-urinary Medicine

Mrs. Gillan: To ask the Secretary of State for Health how many genito-urinary management clinics there are in *(a)* Chesham and Amersham and *(b)* Buckinghamshire. [136574]

Ms Rosie Winterton *[holding answer on 5 November 2003]*: There are three genito-urinary management (GUM) clinics in Buckinghamshire; at Milton Keynes, Aylesbury and Wycombe. There are no GUM clinics in Chesham and Amersham.

Mrs. Gillan: To ask the Secretary of State for Health what plans he has to increase the number of genito-urinary management clinics in England. [136575]

Miss Melanie Johnson *[holding answer 5 November 2003]*: The Department of Health is working to improve access to genito urinary medicine (GUM) services. Primary care trusts should ensure that local GUM services are designed to meet local needs. The Department of Health is supporting them in this role through the provision of additional investment to 'pump-prime' GUM services and address long-waiting times and backlogs in those areas where it is most needed.

£13 million was invested in GUM services in 2003–04 and over £6 million in 2002–03, with additional funding of £5 million announced this year in our response to the Health Select Committee's report on sexual health. To support those areas with little or no GUM services, or where services are struggling to cope with demand, a further £2 million in 2003–04 will be used to establish a small number of development schemes to pump-prime the establishment of new services or further develop those already in existence.

The Department of Health is also continuing to work to increase the role of primary care in the provision of sexual health services which will help to relieve the pressure on GUM services.

The Department of Health is also continuing to work to increase the role of primary care in the provision of sexual health services which will help to relieve the pressure on GUM services.

Head Lice

Mr. Drew: To ask the Secretary of State for Health (1) what research evidence he has collated on the *(a)* incidence and *(b)* spread of head lice in schools; and what advice he offers head teachers to deal with the problem; [136009]

(2) what discussions he has had with the Department for Education and Skills on strategies to eliminate head lice in schools. [136010]

Dr. Ladyman: The Department's policy research programme and the central national health service research and development programmes are not currently supporting research into this subject, due to the pressure of other priorities. The Medical Research Council (MRC), which is funded by the Office of Science and Technology, commissions most of the Government's research into bio-medical and clinical issues. The MRC is always open to new sound scientific proposals, in competition with other applications.

Head lice infestation is a relatively common problem among school age children, which is dealt with at local level. Our policy, which is shared by the Department for Education and Skills, is to encourage a "whole school approach" to the detection and treatment of head lice. This entails encouraging parents to check their children and other family members for head lice as need arises, and arranging treatment where necessary with such advice and support from the local primary health care team (general practitioner, health visitor, school nurse or local pharmacist) as they may require. If this exercise is successfully undertaken at the same time by all parents of children within a school, then the spread of head lice will be arrested.

This Department is in regular contact with the Department for Education and Skills on a range of health issues relating to pupils' health, including the treatment of head lice. Officials from both Departments provide advice to schools and parents on head lice control, including a leaflet containing guidance on prevention and treatment. This is also available on the Department's website at: http://www.doh.gov.uk/headlice/ including translations in 10 languages.

Health Care (York)

Hugh Bayley: To ask the Secretary of State for Health what NHS expenditure *(a)* in cash terms and *(b)* at current prices on services provided by GP surgeries, other than NHS prescription items, was in York in each year since 1992. [135958]

Miss Melanie Johnson: Information for York is not available. The table shows information for the nearest geographical match to York.

North Yorkshire expenditure on services provided by GP surgeries for each year

£000

	Cash terms	*Current prices*
1992–93	37,254	47,836
1993–94	37,422	46,604
1994–95	38,293	47,167
1995–96	39,029	46,551
1996–97	38,189	44,214

North Yorkshire expenditure on services provided by GP surgeries for each year

£000

	Cash terms	Current prices
1997–98	40,629	42,611
1998–99	41,450	43,297
1999–2000	39,544	42,431
2000–01	40,612	42,839
2001–02	48,240	49,615

Sources:
1. North Yorkshire Family Health Services Authority audited annual accounts 1992–93 to 1995–96.
2. North Yorkshire Health Authority audited annual accounts 1996–97 to 1998–99.
3. North Yorkshire Health Authority audited summarisation forms 1999–2000 to 2001–02.
4. Selby and York Primary Care Trust audited summarisation schedules 2001–02.
5. HM Treasury GDP Deflator.

Hugh Bayley: To ask the Secretary of State for Health what capital investment *(a)* in cash terms and *(b)* at current prices has been at York District Hospital in each year since 1992. [135962]

Miss Melanie Johnson: The requested information is shown in the table.

York Hospitals NHS Trust: Net Book Value of Purchased Capital Additions for each year

£000

	Cash terms	Current prices
1992–93	5,791	7,436
1993–94	6,028	7,507
1994–95	7,456	9,184
1995–96	8,841	10,545
1996–97	2,708	3,135
1997–98	1,457	1,636
1998–99	3,185	3,481
1999–2000	2,778	2,981
2000–01	6,571	6,931
2001–02	4,159	4,278

Source:
York Hospitals NHS Trust: Net Book Value of Purchased Capital Additions for each year.

Hugh Bayley: To ask the Secretary of State for Health how many nurses were in training at York nursing school in each year since 1992. [136050]

Miss Melanie Johnson: The information requested is shown in the table.

Pre-registration nurses at the School of Nursing, York University

At 1 April	Number
1992[1]	357
1993[1]	319
1994	554
1995	488
1996	380
1997	397
1998	425
1999	491
2000	544
2001	596
2002	638
2003	637

[1] Figures for 1992 and 1993 relate to York and Scarborough College of Nursing only, as Harrogate and Northallerton School of Nursing was a separate institution at this time.
Source:
University of York.

Hugh Bayley: To ask the Secretary of State for Health what progress has been made with implementing the National Service Framework for Older People in York. [136052]

Miss Melanie Johnson: Selby and York Primary Care Trust (PCT) submitted a report on progress towards the milestones set out in the national service framework to its older people's partnership board in September 2003. This report shows the work which has been done to bring about improvements for older people, to work in partnership across organisational boundaries and to ensure a sharp focus on the development of services that are person/patient-centred, joined-up, timely and active in promoting health in older age. A full copy of the report is available from Selby and York PCT.

Hugh Bayley: To ask the Secretary of State for Health when digital hearing aids will be offered to NHS patients in York. [136053]

Miss Melanie Johnson: York Hospitals National Health Service Trust will begin fitting digital hearing aids as part of the modernised hearing aid service by March 2004.

Health Services (North-West)

Mr. Evans: To ask the Secretary of State for Health how much has been spent in the NHS in the North West since 1992. [134893]

Miss Melanie Johnson: Expenditure in the area covered by the former North West Regional Office and the North West Regional Health Authority areas since 1992–93 is shown in the table.

	£ million
1992–93	3,848
1993–94	4,047
1994–95	4,383
1995–96	4,564
1996–97	4,427
1997–98	4,290
1998–99	4,712
1999–2000	5,497
2000–01	5,996
2001–02	6,348
2002–03	7,510
Total	55,622

Notes:
1. The figures are based on the North West Regional Office area as in 2001–02, taking into consideration boundary changes over the period.
2. Figures do not include NHS expenditure, which is not accounted for by the health authorities, eg General Dental Services.
3. Figures are not consistent between years as there have been considerable changes in the types of expenditure accounted for by health authorities in different years, eg prescribing expenditure.
4. All figures are cash based.
Sources:
1992–93 to 1995–96 audited accounts of Family Health Services Authorities
1992–93 to 1995–96 audited accounts of District and Regional Health Authorities
1996–97 to 1998–99 audited accounts of Health Authorities

1999–2000 to 2001–02 audited summarisation forms of Health Authorities
2002–03 audited summarisation forms of Strategic Health Authorities
2000–01 to 2002–03 audited summarisation schedules of Primary Care Trusts

Mental Health

Mrs. Calton: To ask the Secretary of State for Health what assessment he has made of the long-term savings to the NHS that might be achieved by the provision of free prescriptions for people with long-term mental health problems. [135963]

Ms Rosie Winterton: The Department has not made an assessment of the long-term savings to the national health service of providing free prescriptions for people with mental health problems.

Our policy is to help those who may have difficulty in paying prescription charges, rather than extending the exemption arrangements. By using a prescription prepayment certificate, no one need pay more than £32.90 for four months or £90.40 for 12 months, for all the NHS medication that they are prescribed.

Nurses

Mr. Rooney: To ask the Secretary of State for Health what provisions in the Statutory Instrument on Nurses, Midwives and Health Visitors Rules Approval, SI No. 873, 1983, are still in force. [136164]

Mr. Hutton *[holding answer 4 November 2003]*: The provisions made in these rules (now operated by the Nursing and Midwifery Council) remain effective. These remain in force by virtue of schedule 2 of the Nursing and Midwifery Order 2001 (S.I. 2002/253).

Paediatric Services

Mr. Boswell: To ask the Secretary of State for Health what action he is taking to ensure that drug treatments currently licensed for adults are evaluated and made available for paediatric use. [134495]

Miss Melanie Johnson: The current legislative framework governing the authorisation of medicinal products contains neither obligations nor incentives to either evaluate medicinal products for use in the paediatric population or to make the products available for paediatric use. The United Kingdom is taking an active part in developing European legislation which will establish a system of obligations and incentives for the development and evaluation of medicines for paediatrics use. This is, however, unlikely to be finalised before 2006.

In the meantime, the UK will continue to use the existing regulatory framework to encourage the pharmaceutical industry to evaluate medicines for use in the paediatric population. The Committee on Safety of Medicines, an independent expert committee that advises the Licensing Authority has established a paediatric sub-group to provide expert advice on the regulatory strategy to improve the availability of medicines licensed for use in children.

The Medicines and Healthcare products Regulatory Agency (MHRA) routinely asks companies for paediatric development plans where appropriate, both pre- and post-licensing. In addition, when a marketing authorisation for a medicinal product is granted or amended the pharmaceutical companies are required by the Licensing Authority to provide evidence-based statements on paediatric use in the summary of product characteristics. The MHRA monitors authorisations granted for the paediatric use of medicines in the United States and contacts the marketing authorisation holder with a request for the data to be submitted to the MHRA for assessment. Several companies have submitted data in response to such requests and UK authorisations for paediatric use have been granted as a result. In other cases, the MHRA has asked companies to consider developing formulations of medicinal products that are specifically adapted for paediatric use. Following positive responses, the MHRA is actively discussing formulation development plans with several companies.

The MHRA is keeping the UK pharmaceutical industry informed of legislative developments at the European level and has offered to give regulatory and scientific advice on the development of medicines for paediatric use.

Palliative Care

Mrs. May: To ask the Secretary of State for Health (1) if he will list those hospices that have received funds from the money which was earmarked for palliative care in the NHS Cancer Plan in 2003–04; and how much of the money has been retained by NHS trusts; [135385]

(2) if he will make a statement on the grounds on which funds from the NHS Cancer Plan for palliative care are allocated to hospices. [135386]

Miss Melanie Johnson: We do not hold a centralised list of those hospices that have received funding from the additional £50 million for specialist palliative care, the allocation of which was recently announced by my right hon. Friend the Secretary of State for Health. This additional money is for specialist palliative care services in their entirety, and not for voluntary hospices alone. The overall level of funding for hospices, both from allocation to cancer networks from the £50 million and from local resources, is a matter for local discussion and agreement.

The National Partnership Group for palliative care (NPG) which is made up of representatives from the voluntary sector (including hospices), the national health service and the Department, set out clear criteria for the use of the funding, which included evidence of local consultation and partnership working between all stakeholders in deciding how the additional funding should be invested.

Polymer Fume Fever

Norman Baker: To ask the Secretary of State for Health what research he has collated on a possible relationship between the creation of toxins from the heating of Teflon-coated pans and the onset of polymer fever in humans; and if he will make a statement. [133102]

Miss Melanie Johnson: 'Polymer fume fever' is a term applied to an influenza-like illness associated with the inhalation of products resulting from heating polytetrafluoroethylene (PTFE, marketed under the trade name Teflon) and other fluorocarbon polymers, to temperatures of about 300–450 degrees centigrade. These temperatures are well above those involved in cooking food in non-stick pans. Polymer fume fever is usually a mild and self limiting condition. Almost all reports of this condition relate to occupational exposure. Although the temperatures needed could arise from the misuse of non-stick pans, this does not appear to be a significant problem in practice. There is only one case report in the published literature which attributed these symptoms to exposure to fumes from an unattended cooking pan which overheated (Blandford et al. A case of PTFE poisoning in cockatiels accompanied by polymer fume fever in the owner. *Vet Record* v.96 175–6 (1975)).

Prescription Charges

Mr. Heald: To ask the Secretary of State for Health what his policy is in respect of prescription charges for those who suffer long-term mental illness. [135601]

Ms Rosie Winterton: Improving services for people with mental health problems is a priority for the Government. Our policy is to help those who may have difficulty in paying prescription charges, rather than extending the exemption arrangements. By using a prescription prepayment certificate, no one need pay more than £32.90 for four months or £90.40 for 12 months for all the national health service medication that they are prescribed.

Mr. Hancock: To ask the Secretary of State for Health what research his Department has *(a)* commissioned and *(b)* evaluated on (i) the way that different groups are treated when considered for exemptions from prescription charges and (ii) whether charges deter people from having their prescription dispensed; and if he will make a statement. [136073]

Ms Rosie Winterton: No research has been commissioned or evaluated on these matters.

Our policy is to give priority to helping people who may have difficulty in paying charges, rather than extending the exemption arrangements. The number of prescription items dispensed continues to rise, and the balance between chargeable and free prescriptions has not changed significantly in recent years. We have no plans to change the current charging arrangements.

Mr. Hancock: To ask the Secretary of State for Health if he will make it his policy to abolish prescription charges by 2007; and if he will make a statement. [136115]

Ms Rosie Winterton: Prescription charges provide a valuable contribution to national health service resources. We have no plans to abolish prescription charges.

Mr. Jenkins: To ask the Secretary of State for Health how many *(a)* four month and *(b)* 12 month prescription prepayment certificates were issued in each of the last four years. [136421]

Ms Rosie Winterton: The available information is shown in the table.

Estimated number of Pre-Payment Certificates (PPCs) issued in England in the last four years

	PPC 4 month	*PPC 12 month*	*Total number of PPCs*
1999–2000	550,000	330,000	880,000
2000–01	580,000	370,000	950,000
2001–02	610,000	420,000	1,020,000
2002–03	640,000	480,000	1,110,000

Note:
The figures above are estimates compiled from Health Authority returns until September 2002. From October 2002 the Prescription Pricing Authority has been responsible for issuing pre-payment certificates and has provided the data. The figures have been rounded to the nearest 10,000.

Private Patients

Mr. Dobson: To ask the Secretary of State for Health how much private patient bad debt was written off by NHS trusts in each of the last five years. [135910]

Mr. Hutton *[holding answer 3 November 2003]*: National health service trusts in England (excluding strategic health authorities and primary care trusts) wrote off the following amounts annually for bad debts and abandoned claims over the past four years:

1998–99—£1,554,000
1999–2000—£1,999,000
2000–01—£2,133,000
2001–02—£1,445,000

A provisional estimate for the current financial year (2002–03) is £1,941,000.

Residential Care

Sir Teddy Taylor: To ask the Secretary of State for Health whether it is the policy of Her Majesty's Government that persons residing in residential nursing homes whose conditions deteriorate so that they require constant medical attention should have their costs borne by the national health service; and what procedures exist to make such assessments. [136698]

Dr. Ladyman: Any individual with a need for health care, which meets criteria for national health service continuing care, will have the costs borne by the NHS, regardless of where they reside. The Government's intention that the NHS should identify these individuals is reflected in proposed directions to the NHS re-emphasising the need to carry out appropriate continuing care assessments wherever it appears that there is a need for such services. All such assessments are informed by the single assessment process.

Rheumatoid Arthritis

Dr. Cable: To ask the Secretary of State for Health if he will list the health authorities in England providing funding for anti-TNF therapy for people with rheumatoid arthritis; and if he will make a statement. [136877]

Dr. Ladyman: Information is not held centrally on which primary care trusts are prescribing these drugs. The use of anti-TNF drugs in the community is

negligible, but they are used extensively in hospitals. When the National Institute for Clinical Excellence issued guidance on these drugs in March 2002, they recommended that consultant rheumatologists, or consultant paediatric rheumatologists in the case of juvenile idiopathic arthritis, should prescribe them. Information is not held centrally about drugs prescribed and dispensed in hospitals.

Information is available on the number of prescription items of drugs that are dispensed in the community in England. Details of these anti-TNF drugs (contained in the British National Formulary paragraph 10.1.3) are included in the Prescription Cost Analysis publication, which can be accessed at www.doh.gov.uk/prescriptionstatistics/index.htm.

Sexually Transmitted Diseases

Mrs. Gillan: To ask the Secretary of State for Health what his Department is doing *(a)* to reduce the incidence of sexually transmitted diseases among young people and *(b)* to discourage young people from embarking on early sexual relationships. [136572]

Miss Melanie Johnson *[holding answer 5 November 2003]:* The Government's National Strategy for Sexual Health and HIV (2001), which recognises that young people are one of the groups disproportionately affected by poor sexual health, aims to reduce the transmission of all sexually transmitted infections.

The implementation of the strategy includes specific actions targeting young people, for example, the launch last year of a national safer sex campaign, 'The Sex Lottery', for young adults to raise awareness of sexual health and promote safer sex, and initiatives within the national chlamydia screening programme to increase rates of diagnoses and treatment of chlamydia amongst young people—the group most affected by this disease.

The Government's Teenage Pregnancy Strategy (1999) encompasses a multi-faceted approach to help young people resist peer pressure to have early sex, improve sex and relationship education, increase access to effective contraception and sexual health services and support parents in talking to their children about sex and relationship issues.

Smoking-related Deaths

Mr. Steinberg: To ask the Secretary of State for Health how many people have died from *(a)* smoking-related and *(b)* secondary smoking-related diseases in each of the last five years. [135657]

Miss Melanie Johnson: Information is not available in the form requested. The Health Education Authority 1998 report, "The UK Smoking Epidemic: Deaths in 1995", estimated that in the United Kingdom in 1995 smoking caused more than 120,000 deaths of people aged 35 years or more. A copy of this report is available in the Library.

The independent Scientific Committee on Tobacco and Health concluded in its 1998 report that, "exposure to environmental smoke is a cause of lung cancer and, in those with long-term exposure, the increased risk is in the order of 20 to 30 per cent.". The committee repeated the explanation of this risk set out earlier in its fourth report that "a 20 to 30 per cent. increased risk in exposed non-smokers would be a rate of 12 to 13 per 100,000 per year. Thus we would expect an additional 2 to 3 lung cancer cases a year per 100,000 non-smokers regularly exposed to environmental tobacco smoke. The numbers of people so exposed are not known precisely". A copy of this report is also available in the Library.

Social Care

Tim Loughton: To ask the Secretary of State for Health what estimate he has made of the number of qualified social workers who are not working *(a)* for social services departments and *(b)* in social care. [134774]

Dr. Ladyman: The Department has not made such estimates.

Student Nurses

Mr. Pickthall: To ask the Secretary of State for Health how many student nurses left their courses before qualifying *(a)* in 2002 and *(b)* in 2003 to date. [135407]

Mr. Hutton *[holding answer 4 November 2003]:* The information requested is not collected centrally.

Mr. Pickthall: To ask the Secretary of State for Health what steps he will take to improve the bursaries available to student nurses. [135408]

Mr. Hutton *[holding answer 4 November 2003]:* National health service bursary rates across all professions are considered each year and have been uplifted annually since 1998, including an increase of 10.4 per cent. (well ahead of inflation) in 2001.

The Department has made a number of other improvements to the NHS bursary scheme, including extension of eligibility for disabled students' allowances and hardship support to diploma level students, and more help with the costs of travel and accommodation. The Government have also committed to introduce help with the costs of child care from 2004.

My ministerial colleagues and I continue to keep NHS-funded student support arrangements under review in order to ensure that they continue to meet our objectives for the service.

Vitamin Supplements

Dr. Tonge: To ask the Secretary of State for Health what plans he has to introduce Vitamin D supplements free to vulnerable children. [136215]

Miss Melanie Johnson: The Welfare Food Scheme provides vitamin supplements containing vitamins A, C and D, free of charge, to low income families. All children at risk of Vitamin D deficiency also may be prescribed Vitamin D supplements.

DEPUTY PRIME MINISTER

Council Tax

Mr. Davey: To ask the Deputy Prime Minister what the *(a)* average and *(b)* average band D council tax was in the London borough of Greenwich in each year since 1997. [136594]

Mr. Raynsford: The information requested is tabled as follows:

£

	Area Band D council tax for 2 adults	*Average council tax per dwelling*
1996–97	763	608
1997–98	821	651
1998–99	883	710
1999–2000	883	711
2000–01	883	710
2001–02	911	734
2002–03	954	774
2003–04	1,088	883

Mr. Davey: To ask the Deputy Prime Minister what the average council tax was in *(a)* the North East, *(b)* the North West, *(c)* Yorkshire and the Humber, *(d)* the East Midlands, *(e)* the West Midlands and *(f)* the East of England in each financial year since 1995–96. [136596]

Mr. Raynsford: The information currently available is tabled as follows. I will write to the hon. Member shortly to give average figures on this basis for 1995–96 to 1998–99.

Average council tax per dwelling

£

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
North East	627	645	676	735	801
North West	680	699	733	774	840
Yorkshire and the Humber	602	622	663	712	786
East Midlands	640	672	713	784	859
West Midlands	642	670	718	111	855
East of England	674	714	762	842	970

Mr. Pickles: To ask the Deputy Prime Minister what the gross income threshold is above which individuals are not eligible for council tax benefit. [135359]

Mr. Pond: I have been asked to reply.

There is no single income threshold which automatically denies entitlement to council tax benefit. The amount of income a person can receive before they lose entitlement to council tax benefit will be dependent on their personal circumstances, for example the size of their family, and the council tax level of the local authority area in which they live.

Housing (Older People)

Linda Perham: To ask the Deputy Prime Minister what representations on the planning of housing for elderly people he has received in the last 12 months from groups representing older people. [136611]

Keith Hill: The Office of the Deputy Prime Minister has received various comments on the planning of housing for older people from groups representing or having an interest in older people's housing. These include responses to the recent publication for consultation of "Influencing The Size, Type And Affordability of Housing", which set out proposed changes to the current policies on planning for affordable housing. The Housing and Older People Development Group, which advises the Department of Health and the Office of the Deputy Prime Minister, has also recently discussed the issue of planning of housing for older people.

Housing (Overcrowding)

Mr. Clifton-Brown: To ask the Deputy Prime Minister whether directions have been made under Section 334 of the Housing Act 1985 to require information on overcrowding. [136940]

Keith Hill: The information requested is not held centrally and could be provided only at disproportionate cost. As far as the Office of the Deputy Prime Minister is aware, the powers in section 334 of the Housing Act 1985 have not been used by local authorities or my right hon. Friend the Deputy Prime Minister in recent years. However, all local authorities have carried out assessments of the need for new affordable housing, to underpin their housing strategies. Part 7 of the Local Government Act 2003 puts these strategies on a statutory footing for the first time.

Local Authority Rent Collection

Malcolm Bruce: To ask the Deputy Prime Minister how many times each local authority has used an enforcement agency to collect arrears in each year since 1997; how much money was collected each year by enforcement agencies in each local authority; and if he will list the enforcement agencies used by each local authority. [137135]

Mr. Raynsford: The information requested is not held centrally and could be provided only at disproportionate cost.

Local Elections

Dr. Pugh: To ask the Deputy Prime Minister how many allegations of electoral fraud in postal voting for local elections in the North West Region have been *(a)* reported and *(b)* investigated in the last 10 years. [134289]

Mr. Raynsford: Information on electoral fraud at elections is not held centrally and could be provided only at disproportionate cost

Local Government Grant

Mr. Blunt: To ask the Deputy Prime Minister when he expects local government to receive grant based on the Formula Spending Share formulae using 2001 Census data. [136705]

Mr. Raynsford: Officials of the Office of the Deputy Prime Minister will continue discussing with local authority representatives how the 2001 Census data might be incorporated into the Formula Spending Shares. A decision will be made following these discussions on whether to use the 2001 Census data in the 2005–06 Formula Spending Shares.

Planning Appeals

Mr. Clifton-Brown: To ask the Deputy Prime Minister what the reason is for reducing the time for planning appeals from six to three months; when it came

into force; how many appeals it is expected to change; which appeals it applies to; and how many refusals there were on 5 September. [136941]

Keith Hill: The proposal to reduce the time allowed for an applicant to decide whether to lodge an appeal was one of many aimed at speeding up and improving the effectiveness of the planning system announced in the Green Paper "Planning: Delivering a Fundamental Change", published in 2002. The amendment is not expected to change any planning appeals, only to speed up the planning process and prevent delays.

The Amendment Order came into force on 5 September 2003 and reduces the time limit for receipt of section 78 appeals, as specified in article 23(2) of the Town & Country Planning (General Development Procedure) Order 1995. The reduced time limit also applies to an appeal made under section 78(2) of the Town and Country Planning Act 1990. The reduced time limit applies to applications received by the local planning authority on or after 5 September 2003.

The decision on whether to allow a planning permission or not remains within the remit of a local planning authority and as such information on the number of applications refused on 5 September 2003 could be gathered only at disproportionate cost.

Private Office Costs

Mr. Flight: To ask the Deputy Prime Minister what the running costs of Ministers' private offices have been in his Department in each year since 1997. [123103]

Yvette Cooper: I refer the hon. Member to the answer given to the hon. Member for Brentwood and Ongar (Mr. Pickles) on 7 May 2003, *Official Report*, column 771W.

Regional Housing Boards

Mr. Drew: To ask the Deputy Prime Minister (1) what arrangements are in place to ensure that there is sufficient expertise on rural housing on Regional Housing Boards; [136038]

(2) if he will list the membership of each Regional Housing Board, indicating which members have responsibility for rural housing. [136039]

Keith Hill: Regional Housing Boards have been formed specifically to include representatives able to act collectively and corporately on all housing issues in their regions, including the needs of rural areas. Each Board is chaired by the Regional Director of the Government Office, the most senior official in each region responsible for rural affairs. Others, particularly the senior representatives from the Housing Corporation, carry rural issues as part of their wider remits. There has also been significant input from rural local authorities and others with an interest in rural issues in development by the Boards of Regional Housing Strategies. The Communities Plan, which introduced the Boards, makes clear that the Countryside Agency must be involved to ensure that all Strategies are rural proofed.

Board membership, quite rightly, varies to reflect regional variations. Current membership is tabled as follows:

Membership of the English Regional Housing Boards (as at October 2003)

East Midlands	
Jane Todd	Government Office for the East Midlands (Chair)
Nick Reed	Housing Corporation
Alison Simpson	East Midlands Development Agency
Tony Aitchison	East Midlands Regional Assembly
Peter Springett	English Partnerships
David Lepper	Countryside Agency
Bob Walder	Housing Task Group
East of England	
Caroline Bowdler	Government Office for the East of England (Chair)
David Marlow	East of England Regional Development Agency
Brian Stewart	East of England Regional Assembly
Cllr Simon Woodbridge	East of England Regional Assembly
Cllr Paul Kirkman	East of England Regional Assembly
Cllr Trevor Millar	East of England Regional Assembly
Mick Sanders	East of England Regional Housing Forum
Denis Hone	English Partnerships
Nick Reed	Housing Corporation
John Dowie	Government Office for the East of England
John Street	Government Office for the East of England
London	
Liz Meek	Government Office for London (Chair)
Corinne Lyons	Government Office for London
Anthony Mayer	Greater London Authority
Neale Coleman	Greater London Authority
Mark Kleinman	Greater London Authority
Martin Pilgrim	Association of London Government
Genevieve Macklin	Association of London Government
Chris Wood	Association of London Government
Michael Ward	London Development Agency
Steven Douglas	Housing Corporation
Duncan Innes	English Partnerships
North East	
Jonathan Blackie	Government Office for the North East (Chair)
Diana Pierce	Government Office for the North East
Alan Clarke	One North East (North East RDA)
John Walker	English Partnerships
Cllr Peter Mole	North East Housing Forum
Cllr Alan Napier	North East Regional Assembly
John Carleton	Housing Corporation
Jolyon Harrison	House Builders Federation
Evelyn Kemp	North East Council for Tenants and Residents
Cllr Bob Brady	Association of North East Councils
North West	
Keith Barnes	Government Office for the North West (Chair)
John Carleton	Housing Corporation
Steve Machin	North West Regional Assembly
David Shelton	English Partnerships
Cllr Noel Spencer	North West Housing Forum
Wayne Shand	North West Development Agency
Peter Styche	Government Office for the North West
South East	
Paul Martin	Government Office for the South East (Chair)
Mark Bilsborough	Government Office for the South East
Colin Byrne	Government Office for the South East
Paul Hudson	SEEDA (South East England Development Agency)
Mike Gwilliam	South East Regional Assembly
Clive Turner	Housing Corporation
Trevor Beattie	English Partnerships
Cllr Keith House	SEEDA (South East England Development Agency)
Sheila Drew Smith	Housing Corporation
Cllr Keith Mitchell	South East Regional Assembly
Cllr Don Turner	South East Regional Assembly
Cllr Paul Bizzell	South East Regional Assembly
Douglas Horner	South East Regional Assembly
Sharon Hedges	South East Regional Assembly

Membership of the English Regional Housing Boards (as at October 2003)

East Midlands	
South West	
Jane Henderson	Government Office for the South West (Chair)
Thoss Shearer	Government Office for the South West
Clive Turner	Housing Corporation
Malcolm Hanney	South West Regional Assembly
Bryoney Houlden	South West Regional Assembly
Colin Moulton	South West Regional Development Agency
Duncan Innes	English Partnerships
Pat Crowson	Local Government Association
John Barley	National Housing Federation
David Seaton	House Builders Federation
West Midlands	
Graham Garbutt	Government Office for the West Midlands (Chair)
Nick Reed	Housing Corporation
John Edwards	Advantage West Midlands (West Midlands RDA)
Simon Hodgson	West Midlands Regional Assembly
Peter Murray	English Partnerships
Steve Gregory	Regional Housing Partnership
Rose Poulter	West Midlands Local Government Association
Phillipa Holland	Government Office for the West Midlands
Yorkshire and the Humber	
Felicity Everiss	Government Office for Yorkshire and the Humber (Chair)
Martin Havenhand	Yorkshire Forward (Yorkshire and Humber RDA)
Liz Kerry	Yorkshire and Humber Assembly
Cllr Peter Box	Yorkshire and Humber Assembly
John Carleton	Housing Corporation
Mike Gahagan	South Yorkshire Housing Market Renewal Pathfinder
Stuart Whyte	Hull and E. Riding Housing Market Renewal Pathfinder
David Carr	English Partnerships
Cllr Richard Lewis	Yorkshire and Humberside Housing Forum
Michael Hall	Yorkshire and Humberside Housing Forum
John Kirkham	Yorkshire and Humberside Housing Forum

Social Housing

Mr. Gardiner: To ask the Deputy Prime Minister if he will encourage local authorities and housing associations to build a range of properties with varying numbers of bedrooms in agreements made under section 106 of the Town and Country Planning Act 1990. [136630]

Keith Hill: Planning Policy Guidance Note 3 "Housing" (March 2000) requires local planning authorities to provide wider housing opportunity and choice, and a better mix in the size and type of housing than is currently available.

The Office of the Deputy Prime Minister recently published for consultation proposed changes to the current policies on planning for housing mix set out in PPG3. The consultation document "Influencing The Size, Type And Affordability Of Housing" proposes that local planning authorities should plan to meet the housing requirements of the whole community by planning for a mix of housing types and sizes that reflects up-to-date assessments. It proposes new policy which would allow local planning authorities, where appropriate local plan policies are in place, to reject developments that conflict with the objective of widening housing choice.

A local planning authority can secure a range of sizes of housing either by granting permission to a planning application or by attaching a planning condition, where this information is not provided by a planning application. Alternatively, notes could be appended to an outline permission to give the developer guidance as to what precise form of development will be acceptable to the local planning authority. A section 106 agreement can be employed to secure that some of the housing for which planning permission has been granted must be affordable housing, and the agreement can specify the type of that housing.

Total Cost Indicators

Mr. Gardiner: To ask the Deputy Prime Minister if he will permit Total Cost Indicators to increase in line with the increase in property prices. [136629]

Keith Hill: The Housing Corporation launched their new approach to investment on 24 October. The Office of the Deputy Prime Minister has agreed that as part of the phased introduction of the 'new approach' that total cost indicators (TCIs) will be phased out over time. For the Social Housing Grant bidding round for 2004–05 and 2005–06, TCIs have been uprated by an average of 8 per cent. using a range of 5 per cent. to 15 per cent. based on existing TCI groupings.

TREASURY

Air Transport

John Barrett: To ask the Chancellor of the Exchequer (1) what plans he has to increase air passenger duty; [136399]

(2) what plans he has to end the tax exemption status of aviation fuel. [136400]

John Healey: I refer the hon. Gentleman to the answer I gave to the hon. Member for Eddisbury (Mr. O'Brien) on 28 October 2003, *Official Report*, column 206W. Levels of all taxes are reviewed as part of the annual Budget process, taking account of a range of social, economic and environmental considerations. The Chicago Convention prohibits the imposition of taxes or charges on fuel kept on board aircraft and consumed on international flights. The UK is also bound by bilateral air service agreements which impose further restrictions.

The 2002 Pre-Budget Report stated that the Government would discuss with stakeholders the most effective economic instruments for ensuring that the industry is encouraged to take account of, and where appropriate, reduce its contribution to global warming, local air and noise pollution. The Government's views will be set out in the Air Transport White Paper, due to be published later this year.

ASPIRE Programme

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 14 October 2003, *Official Report*, column 141W, who has been the Board member responsible for project ASPIRE since the planning first commenced; when the intention to engage in a market

making exercise in support of project ASPIRE was first committed to by Inland Revenue; when the potential suppliers who took part in the market making exercise were first selected by Inland Revenue for that purpose; and what action Inland Revenue subsequently took after 12 April 2000 to the end of July 2001 to ensure that maximum value for public money expended upon project ASPIRE was obtained. [136562]

Dawn Primarolo: The Board of the Inland Revenue has set up a Superintending Group to oversee the work of ASPIRE, which is chaired by Sir Nicholas Montagu KCB, the Chairman of the Inland Revenue.

As I said in my answer of 14 October 2003, *Official Report*, column 141W, the market-making exercise was conceived by the Inland Revenue between August and October 2001; it was also committed to at this time. Potential suppliers were also identified between August and October 2001 as part of the planning for the market-making exercise.

Bank Accounts

Mr. Jenkins: To ask the Chancellor of the Exchequer how many people have taken up basic bank accounts in the UK: and what percentage this represents of all UK personal bank accounts. [136444]

Ruth Kelly: Latest figures from the British Bankers Association show that at the end of June 2003, the total number of basic bank accounts was 6,063,327. At the end of 2002, the total number of personal accounts (Major British Banking Groups) was 111,847,000. Basic bank accounts represent around 5–6 per cent. of all personal accounts using these figures.

Crown Estate Income

Mr. Carmichael: To ask the Chancellor of the Exchequer how much income the Crown Estate has received from rents paid for *(a)* marinas and *(b)* piers in each year since 1997. [136459]

Ruth Kelly: The figures for rents received for piers and marinas in England, Wales and Northern Ireland are in the table.

The information for Scotland is not readily available prior to the current financial year. This is because information held on foreshore lease arrangements in Scotland in previous years cannot readily identify income from piers and marinas. However, the estimated income for the current financial year in Scotland is £95,000 from piers and £60,000 from marinas, and this would be indicative of income in previous years.

£

	Piers	*Marinas*
1997	9,375	574,960
1998	9,375	624,974
1999	9,375	714,896
2000	10,500	574,260
2001	10,500	738,504
2002	11,500	996,703
2003	12,500	1,242,219
Total (excluding Scotland)	73,125	5,466,516

Mr. Carmichael: To ask the Chancellor of the Exchequer how much revenue the Crown Estate has collected from charges levied on cables crossing its land in each year since 1997; and how much the Crown Estate has charged per kilometre of cable laid *(a)* on the seabed and *(b)* over ground in each year since 1997. [136460]

Ruth Kelly: Since 1997 the information requested is as follows:

Land based cables

Cables that cross land, or connect Scottish Islands to the UK mainland for domestic purposes, are covered by the British Telecom Master Agreement, which is expressed as a lump sum payment. This agreement is negotiated between BT and the Crown Estate and covers not only cables, but also poles, struts, stays, joint boxes, etc. that cross land.

	Revenue (£ million)
1997	0.43
1998	0.58
1999	0.58
2000	0.65
2001	0.65
2002	1.05
2003	1.05

Seabed cables

The Crown Estate holds consultation with the United Kingdom Cable Protection Committee (UKCPC) in respect of telecommunication cable systems that either transit UK waters or land at some point on the UK coast. The agreement relates to international systems only. The agreement sets out fixed charges for single destination and self-healing loop systems, regardless of the length of cable involved.

	Revenue (£ million)
1997	1.22
1998	1.63
1999	2.65
2000	3.54
2001	3.79
2002	4.98
2003	5.07

Mr. Carmichael: To ask the Chancellor of the Exchequer pursuant to the answer of 27 October 2003, *Official Report*, column 38W, on Crown Estate income, how much income has been received by the Crown Estate from rents paid for cables which connect *(a)* Orkney, *(b)* Shetland and *(c)* other Scottish Islands to the UK mainland for each financial year since 1997; and what estimate the Government have made of the impact on UK businesses of charges levied by the Crown Estate for cables that use the seabed. [136496]

Ruth Kelly: Revenue paid to The Crown Estate for cables to Orkney, Shetland and other Scottish Islands from the UK mainland is calculated under the British Telecom Master Agreement. The revenue is not calculated for each specific piece of land that is crossed and therefore information for cables connecting individual Scottish Islands is not identifiable. I refer the hon. Gentleman to the answer I gave earlier today

regarding the revenue received by the Crown Estate from cables crossing either the seabed or land managed by the Crown Estate since 1997.

Rents charged by the Crown Estate for use of the seabed are established by professional valuers in negotiation with users, and where appropriate, involve consultation with the relevant industry or interest groups. The rents are set at levels appropriate to the market conditions and must not take advantage of any monopoly interest. The Crown Estate must comply with the requirements placed upon it by Parliament under The Crown Estate Act 1961, with regards to the maintenance of the Estate and the income which it yields. The Crown Estate manages the estate according to sound commercial principles, and also understands and works with the industries that use its assets to ensure that high standards of management and stewardship are followed.

Firearms

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answers of 15 October 2003, *Official Report*, column 280W, and 14 July 2003, *Official Report*, column 133W, whether firearms include shotguns for licensing purposes; of the firearms controlled by HM Customs at Farnborough airport in 1999 how many were not presented with a valid firearms licence or British visitor firearms licence by the individuals declaring them to customs officers on the date of entry to the UK; and how many firearms were prohibited within the meaning of the Firearms Acts. [136563]

John Healey: Firearms include shot guns for import and domestic licensing purposes. Of the importations of firearms controlled by Customs at Farnborough airport in 1999 one was a prohibited weapon within the meaning of the Firearms Act 1968 and did not have a valid firearms licence or British Visitor's Permit.

Fireworks

Mr. Battle: To ask the Chancellor of the Exchequer how many illegal fireworks have been seized on entry to the UK at the port of Hull in the last 12 months for which figures are available. [136356]

John Healey: 17,400 fireworks weighing approximately 3.5 tonnes have been seized at the port of Hull in the 12 months to 31 October 2003.

Inland Revenue

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answers of 14 October 2003, *Official Report*, column 141W, and 8 September 2003, Official Report, column 103W, on the Inland Revenue, whether Commissioners of Inland Revenue were given objectives relating to Project ASPIRE or its antecedents which attracted performance-related pay in 1999–2000 to 2002–03. [136564]

Dawn Primarolo: Commissioners of the Inland Revenue have Performance Agreements in the same way as all other staff. These contain agreed objectives that are relevant to their job but the Agreement and its contents are personal to the individual. Commissioners can earn performance-related pay under the pay system that applies to the Senior Civil Service, but details of performance appraisal and consequential pay adjustments are always treated as confidential information.

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answers of 15 October 2003, *Official Report*, column 280W, and 14 October 2003, *Official Report*, column 139W, what the destination offices were in 2000–01 of Inland Revenue officers posted from the Business Tax Group, within International Division, broken down by *(a)* Business Tax Group Deputy Director's Office, *(b)* Policy Team and *(c)* Advisory/ Casework Team. [136565]

Dawn Primarolo: It would be inappropriate to disclose the information requested as it would facilitate the identification of individual members of staff of the Inland Revenue. Exemption 8 *(a)* of the Code of Practice on Access to Government information applies in this case.

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 8 September 2003, *Official Report*, column 103W, on what date the Inland Revenue submitted its Supplementary Memorandum, as published in the 29 Report of the Committee of Public Accounts, Session 2002–03, HC 332, to the Committee of Public Accounts. [136820]

Dawn Primarolo: The Supplementary Memorandum to which the hon. Member refers was submitted to the Committee of Public Accounts on 12 February 2003.

Oil and Gas Industry

Sir Robert Smith: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the draft EU constitution on the Treasury's powers to set the fiscal regime for the exploitation of oil and gas reserves from the UK continental shelf. [R] [135325]

Dawn Primarolo: Any changes to the provisions of the existing EU Treaties, including in relation to energy matters, require the unanimous agreement of all member states. The Government have made it clear in their White Paper, "The British Approach to the European Union Inter-governmental Conference 2003", that they will insist that tax matters continue to be decided by unanimity.

Pensions

Mr. Keith Bradley: To ask the Chancellor of the Exchequer what he estimates the cost would be in this financial year to the Treasury of exempting the state retirement pension from income tax. [136795]

Dawn Primarolo: The cost of exempting the state retirement pension for the purposes of income tax is £4.6 billion in 2003–04.

This estimate was based on the 2000–01 Survey of Personal Incomes and is consistent with the Budget 2003 forecasts.

Property Sales (Tax)

John Barrett: To ask the Chancellor of the Exchequer what estimate he has made of the annual revenue that would be raised from a 40 per cent. tax rate on profits from the sale of property. [136622]

Dawn Primarolo: Reliable estimates of the yield from imposing capital gains tax at 40 per cent. on profits from the sale of property are only available at disproportionate cost.

Public Expenditure

Mr. Hancock: To ask the Chancellor of the Exchequer how much, as a percentage of GDP, has been spent on *(a)* health, *(b)* education and *(c)* defence in (i) the United Kingdom and (ii) each other member of the EU in each of the last five years; and if he will make a statement. [136521]

Ruth Kelly: Financial year figures for UK expenditure on health, education and defence are as follows:

Percentage GDP

	1998–99 outturn	*1999–2000 outturn*	*2000–01*	*2001–02*	*2003–03*
Education	4.5	4.5	4.6	4.9	5.1
Health	5.3	5.5	5.6	6.0	6.3
Defence	2.6	2.5	2.6	2.4	2.4

Source:
Public Expenditure Statistical Analyses 2003 (Cm 5901)

Figures for EU member states are shown in the tables as follows. These are on a calendar year basis.

Health

Percentage GEP

	1998	*1999*	*2000*	*2001*	*2002*
BE	6.2	6.3	6.4	6.6	6.7
DK	5.2	5.3	5.2	5.4	5.6
DE	6.3	6.3	6.3	6.3	—
GR	2.4	2.6	2.5	4.1	—
ES	—	5.4	5.4	5.3	—
FR	7.8	7.7	7.8	7.9	—
IE	5.9	5.7	5.9	6.3	—
IT	5.7	5.8	6.1	6.3	—
LU	4.9	4.6	4.2	4.9	5.0
NL	4.0	4.0	4.0	4.1	5.0
AT	8.0	7.9	7.5	5.8	—
PT	6.1	6.3	6.7	6.8	—
FI	5.9	5.9	5.8	6.0	—
SE	6.3	6.4	6.3	6.6	—

Education

Percentage GDP

	1998	*1999*	*2000*	*2001*	*2002*
BE	6.4	6.2	6.1	6.2	6.4
DK	8.0	8.0	8.0	8.3	8.3
DE	4.4	4.3	4.3	4.2	—
GR	3.7	3.7	3.8	3.8	—
ES	—	4.4	4.4	4.3	—
FR	6.2	6.3	6.1	6.0	—
IE	4.3	4.2	4.1	4.3	—
IT	5.0	5.0	5.0	5.1	—
LU	5.1	4.9	4.4	4.7	5.1
NL	4.7	4.8	4.7	4.8	4.9
AT	6.0	5.9	5.8	5.8	—
PT	6.7	6.9	6.9	6.9	—
FI	6.5	6.4	6.2	6.4	—
SE	7.4	7.6	6.9	7.7	—

Defence

Percentage GDP

	1998	*1999*	*2000*	*2001*	*2002*
BE	1.3	1.3	1.2	1.3	1.2
DK	1.7	1.7	1.6	1.7	1.6
DE	1.3	1.3	1.2	1.2	—
GR	3.1	3.1	3.3	3.2	—
ES	—	1.2	1.2	1.2	—
FR	2.6	2.5	2.4	2.4	—
IE	0.8	0.7	0.7	0.7	—
IT	1.1	1.1	1.1	1.1	—
LU	0.6	0.3	0.3	0.3	0.3
NL	1.6	1.6	1.6	1.6	1.5
AT	1.0	1.0	1.0	0.9	—
PT	1.7	1.7	1.8	1.7	—
FI	1.8	1.7	1.5	1.5	—
SE	2.5	2.5	2.4	2.2	—

Source:
Eurostat

Revenue Recovery

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 14 October 2003, *Official Report*, column 139W, on the Inland Revenue, if he will break down the £1.09 million by size of company from which recovery was made. [136881]

Dawn Primarolo: All of the transfer pricing cases involving recovery by Revenue Policy International in the year 2000 involved substantial multinational companies.

Tax Credits

Norman Lamb: To ask the Chancellor of the Exchequer how many nil awards have been made in respect of applications for *(a)* child and *(b)* working tax credit. [136149]

Ruth Kelly: Details of families who have child and working tax credit awards as at quarterly reference dates are published in "Child and Working Tax Credits. Quarterly Statistics". This appears on the Inland Revenue website at: www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm

John Barrett: To ask the Chancellor of the Exchequer pursuant to his answer of 22 October 2003, *Official Report*, column 620W, on tax credits, what plans he has to make estimates of take-up of *(a)* child tax credit and *(b)* working tax credit broken down by (i) region, (ii) local authority and (iii) parliamentary constituency. [136358]

Dawn Primarolo: As I announced on 31 October, 5.9 million families are now receiving benefits through new tax credits. Estimating take-up will only be possible when the Family Resources Survey for 2003–04 becomes available.

Mr. Drew: To ask the Chancellor of the Exchequer (1) what the average waiting time for an NHS tax credit exemptions certificate was in the last year for which figures are available; [136486]

(2) what the procedure is for the Inland Revenue to provide details to the exemptions office of those people who are eligible for an NHS tax credit exemptions certificate; [136487]

(3) how many people were eligible for an NHS tax credit exemptions certificate in the last year for which figures are available; and how many are still waiting to receive certificates. [136488]

Dawn Primarolo: Claims for tax credits are processed as quickly as possible. Claims for which no further information is required, and which pass the various pre award checks, go through the stages of calculating the award quickly and will normally be in payment within a few days. Once an award has been made, the Inland Revenue identify the families who are entitled to a health costs exemption certificate and send the data to the Prescription Pricing Authority (PPA) to issue the certificates on behalf of the Department of Health. On receipt of the data the PPA processes tax credit exception claims and issues the certificate within 30 days of valid data being received. Data are sent monthly from the IR to the PPA.

Since the new tax credits were introduced in April 2003, the PPA has issued over 1.7 million certificates for tax credit claims. A certificate is issued on an individual basis and a couple would therefore receive one each.

The latest batch of data was received by the PPA on 24 October 2003 and issue of the associated certificates will be completed by 24 November 2003.

WORK AND PENSIONS

Departmental Publications

Mr. Dhanda: To ask the Secretary of State for Work and Pensions how many copies of his Department's publications for people who have been bereaved were printed in 2002–03. [135484]

Mr. Pond *[holding answer 3 November 2003]:* The Department produces a number of leaflets for people who have been bereaved. Around 1,300,000 copies of these leaflets were printed during 2002–03. Information on bereavement benefits is also included in general benefit leaflets.

Leaflets giving details of bereavement benefits are available from social security offices, post offices, undertakers, registrars and some doctor's surgeries.

Pensions

Mr. Tynan: To ask the Secretary of State for Work and Pensions how many people in Scotland are in receipt of occupational pensions. [134589]

Malcolm Wicks: In the financial year 2001–02, an estimated 525,000 people were in receipt of occupational pensions in Scotland; this compares with 5,775,000 people in receipt of occupational pensions in the United Kingdom. A higher percentage of the population are in receipt of occupational pensions in Scotland than in the United Kingdom as a whole (9.1 per cent. in Scotland and 8.6 per cent. in the UK as a whole).

Source:
Estimates from Family Resources Survey 2001–02.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate *(a)* the gross cost and *(b)* the cost net of savings on means-tested benefits and increased income tax revenues of introducing age additions to the basic state pension of (i) £10 per week at the age of 75 and (ii) £15 per week at the age of 80 from April 2004. [135793]

Malcolm Wicks: The information requested is set out in the following table:

£ billion

	Gross cost	*Net cost*
Estimated gross cost and the cost net of savings on means-tested benefits and increased income tax revenues of introducing age additions to the basic state pension of £10 per week at the age of 75 from April 2004.	2.2	1.4
Estimated gross cost and the cost net of savings on means-tested benefits and increased income tax revenues of introducing age additions to the basic state pension of £15 per week at the age of 80 from April 2004.	1.9	1.2

Notes:
1. Figures are in 2003–04 price terms and are rounded to the nearest £100 million.
2. Gross costs are estimated by the Government Actuary's Department.
3. Income-related benefit offsets are calculated using the DWP policy simulation model.
4. Income tax revenue increases calculated by the Inland Revenue using the 2000–01 Survey of Personal Incomes and April 2003 Budget forecasts.
5. The two options have been costed separately.
6. The age addition increases are assumed to be flat-rate increases and are paid in full to all pensioners of applicable age.

Pension Credit

John Thurso: To ask the Secretary of State for Work and Pensions how many calls have been made to the pension credit telephone application line, broken down by originating region. [135927]

Malcolm Wicks: The information is not available in the form requested. The pension credit application line had received approximately 1.25 million calls as at 25 October 2003.

Winter Fuel Payment

John Thurso: To ask the Secretary of State for Work and Pensions if he will estimate how many people in Scotland who became newly entitled for the 2003–04 winter fuel payment and who needed to make a claim before 19 September 2003 in order to receive their payment before Christmas failed to do so; and what the value was of such payments. [135925]

Malcolm Wicks: We estimate that around 60,000 people will be newly entitled to the 2003–04 winter fuel payments in Scotland, and of these, around 26,700 should receive their payments automatically. The others

would need to claim and we have publicised the availability of winter fuel payments and how to obtain a claim form.

We are unable to provide any reliable estimate of the value of unclaimed winter fuel payments because the amount due depends on the composition of the household. It is up to an individual, where a claim is necessary, to decide whether or not to make that claim. They have until 30 March 2004 to make a claim for this winter.

Notes:
1. New entitlement based on population estimates from the Government Actuary's Department.
2. Figures for total winter fuel payments taken from the Matching Intelligence Data Analysis Service Winter Fuels Payment 2002–03 exercise 100 per cent. data. Figures are rounded to the nearest five.
3. The estimated number of people who turned 60 between March 2002 and March 2003 and were claiming the state pension should receive automatic payments.
4. The data for the number of people who should receive automatic payments are from5 per cent. samples of individual benefits and figures have been rounded to the nearest 100.

Sources:
1. DWP IAD Information Centre, 100 per cent. sample.
2. Client Group Analysis of IAD Information Centre statistical samples.

INTERNATIONAL DEVELOPMENT

Afghanistan

Dr. Tonge: To ask the Secretary of State for International Development what progress has been made in opening schools for girls in *(a)* Kabul and *(b)* other parts of Afghanistan. [136211]

Hilary Benn: UNICEF has been working in partnership with the Ministry of Education, the United Nations Office of Project Services (UNOPS) and a number of NGOs to rehabilitate over 200 primary schools both in Kabul and in other parts of Afghanistan, with special emphasis on parts of the country where large numbers of people have returned from overseas.

We contributed £2 million to the UNICEF "Back to School Campaign" during 2002–03. The program targeted approximately 1.78 million primary school children (both girls and boys), and up to 50,000 teachers across Afghanistan. This year, over 4 million children are back at over 6,500 schools. Over one third of the pupils are girls.

Mrs. Spelman: To ask the Secretary of State for International Development what steps he is taking to ensure the safety of workers distributing aid funded by his Department in areas outside Kabul, with particular reference to women aid workers. [136350]

Hilary Benn: DFID funded aid projects are implemented by its partners, mainly the UN and NGOs. All these partners have strict security guidelines in place to ensure the safety of their staff, including women. Some of these partners have also appointed dedicated professional security officers. The UN has security officers in all of its regional offices providing regular security updates and advice, to the UN and other aid agencies. In addition, ACBAR, the main NGO coordination body in Afghanistan, regularly updates and discusses all security related reports and advice with the NGO community. DFID provided a grant of £800,000 to the UN in October 2001 to enhance its safety and security measures.

Keith Vaz: To ask the Secretary of State for International Development what facilities are available to Afghan women in order for them to be educated enough to be able to participate in the election. [136558]

Hilary Benn: The Constitutional Commission's public education department, run by the UN, has launched a wide-spread public information/education campaign to acquaint Afghans with the Constitutional Loya Jirga process. The electorate is being provided with information packages and training through provincial registration meetings. Concerning women's participation in the elections, a specific information and training campaign is currently being developed by the UN but details have yet to be finalised. DFID has contributed £1 million towards the election registration process with a further £2 million allocated from the joint DFID-FCO-MOD Global Conflict Prevention Pool.

Aid Programmes

Tom Brake: To ask the Secretary of State for International Development if he will list the aid programmes in middle-income countries whose funding from the Department will be changed as a result of the diversion of aid to the reconstruction of Iraq; and what assessment he has made of the impact of such changes on middle income countries. [135501]

Hilary Benn: Final decisions have yet to be taken on where reallocations will occur and I refer the hon. Member for Carshalton and Wallington to the answers I gave the hon. Member for Meriden (Mrs. Spelman) on 4 November 2003, *Official Report*, columns 486W and 490W.

Aid Provision

Mr. David Marshall: To ask the Secretary of State for International Development how much aid the UK gave to each of the five poorest nations in each of the last five years. [136189]

Hilary Benn: The five poorest nations have been identified as those with the lowest GNI per capita. This is calculated by dividing the Gross National Income by the mid year population. GNI per capita in US dollars is converted using the World Bank Atlas method.

UK bilateral assistance (£000) to five poorest nations

Poorest nations based on GNI per capita	*GNI per capita (US$)*	*Total Gross Public Expenditure 2002-03 (£000)*
Democratic Republic of Congo	80	15,586
Ethiopia	100	44,240
Burundi	100	1,934
Liberia	140	1,738
Sierra Leone	140	32,761

Source:
SID 2003 Edition Tables 1.8 and 7.1.

The UK also gives assistance to these countries via our multilateral contributions.

AIDS

Dr. Tonge: To ask the Secretary of State for International Development what discussions he has had with governments of countries affected by AIDS, concerning the future impact of AIDS on public services and stability of their society. [136217]

Mr. Gareth Thomas: HIV/AIDS is a human catastrophe and a significant development challenge. This is acknowledged by many governments and it is frequently discussed in meetings the Department for International Development has with partner countries. The issue is also discussed in a range of regional and international fora.

HIV/AIDS is not just a health problem. It requires a response that addresses public services like education, livelihoods and food security, access to justice and security. In Malawi for example DFID is working with other donors and the Malawian Government to ensure that the Poverty Reduction Strategies addresses the impact of HIV/AIDS on all public services. In education, DFID is currently working with the UNAIDS Interagency Task Team for Education and HIV/AIDS to promote high level understanding and leadership, and strengthen the technical capacity of developing countries to develop and implement effective education responses to the epidemic.

AIDS Orphans

Dr. Tonge: To ask the Secretary of State for International Development what estimate he has made of the number of AIDS orphans there are, broken down by country. [136203]

Mr. Gareth Thomas: We expect the very latest statistics on orphans to be published in a report by UNICEF, "Africa's Orphaned Generations", on 23 November 2003. Until then the international community, including DFID, has drawn on the joint UNAIDS, UNICEF, USAID Report, "Children on the Brink 2002", which provides statistics on current and projected numbers of children orphaned by HIV/AIDS in 88 countries.

"Children on the Brink 2002" estimates that 13.4 million children under the age of 15 had lost one or both parents to AIDS in 2001. 11 million of these children are in sub-Saharan Africa. By 2010, this number is expected to rise to 25 million, with probable large increases in Asia. In the hardest hit countries, it is estimated that 15 per cent. of all children will be orphaned by AIDS by 2005.

Dr. Tonge: To ask the Secretary of State for International Development what discussions he has had with other donor countries and NGOs concerning AIDS orphans in developing countries. [136218]

Mr. Gareth Thomas: HIV/AIDS has created an unprecedented orphan crisis. By 2001 13.4 million children had lost one or both parents to AIDS. The growing impacts of HIV/AIDS on children, particularly in sub-Saharan Africa, have strong implications for the achievement of all development goals. Co-ordinating and harmonising the response to this crisis is a key challenge for the international community.

In June 2001, DFID joined the rest of the international community at the United Nations General Assembly Special Session (UNGASS) on HIV/AIDS in adopting the Declaration of Commitment which set common targets for reducing the spread of HIV/AIDS and alleviating its impact. The Declaration includes three strong commitments to provide special assistance to children orphaned and affected by HIV/AIDS.

DFID is now working with UNAIDS and UNICEF, who are co-ordinating other development agencies and NGOs to develop a Global Strategic Framework to translate the UNGASS Declaration into country level action and commitment. Other governments engaged in this process include the US, the Netherlands, Sweden, Australia, and Denmark. Emphasis is placed on the need to strengthen community-based care of orphans and ensure that they stay in school.

At the country level, we are in dialogue with governments and development partners to ensure that national responses to the epidemic include appropriate provision for the education, health, nutrition and housing needs of orphaned as well as their protection from abuse and exploitation. In Uganda, we have supported the Government in the implementation of free universal primary education. Prior to the introduction of the free Universal Primary Education policy, 12 per cent. fewer orphans were attending school compared to non-orphans. In 2000 this had diminished to 4 per cent. as a result of free primary education. In Malawi we are working with other donors and the Government of Malawi to ensure that the needs of orphans and vulnerable children are addressed through the Poverty Reduction Strategy processes.

Mrs. Spelman: To ask the Secretary of State for International Development what response his Department is making to the UNICEF and UNAIDS announcement of a co-ordinated global response to AIDS orphans. [136277]

Mr. Gareth Thomas: HIV/AIDS has created an unprecedented orphan crisis. By 2001 13.4 million children had lost one or both parents to AIDS. The growing impacts of HIV/AIDS on children, particularly in sub-Saharan Africa, have strong implications for the achievement of all development goals. Coordinating and harmonising the response to this crisis is a key challenge for the international community.

In October of this year, DFID joined other major international partners to develop a global strategic framework for the protection, care and support of orphans and other children made vulnerable by HIV/AIDS (OVC). The framework will highlight key issues in an effective response to the needs of OVC. We fully endorses the draft framework's emphasis on free primary education and strengthened support to community-based care for OVC within the context of a broad multi-sectoral national HIV/AIDS strategy. We continue to emphasise the importance of embedding responses to the orphan crisis in national level mechanisms such as the Poverty Reduction Strategy processes, and the urgency of providing treatment programmes to prolong the lives of HIV+ parents.

AIDS/TB/Malaria

Mr. Hunter: To ask the Secretary of State for International Development what the United Kingdom's contribution will be to the Global Fund for combating AIDS, TB and malaria in each year up to 2008 for this year. [136046]

Mr. Gareth Thomas: The UK recognises that in order to be effective the Global Fund to Fight HIV/AIDS, TB and Malaria (GFATM) needs predictable and sustainable financing. The UK recently extended its pledge by a further two years to 2008 bringing our total contribution to approximately US$280million.

The pattern of our disbursements has been agreed with the Global Fund Secretariat—for the financial year 2002–03, the UK provided £50 million in two separate payments of £25 million, in 2003–04 the UK provided £25 million, in 2004–05 we will provide £30 million, and in 2005–06 we will provide £33 million. In the years 2006–07 and 2007–08 we have pledged US$40 million per year.

UK funding is subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the Fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. Good progress was made at the recent 6th Board meeting in Thailand on many of these issues.

Democratic Republic of Congo

Mrs. Spelman: To ask the Secretary of State for International Development what support and advice is being provided to the interim government of the Democratic Republic of Congo. [136343]

Hilary Benn: The Government have recently informed the Transitional National Government (TNG) of the Democratic Republic of Congo, and made public, a significant stepping up of its engagement with the DRC, following the installation of the TNG this summer. This year, our programme will amount to £23 million.

Ensuring a successful transition process, including embedding the TNG, is crucial to our overall goal of ensuring peace and poverty reduction in the DRC and through that, the region as a whole. As a member of the International Committee for Support to the Transition, we are pressing for a well developed and shared understanding between donors and government of the Transition Process and of the varied challenges and milestones that the process will entail, as well as strong day-to-day co-ordination of their support efforts.

We are providing £700,000 in direct support for the basic infrastructure needs of the Transition Institutions, which include the President and four Vice Presidents, Government, Parliament, Senate, Supreme Court and the five Democracy Support Commissions (Elections, Human Rights, Truth and Reconciliation, Anti-Corruption and Media). We are considering technical assistance for the drawing up of a national Disarmament, Demobilisation and Reintegration (DDR) strategy, a Security Sector Reform (SSR) strategy, and a Poverty Reduction Strategy Paper (PRSP). We are also looking at providing some civil service capacity building support to the Government with UNDP and other donors.

It is crucial for DRC and the wider Great Lakes region that the transition process remains on track. We will therefore make continued efforts to strengthen and consolidate peace, which include humanitarian work, disarmament, demobilisation and reintegration of ex-combatants, army, police and justice sector reform, and grassroots peace-building work.

Mrs. Spelman: To ask the Secretary of State for International Development what efforts are being made to ensure that the forthcoming elections in the Democratic Republic of Congo will be free and fair. [136346]

Hilary Benn: We believe that national elections are a key part of the transition period under way in the Democratic Republic of Congo (DRC) and an important challenge for the new Transitional National Government (TNG). This will require not only support from donors but also strong and effective engagement by civil society and a free and responsible media.

We are currently providing £700,000 in direct support for the basic infrastructure needs of the Transition Institutions, which include the President and four Vice Presidents, Government, Parliament, Senate, Supreme Court and the five Democracy Support Commissions, including the Independent Electoral Commission. When the financial needs of the electoral process become clearer, we will consider what further support we might give. With other donors and the TNG, we are looking at how we can provide core funding for all five Democracy Support Commissions (Elections, Human Rights, Anti-Corruption, Media and Truth and Reconciliation). We are promoting donor coordination and harmonisation to ensure an effective approach towards all aspects of holding free and fair elections.

Media pluralism is critical for encouraging and supporting political pluralism. We are therefore providing support to the media sector not only as above through the Media Commission, but also: through £500,000 funding to Panos Paris, an NGO who are working to build capacity and strengthen the media sector to improve access to, and quality of information; and over £1 million through Foundation Hirondelle to support Radio Okapi, the UN linked radio station which broadcasts good quality news and peace messages and will play an important part in the elections.

Finally, free and fair elections will not happen unless the transition process remains on track. We will, therefore make continued efforts to strengthen and consolidate peace, which include humanitarian work, disarmament, demobilisation and reintegration of ex-combatants, army, police and justice sector reform, and grassroots peace-building work.

Mrs. Spelman: To ask the Secretary of State for International Development if he will make a statement on the report by a UN commission on the misuse of the Democratic Republic of Congo's natural resources. [136347]

Hilary Benn: I am currently considering the Final Report of the UN Panel of Experts on the Illegal Exploitation of Natural Resources in the Democratic Republic of Congo and I shall write to the hon. Lady as soon as possible.

Developing Countries (Property Ownership)

Mr. Gardiner: To ask the Secretary of State for International Development pursuant to his answer of 16 September 2003, *Official Report*, column 653W, on developing countries (property ownership), what resources his Department is allocating to deal with these problems. [136179]

Hilary Benn: In my earlier responses to my hon. Friend I outlined DFID's assessment of and engagement in property ownership issues. DFID has currently over £575.4 million in approved project and programme commitments dealing with these issues in both urban and rural areas in developing countries.

In urban areas, £160.7 million has been committed by DFID to this issue. This includes programmes and projects relating property ownership issues to urban management, urbanisation policy and shelter and tenure.

In the rural sector DFID has currently committed £412.6 million to programmes and projects dealing with land policy.

In other sectors (Governance, Human Rights, Social Protection, Local Government Reform) DFID currently has £2.1 million committed.

In addition DFID has the services of a Land Policy Adviser.

Iraq

Mr. Robathan: To ask the Secretary of State for International Development (1) what poverty impact assessments have been undertaken on the impact of redirection of funds from middle income countries to the reconstruction of Iraq; and if he will make a statement; [135253]

(2) what programmes will be ended prematurely owing to the redirection of funds away from middle income countries to the reconstruction of Iraq. [135252]

Hilary Benn: Final decisions have yet to be taken on where reallocations will occur and I refer the hon. Member for Blaby to the answers I gave the hon. Member for Meriden (Mrs. Spelman) on 4 November 2003, *Official Report*, columns 486W and 490W.

Dr. Iddon: To ask the Secretary of State for International Development what resources are being diverted from his Department's budgets to Iraq; which other countries are affected; and if he will make a statement. [135262]

Hilary Benn: Final decisions have yet to be taken on where reallocations will occur and I refer my hon. Friend to the to the answers I gave the hon. Member for Meriden (Mrs. Spelman) on 4 November 2003, *Official Report*, columns 486–90W.

Mr. Steinberg: To ask the Secretary of State for International Development whether the money allocated to aid reconstruction in Iraq has been transferred from other aid programmes. [135497]

Hilary Benn: I refer the hon. Member for the City of Durham to the answers I gave the hon. Member for Meriden (Mrs. Spelman) on 4 November 2003, *Official Report*, columns 486W and 490W.

Maternal Mortality

Mrs. Spelman: To ask the Secretary of State for International Development what steps his Department is taking to meet the Millennium Development Goal to reduce the level of maternal mortality among mothers in childbirth in developing countries, with particular reference to Africa. [136278]

Hilary Benn: The Millennium Development Goals (MDGs) are central to DFID's work, including the goal to improve maternal health, and its associated target of reducing the maternal mortality ratio (the number of maternal deaths per 100,000 live births) by 75 per cent. between 1990 and 2015. Our Public Service Agreement includes ambitious targets on increasing access in Africa and Asia to skilled attendance at childbirth. Skilled attendance is an important contributor to safe childbirth and serves as an internationally agreed proxy indicator of progress towards the maternal health MDG, trends in maternal mortality being notoriously difficult to assess directly. DFID's strategy includes advocacy in the international arena, support to countries to strengthen health systems and improve access to maternal and reproductive health services, and support for research and improved measurement tools. DFID is participating in a new international partnership for Safe Motherhood and Newborn Health.

Sub-Saharan Africa bears a disproportionate burden of maternal mortality. In 2000, there were approximately 247,000 maternal deaths in sub-Saharan Africa, almost half the 529,000 deaths worldwide. We support the maternal health strategies of African countries through health sector budget support, through safe motherhood projects, for example in Kenya and Malawi, and indirectly through general budget support. Since 1997 we have committed approximately £0.5 billion to health systems strengthening in Africa. We also fund international multilateral agencies and international NGOs active in supporting maternal health programmes in Africa.

Tanzania

John Barrett: To ask the Secretary of State for International Development what reports he has received on food security in Tanzania; and if he will make a statement. [136620]

Hilary Benn: The Government of Tanzania has submitted reports to development partners on food security and the distribution of around 16,000 MT of subsidised food from their Strategic Grain Reserve. I have been receiving further updates on the situation from the DFID office in Dar es Salaam. WFP approved an Emergency Operation on 20 October to provide additional assistance to drought affected persons. DFID is considering its response to this appeal.

Zimbabwe

Mrs. Spelman: To ask the Secretary of State for International Development if he will make a statement on the closure of the regional hospital in the Matabeleland South province of Zimbabwe. [136274]

Hilary Benn: Shangani hospital serves a population in Matabeleland South Province that includes about 12,500 newly resettled families in a former commercial farming area.

At the end of September 2003, Shangani hospital announced that it had ceased to admit patients because it had run out of food. This occurred despite Government of Zimbabwe policy that all hospitals and other key institutions have priority for access to food supplied by the Grain Marketing Board, which is a parastatal. In response, the chair of the Provincial Food Task Force promised to provide food to the hospital on an emergency basis and to undertake an investigation into the situation.

Shangani hospital is now operating again, although shortages of food, ambulances and fuel persist.

Mrs. Spelman: To ask the Secretary of State for International Development if he will make a statement on the interruptions to the water supply in Harare, Zimbabwe. [136275]

Hilary Benn: Several cities and towns of Zimbabwe are being affected by the interruption of their water supplies to varying degrees. The lack of provision of foreign exchange by the central government imposes a serious constraint on local government's capacity to purchase water treatment chemicals. In addition, the country is coming towards the end of the dry season resulting in very low levels in the main reservoirs.

It is hoped the recent rains will have helped the situation, as well as the anticipation of normal rainfall this year. The Harare city council so far is managing to ensure clean water supplies to Harare, and has begun to receive some support to import chemicals from donors following a request through the United Nations. There has recently been a general improvement in supplies as the city council took active action to deal with the situation including a hosepipe ban.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the trends in *(a)* poppy cultivation and *(b)* the heroin trade in Afghanistan; and if he will make a statement on its impact on the country's stability. [135847]

Mr. Rammell: I refer the hon. Member to the answer I gave him today (UIN135856).

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with *(a)* the UN, *(b)* international partners and *(c)* farmers in Afghanistan regarding the measures which need to be taken to meet the target set in the 2002 Spending Review to contribute to the reduction of opium production in Afghanistan. [136536]

Mr. Straw: We are working closely with the United Nations Office on Drugs and Crime (UNODC) to support the Afghan government in achieving its target of eliminating opium within 10 years. We also consult regularly with other key donors, as this is not something we can achieve on our own. We are organising an international conference, co-hosted with the Afghan Government and UNODC that will take place in Kabul in February 2004 with the aim of encouraging wider international community support. The UK also provided financial and human resources to the latest UNODC Farmers Intentions Study. This has helped us to ascertain the best methods of ensuring that Afghan farmers cease to grow opium poppy and pursue alternative livelihoods.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures his Department is taking to meet the target set in the 2002 Spending Review to contribute to the reduction of opium production in Afghanistan; and what estimate he has made of changes to the size of the opium harvest in Afghanistan in each of the next three years. [136537]

Mr. Straw: The Afghan Transitional Authority (ATA) adopted its National Drug Control Strategy on 19 May 2003. Its objective is to reduce opium poppy cultivation by 70 per cent. in five years and by 100 per cent. in 10 years. The UK is committed to helping the ATA achieve this objective and has prepared a balanced programme of counter-narcotics activity to support implementation of the Afghan strategy. We have committed £70 million over three years and additional personnel are currently being posted to Afghanistan. It is difficult to assess expected cultivation levels in each year but we do not expect progress to be linear. Experience of counter-narcotics policies in other countries, such as Thailand and Pakistan, shows that cultivation tends to increase before declining. Cultivation also tends to move from traditional areas to more marginal and inaccessible areas to protect crops against law enforcement activity. Progress in the initial years of assistance towards reducing opium levels will also be dependent upon wider improvements in security and governance.

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the report by the United Nations Office on Drugs and Crime on poppy production in Afghanistan. [136621]

Mr. Rammell: I refer the hon. Member to the Written Ministerial Statement I made on 30 October 2003, *Official Report*, column 20WS, regarding the United Nations Office on Drugs and Crime (UNODC) survey results for the 2003 opium poppy crop in Afghanistan.

Azerbaijan

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Azeri Government since the election of

Ilham Aliev as President regarding *(a)* the conduct of the recent elections in Azerbaijan and *(b)* arrests of opposition supporters. [136433]

Mr. MacShane: The EU issued a statement on 23 October expressing regret for the shortcomings in the electoral process in Azerbaijan, while acknowledging that it was an improvement over previous elections. In the two weeks following the elections, our ambassador to Azerbaijan met twice with President-elect Ilham Aliev, and on both occasions he raised the issue of the post election arrests of opposition party officials and journalists. My hon. Friend the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office (Mr. Rammell) expressed our concern about the post-electoral developments in a press release of 23 October. A copy of the press release is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/news/press-releases. Many of those detained have since been released. We will continue to closely monitor the situation and keep in close touch with our EU and OSCE (Organisation for Security and Co-operation in Europe) partners.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether the recent elections in Azerbaijan can be deemed to have been free and fair; and if he will make a statement. [136445]

Mr. MacShane: We acknowledge progress over previous elections in Azerbaijan, but regret that some shortcomings were observed. The International Election Observation Mission (IEOM) stated in its preliminary conclusions that voting was generally well administered in most polling stations, but that the overall election process still fell short of international standards in several respects. It is important that Azerbaijan takes steps to build on the progress it has made and to reaffirm its commitments in the Organisation for Security and Co-operation in Europe (OSCE) and obligations within the Council of Europe to the democratic process. We await the IEOM's final assessment on the conduct of the elections.

Burma

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to persuade the Thai Government to lift its restrictions on cross-border aid to internally displaced people in Burma and on refugees from Burma entering Thailand. [135573]

Mr. Mike O'Brien: We believe that the Burmese regime's refusal to grant access to IDP areas is the biggest restriction on aid to internally displaced people in Burma. The Thai authorities have a long record of providing safe haven for those fleeing persecution by the Burmese regime. With our EU colleagues, we regularly engage with the Thai authorities on this issue.

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Thailand's roadmap for democracy in Burma. [135574]

Mr. Mike O'Brien: The UK welcomes and is supportive of Thai efforts to encourage the Burmese military regime to enter into substantive genuine dialogue with democratic and ethnic minority leaders in Burma leading to national reconciliation. We believe that Thailand's proposal forms a good basis on which to build from.

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise the issue of the Burmese Government's atrocities against the Karen, Karenni and Shan people at the UN Security Council. [135575]

Mr. Mike O'Brien: The Government are encouraging all the appropriate bodies of the UN to tackle the issue of helping bring about national reconciliation, respect for human rights and democracy in Burma. Should Burma feature on the UN Security Council agenda, the Government would ensure that the plight of Burma's ethnic groups was taken fully into account.

We regularly raise Burma, including the plight of Burma's ethnic groups, bilaterally with our Security Council partners, but there is currently no agreement that Burma should be discussed by the Security Council.

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs what account the Government takes of the Burmese Army's atrocities against the *(a)* Karen, *(b)* Karenni and *(c)* Shan people in their decision-making; and what sanctions regime against Burma the Government will adopt. [135576]

Mr. Mike O'Brien: Together with the international community, we recognise that the resolution of the ethnic nationality issue is an essential ingredient in any possible solution to Burma's problems. The disproportionate violation of human rights suffered by ethnic groups has been highlighted by successive UN resolutions and were included in the European Union Council Conclusions on Burma when the EU decided to strengthen the Common Position in April 2003. We are currently discussing with EU colleagues what additional measures we may take to encourage national reconciliation, respect for human rights and democracy in Burma.

Bob Spink: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government is taking to raise concerns with the Burmese regime regarding the Burmese military's deployment of land mines in *(a)* Karen, *(b)* Karenni and *(c)* Shan civilian areas; and if he will make a statement. [135791]

Mr. Mike O'Brien: Continued fighting between the Burmese Army and armed ethnic groups, which includes the use of land mines by both sides, is the cause of on-going suffering among the ordinary people in these areas. Ethnic groups, including the Karen, Karenni, and Shan, suffer disproportionately.

The UK co-sponsors resolutions in the UN General assembly (UNGA) and UN Commission on Human Rights (UNCHR) condemning the military regime's actions against the ethnic groups.

China

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Chinese Government regarding the imprisonment of Phuntsog Nyidrol. [136431]

Mr. Rammell: Phuntsog Nyidrol was included on the list of individual cases of concern handed over to the Chinese authorities during my right hon. Friend the Prime Minister's visit to China in July. We have regularly raised her case in the context of the biannual UK/China Human Rights Dialogue, and have requested her release on medical grounds.

Colombia

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the number of human rights violations, broken down by *(a)* murders, *(b)* kidnappings and *(c)* death threats each year in Colombia under the (i) Pastrana and (ii) Uribe administrations. [136309]

Mr. Rammell: We see many reports on the human rights situation in Colombia each year from non-governmental organisations, international bodies and foreign governments. These reports have different methods of collating and presenting their data, so a consensus of figures of the particular categories mentioned by my hon. Friend is difficult to come by. Detailed reports are available on the following websites.

UNHCHR http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/1304674285b7eb3bc1256cf5003906fb?Opendocument

US State Department http://www.state.gov/g/drl/rls/hrrpt/2002/18325.htm

Amnesty International http://web.amnesty.org/report2003/col-summary-eng

Human Rights Watch http://hrw.org/wr2k3/americas4.html

The issues highlighted in these reports are of great concern to us. We raise these regularly with the Colombian Government. I recently did so when I met the Colombian Foreign Minister in New York on 23 September. We will continue to work closely with the Colombian Government, EU partners and others to tackle the problems.

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he is giving to the Colombian Government on human rights issues. [136561]

Mr. Rammell: Our human rights assistance for Colombia addresses the key problems of violence, displacement, children's and women's rights, impunity and the guarantee of fundamental human rights freedoms. Projects include provision of human rights training for the Colombian armed forces; encouraging greater attention to the rights of displaced women, adolescents and girls; strengthening Colombian NGOs; rehabilitation of child soldiers; helping street children out of their negative environment; provision of political and financial support to the work of the UNHCHR office in Bogota and to the Special Adviser to the UN Secretary-General on Colombia. We also contribute to the EU's programme of assistance of Euro 330 million over the period 2001–06 (which includes assistance on human rights).

EU Intergovernmental Conference

Mr. Heathcoat-Amory: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the non-institutional matters which he submitted to the Italian Presidency by 20 October for raising at the Inter-governmental Conference. [135377]

Mr. MacShane: The Government's letter to the Presidency on non-institutional issues for discussion in the Inter-governmental Conference raised the following issues: aspects of Justice and Home Affairs, the status of the Charter of Fundamental Rights; economic governance and the budget; defence; and the scope of qualified majority voting and co-decision. The Government's White Paper sets out our position on these questions in detail.

Immigration (Chagos Islanders)

Tim Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with West Sussex county council about provision for permanent settlement of Chagos Islanders arriving at Gatwick airport. [134756]

Mr. Rammell: My officials have been in contact with West Sussex county council and following this, officials in the Department for Work and Pensions and the Department of Health are considering, with the Foreign and Commonwealth Office, the situation of the destitute Chagossians in the UK.

Tim Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements he has made for the settlement of Chagos Islanders in the UK. [134792]

Mr. Rammell: Officials in the Department for Work and Pensions and the Department of Health are considering, with the Foreign and Commonwealth Office, the situation of the destitute Chagossians in the UK. No final decisions on any measures can be taken until the judicial review proceedings are completed.

Iraq

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions the Government have had with the US Administration regarding foreign nationals entering Iraq to participate in terrorist activities; and what assessment his Department has made of the number of foreign terrorists in Iraq. [135945]

Mr. Straw: I refer the right hon. Member to the answer given to him by my hon. Friend the Parliamentary Under-Secretary of State at the Foreign and Commonwealth Office (Mr. Rammell) today (UIN136351). I am withholding details of the Government's estimate of the number of foreign terrorists in Iraq under exemptions 1 and 2 of Part 2 of the Code of Practice on Access to Government Information.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government is taking to prevent foreign terrorists coming into possession of weapons of mass destruction in Iraq; and what discussions the Government have had with international partners on this matter. [135946]

Mr. Straw: Coalition forces regularly conduct anti-terrorist operations, and the UK and US Governments have urged Iraq's neighbours to tighten up border

security and border controls to deny terrorists access to Iraq. Coalition forces and the Iraq Survey Group continue to search for and secure WMD-related sites and materials.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of external support from governments in countries surrounding Iraq for individuals and organisations carrying out terrorist activities in Iraq; and if he will make a statement. [135966]

Mr. Straw: We have received a range of reports about possible support from individuals and organisations from within Iraq's neighbours for terrorist activity in Iraq. The Government have urged Iraq's neighbours to tighten up security and border controls to deny terrorists access to Iraq.

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with representatives of the US Administration on possible foreign involvement in attacks in Iraq; and if he will make a statement. [136351]

Mr. Rammell: My right hon. Friend the Foreign Secretary regularly discusses Iraq issues with US Secretary of State Colin Powell. The Government have urged Iraq's neighbours to tighten up security and border controls to deny terrorists access to Iraq.

Pakistan

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 5 November 2003; *Official Report*, column 663W, what assessment he has made of whether the steps taken by the Government of Pakistan support a conclusion that the Government of Pakistan are not a sponsor of terrorism. [135648]

Mr. Mike O'Brien: We welcome the steps which the Government of Pakistan have taken and is continuing to take against terrorist and extremist organisations. But we remain concerned that some such groups are still operating within and from Pakistan. We continue to urge the Government of Pakistan to do more to prevent all forms of terrorist activity.

Paramilitary Groups

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer to the hon. Member for Islington, North (Jeremy Corbyn) of 4 July 2003, *Official Report*, column 558W, what assessment he has made of the level of protection needed for trade unionists receiving death threats from paramilitary groups. [136353]

Mr. Rammell: I regularly make clear our great concern about the extremely difficult situation faced by trades unionists in Colombia. Protection is given under the Colombian Ministry of Interior Protection Programme. We welcome the recently increased spending on this programme, and the reactivation of Inter-Institutional Commission for the Promotion and Protection of Workers' Human Rights. Deaths of trades union members have been significantly reduced this year. But there is much more to be done and the Colombian Government has acknowledged this. It supports and has played a large part in discussions on an EU funded project for the promotion and defence of the human rights of trades unionists. We will continue to emphasise the need for further protection of all vulnerable groups in Colombia.

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of the Sudan on press freedom. [136090]

Mr. Mullin: Human rights in Sudan remains one of our priorities. We monitor the situation closely. Our embassy in Khartoum regularly lobbies the Government of Sudan on human rights, including on press freedom.

Most recently the embassy raised the suspension of the daily newspapers the Khartoum Monitor, Al-Wan and Al-Azminah. I am pleased to be able to say that all three of these newspapers have now resumed printing. We will continue to maintain pressure on the Government of Sudan to improve its human rights record and will continue to raise human rights violations at every opportunity both bilaterally and as part of the EU/Sudan dialogue.

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Sudan on the *(a)* death penalty and *(b)* use of torture. [136092]

Mr. Mullin: Human rights in Sudan remains one of our priorities. We monitor the situation closely. Our embassy in Khartoum regularly lobbies the Government of Sudan on human rights, and pays particular attention to cases involving the death penalty, corporal punishments and allegations of torture.

The embassy continues to raise these issues both bilaterally and multilaterally as part of the recent EU Sudan dialogue. The last meeting of the EU Sudan dialogue was on 2 November 2003 which, among other issues, focused on press freedom and the application of "hudud" (amputations) punishments.

Mr. Dawson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK's role in the Sudan peace process. [136162]

Mr. Mullin: We continue to offer the parties and mediators our full support in their efforts to reach a comprehensive peace agreement, which we hope will be signed early in the New Year. During the break in the formal talks, due to resume on 30 November, we are encouraging the parties to maintain contact. In that respect, the UK Special Representative visited southern Sudan last week and had a useful meeting with the leader of the Sudan People's Liberation Movement (SPLM).

We are supporting the peace process in other ways; by broadening our humanitarian assistance to include direct support for the peace process and for early rehabilitation and peace-building work; by providing funds and personnel to the Joint Monitoring Commission (JMC) in the Nuba Mountains and the Verification Monitoring Team in the south.

We are discussing what support we can provide immediately following a peace agreement so that the Sudanese people can see early benefits of peace. Assisting Sudan in its progress towards peace continues to be a high priority.

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken to help bring about a lasting peace in Sudan. [136436]

Mr. Mullin: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) today (UIN136162).

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the release of political prisoners in Khartoum and Dafur, Sudan. [136091]

Mr. Mullin: I refer my hon. Friend to the answer I gave him on 23 October 2003, *Official Report*, column 713W.

In Darfur, the release of prisoners affiliated to the Sudanese Liberation Movement was an encouraging sign in accordance with the Abeche cease-fire agreement. We continue to urge both parties to respect the cease-fire and support the political dialogue currently taking place in Abeche.

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SIXTH SERIES **VOLUME 412**

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Printed indexes to Hansard

The fortnightly index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the daily parts and weekly edition of Hansard. The other indexes produced are:

- The volume index to Hansard. This covers the same date range as the fortnightly index but references may be different as a result of changes to the text and column numbering in the bound volume.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

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The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

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- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
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- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
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REFERENCES

- References in the indexes are to columns rather than pages.
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  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'ws' indicate written statements.
  - References ending in 'w' indicate written questions.
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  - *Westminster Hall Debates* (covering all debates held as part of the Westminster Hall sittings);
  - *Written Statements* (consisting of ministerial statements issued in writing); and
  - *Questions* (which includes all written, oral and urgent questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R = First reading
- 2R = Second reading
- Com = Committee stage
- Rep = Report stage
- 3R = Third reading
- res = resolution
- amendt(s) = amendment(s)
- * = matter taken formally without debate or division
- (HL) = Bill starting in House of Lords
- (SP) = Bill in Scottish Parliament.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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